

269. And you did, as I understand, proceed with sketch-plans only?—Yes.

270. These sketch-plans would not show area accurately?—No; I will show that presently.

271. That is, because these sketch-plans would not be accurate as to area?—Yes.

272. *Mr. Holmes.*] Do I understand that you issued memorials on sketch-plans?—No; you do not issue a memorial until you get a correct survey and plan.

273. *Mr. Bell.*] The area as appearing on the sketch-plan before investigation, and the area appearing in the memorial, would therefore be in most cases different?—Yes; in nine hundred and ninety-nine cases out of a thousand they would be. One is only a guess, while the other is an actual survey.

274. Sir Robert Stout in his memorandum speaks of your having made orders and memorials upon days when the Court never sat. I want to know if it was possible for you, on any occasion, to fix up and issue your memorial in the Court?—No; it was impossible to investigate the case and sign the memorial simultaneously. It was generally a day after the hearing of the Court that the memorials and orders were made.

*Hon. Sir R. Stout:* The point I meant is that the Court made its memorial as of a day on which it never sat.

MONDAY, 5TH JULY, 1886.

Mr. ROGAN'S examination resumed.

275. *Mr. Bell.*] I think, Mr. Rogan, that the last point in your evidence on Saturday was this: You told the Committee that your practice was to deal with the sketch-plans, and to make your orders and your memorials upon the result of a completed survey?—Yes.

276. And that was what you considered to be your duty on the East Coast, in order to enable any inquiries to be made in your Court. Now, with reference to the Owhaoko investigation, I refer you to the minute-book, at page 136. Sir Robert Stout, in his memorandum, at page 2, says, "On the same day the Court had the title to the Owhaoko Blocks No. 1 and No. 2, before it. According to the minutes of the Land Court, these consisted of 38,220 acres." Do you see, in the minute-book, "Owhaoko. Plan produced." There is against that 164,500 acres?—Yes.

277. That is on the 16th September, 1875?—Yes.

278. There is Owhaoko Block, 38,228 acres. Do you remember whether there was a sketch-plan of that block?—Yes, there was.

279. Sir Robert Stout gives the evidence of Renata Kawepo and Noa Huke on this application, on page 2. Now you will see that he goes on to say, "The evidence is given in the first person, and I have no doubt it has been minuted in full." In the minute-book are these words—are there not: "Objectors challenged. None appeared"?—Yes.

280. Then you see "Renata Kawepo and Noa Huke recalled;" but their evidence when recalled is not set out, is it?—No.

281. It would seem that Sir Robert Stout is wrong in having said, "No doubt it has been minuted in full"?—Yes.

282. The minute says they were recalled. Can you remember whether they were re-examined upon the recall?—Yes; I think to the best of my recollection they were.

283. What would be the object of recalling them? Who recalls them?—I recalled them.

284. What was the object in recalling them?—If you will allow me I will explain. There is a sketch-map of the 38,000 acres; but I believe it is not to be found. If it was I should be able to answer that question at once. I should be able to point out on the map the object of recalling these people. As it is not to be found, and is not in the papers, I will try to explain. The question is, what was the object in recalling these Natives. It will be necessary for me to explain that there was a sketch-plan of this land before the Court at the time. It was a mere sketch-map, showing that the amount was 38,220 acres. There was on this sketch-map a little mark made in the corner, which was requested by these Natives to be cut off from the survey. And that was Owhaoko No. 2. There were three Natives in the investigation of this land. There were three names given to me by the Native Noa Huke as the owners of the block, and it was simply in asking these Natives who were to go into this 181 acres irrespective of the 38,000 acres; and I think if I had the sketch-map I could prove that I got three more Natives besides those which were already acknowledged to be owners. Then it occurred to me—the Hon. the Attorney-General will see what I mean by this argument that I am going to attempt to propound—that there was a block containing 38,000 acres, and I had three Native owners to it at that time. The whole of this block was supposed to be investigated in the name of these three Natives, and the smaller portion for these other three. I said to these Natives, "Why, you give three Natives for this 38,000 acres and three for this corner here [showing position on map]. You will see that there are six of you that have claims to this block of land of 38,000 acres." And I put in the names of the six Natives into one block, and the same six names into the other.

285. That is the whole of the entry upon that minute. You had then a sketch-map before you?—Yes.

286. Then look at the minute, Tuesday, 21st September?—Will you allow me to make another explanation in regard to this, which Sir Robert Stout, in his memorandum, does not appear to understand. Of course, he could not understand it, because what I have just now attempted to explain was not in the book. I can very well understand him not understanding it. There was, three months afterwards, an investigation of this 164,500 acres of land, and six names were given as the owners, corresponding exactly with the six names I had put in previously. It is stated that I have taken the names of the six Natives of this block which I investigated last, and put them in the block which I investigated three months before; but that is not correct.

287. *Mr. Holmes.*] What was the name of the second block?—Owhaoko No. 2.