

254. You were satisfied with that?—Yes. But what satisfied me more particularly was that the two chiefs, Te Hapuku and Meihana, came forward and said that no one disputed the title of these people.

255. *Mr. Bell.*] That was more satisfactory to you?—Yes. They were not claimants, but were independent chiefs of Hawke's Bay.

256. Did you think they had any right to speak for others?—Do I understand you to mean the chiefs.

257. Yes—Te Hapuku and Meihana?—They were quite at liberty in the Court. Any one could come forward and state it. If there were any objections, that was the time for them to come forward and prefer or to waive their claim. No objector appeared in the Court, and the Native Assessor and I were perfectly satisfied in our minds. Otherwise we should not have made the temporary order for memorial of ownership until the correct plan should have been sent in.

258. *Hon. Sir R. Stout.*] Satisfied with what?—With the statement that was made by Noa and Renata, and Te Hapuku and Meihana—that this land chiefly belonged to these people whose names were written down.

259. You say you were satisfied to leave out the others who had been named, as Matiu Tamarau, whom Noa had named. Why did you leave him out?—Because Renata stated that these were all that they would receive as grantees for the estate.

260. That is not in the book?—No, it is not in the book. I think I can give, in Maori, what this man said. However, I decided to leave it as it was, because Renata said to me—I got into an argument with him about these twenty people—"The land is mine and the people are mine."

261. Is there anything in the minute-book to say that Renata objected to Matthew being put in the memorial?—No, I do not think there is anything in the minute-book. I am labouring under a disadvantage before the Committee, inasmuch as these are minutes taken by the Clerk. I do not pretend to say that I had the ability to write sufficiently quickly to take full minutes of the case; but I took minutes of this and other actions, and the Committee may take my word for what I have stated.

262. I only want to know if there is anything which shows that Renata objected to the name of Matthew being omitted from the notice?—No; there is nothing in the minutes showing this.

263. *Mr. Bell.*] What has become of your minutes?—They were in my room at the Native Land Court Office at Gisborne, and were all burnt. They were in the room of the office at the same time that Mr. Woon and I were successful, or nearly so, in saving the whole of the other records, which we carried out. My room was off the office, and I lost all my private property and private papers. Those are the minutes taken by the Clerk.

264. Did you look at the Clerk's minutes? Were you in the habit of doing so?—Except for the purpose of making out a memorial of ownership I depended upon my own minutes, and not upon these. If a memorial of ownership were to be ordered, that became a serious question. As to the area and names of memorial of ownership, the books were my guide on such an occasion as that.

265. Now, I want you to answer me this: When the memorial of ownership was ordered, the area was omitted till the plan came from the Auckland office: was that the practice?—Yes.

266. Were you aware that this practice was not permitted by the Act of 1873?—Yes. I did it because the late Sir Donald McLean selected me as one of the Judges to dispose of the land question, as far as my duties as a Native Land Court Judge were concerned, on the whole of the East Coast. On my arrival at Gisborne in 1875 this question arose before I sat on any Native Land Court in this district. Plans of the whole of that district were many, but none of them were connected trigonometrically. I took objection to one brought forward a few days previous to the sitting of the Court; and the surveyor in charge stated that he would put on the face of the plan nothing to show that it was a corrected plan. I replied that under these circumstances I should go back to Auckland; that it was necessary, according to the Act, that I should have a correct plan before me before I proceeded to the investigation of the title. The surveyor said that he would put a note on the plan which would satisfy me that the investigation should be proceeded with, and that he would at a future time give me a correct plan of any block that I thought proper to investigate. I considered this over. There were a large number—perhaps a hundred and fifty cases down, and about six hundred Natives in the Town of Gisborne at this time; and it was a question for me whether I should go back to Auckland and disregard the direction I had received from Sir Donald McLean to endeavour with all my power to carry on and settle the question of Native land on the East Coast; and I decided to proceed with the business of the Court as if these plans were all perfect ones. I made probably a hundred and fifty orders similar to these two orders. In fact, the whole of the lands from the Waiapu River extending to Napier itself—most of these were on what I might call sketch-surveys, or incomplete surveys, hanging upon nothing. Some of them were perfect plans, such as this—Kaimanawa. That was disposed of immediately in the Court; but the orders were held back until the land was surveyed, perhaps for two years. At the end of two years, the whole of these orders were made out; and it took me, I remember, a month to make them out. They were made at my office in Gisborne; not in the Court.

267. The point is this: If you had insisted upon nothing but actual surveys, as required by the Act of 1873, six hundred and fifty Natives must have gone home without having their claims heard?—Yes; they must have gone back again.

268. Could you have carried on the business of the Court if the actual surveys before investigation had been insisted upon?—I should have left and gone to Auckland. But after that Sir Donald McLean came to me and said, "Rogan, if you had gone to Auckland, you would have destroyed the prosperity of the whole of the district, over which I have had a great deal of trouble." And he said "As to any illegality, the Government have the power to remedy that." But he said, "Your duty is, as I have told you, to pay special attention to ascertain the Native owners of the land; and when these maps come in, at any future time, you can make your memorials of ownership, as you have done on the whole of the land from Napier to Masterton."