

the case was adjourned for many months afterwards. Then, if I remember right, the question was brought into Court in Poverty Bay and adjourned to be heard in Tologa Bay, so as to give Wilson time to get up his case and to favor his natives. It was afterwards heard there, and finally settled by Judge Rogan. I was not present at the Tologa Bay Court, and don't know what happened there, except from hearsay.

196. *Mr. Ormond.*] Had Wilson his case in the Gazette at Tologa Bay?—No; not even at Tologa Bay.

197. Were his surveys completed then?—I don't know; I was not at the Tologa Bay Court, that is, to give any evidence. Captain Porter acted for me; I could not be present through sickness in my house. I had a great deal of sickness in my house at that time; one child died, and I could not get up there.

198. *The Chairman.*] There seems to be a tacit consent on the part of the Government to Cooper acquiring this land, except so far as the Government survey overlapped. Is that so? There was at least no objection?—Mr. Cooper's land overlaps all the Government land, but there is a portion of the Government land which Mr. Cooper does not lay claim to. No, just the contrary.

199. Then the Government claim the whole of Cooper's block, although Cooper does not claim the whole of the Government block?—Exactly.

200. How far had these Government negotiations gone? What amount of money had been paid?—That I should like you to ask Mr. Gill to state. It will appear in the proceedings of the Commission.

201. Did it appear from the inquiry at the Court that the Government had been purchasing from the right people?—No; Mr. Cooper had been dealing almost entirely with the right people; the Government principally with the wrong people. Some of the Natives whom Wilson dealt with were the right people, but the leading people were the people with whom Cooper was dealing.

202. That, in fact, was the result of the inquiry before the Court?—Yes; that will be shewn in the printed Parliamentary Papers I refer to. Pita te Huhu was the principal man, and the man Cooper was dealing with.

203. *Mr. Carrington.*] Who was the first to negotiate?—Cooper was the first in the field. He was in the field some time in the end of 1873 or beginning of 1874.

204. *Mr. Rolleston.*] Was that before the Government had the power of putting in this prevention of sale?—No; I think that power was given under "The Public Works Act of 1871," 42nd clause.

205. Why didn't the Government then prevent the thing going on, except as a purchase by themselves?—They did not put in the proclamation, I think, until 1875 or 1876.

206. They were aware, through their officers, that this transaction was going on with another person?—Yes.

207. Was not the ordinary course to interfere then?—That might have been the better plan, and to give the Judge official notice, but there were objections at the time to that course.

208. Is it a fair thing to abstain from interference then, and come down afterwards and oppose?—I don't think it was a fair thing; the case stood on its merits.

209. *Mr. Carrington.*] When Mr. Cooper commenced, was it before the Government or after?—He was in the field before.

210. And had arranged to make the purchase of a certain block of land?—Yes, to deal; whether leasing or purchasing I don't know. He had arranged to make the survey before the Government interfered.

211. *Mr. Rolleston.*] The Government did consent, as I understand, to leave it to the decision of the Court as to who had the right men?—That was the understanding.

212. That the land should go to those who had got the right men?—That was the sort of tacit understanding—that whoever had the right men would get the land. My own feeling was this—that the Government could have got the land, but there was a sort of notion that they could get it by Act of Parliament, instead of going to the Natives and dealing with them as they would with any other person. I don't say that all Cooper's dealings are right by a long way, but I am merely making a statement of how the matter stands in this case, and he certainly dealt with the right people in this matter.

213. *Hon. Mr. Nahe.*] Who was it that put in a claim for this land before the Court?—Pita te Huhu.

214. Who were the opponents?—The Tologa Bay people.

215. And which party got the land?—Pita te Huhu.

216. If the other party had got it, who would have been the parties to whom they would have sold?—The Government.

217. Who got the land?—Pita te Huhu, who was selling to Cooper.

218. How is it that Cooper's operations were interfered with?—Until the case was tried before the Court we could not tell who were the real owners.

219. *Mr. Rolleston.*] When was the proclamation issued which is referred to in this caveat?—I think some time in 1876. I am speaking now entirely from memory.

220. The proclamation was before the completion of the purchase?—Yes.

221. *The Chairman.*] You stated that evidence in connection with this matter had been published in a Parliamentary Paper. In what connection did you give that evidence?—There was a commission appointed to investigate the charges made by Mr. Wilson against Judge Rogan and myself. Dr. Giles and Major Brown were the commission, which sat in Poverty Bay in 1876. There was also a committee of the Upper House last year on Wilson's petition to the Upper House (Petition of J. A. Wilson, J. 2, 1877, Journals Legislative Council). That I have never read, but it is in print.

222. It was not upon any matter raised by Cooper?—No; it was entirely on Wilson's letter to the Government, laying charges on Mr. Rogan and myself.

223. *Mr. Hobbs.*] Is Wilson's evidence in the Parliamentary Papers?—Yes. Judge Rogan's also, and two or three other persons evidence, and my own.