

[By means of the lithographed map attached to the memorandum the witness explained the position of Blocks Owhaoko No. 1 and No. 2, and showed reserve of 181 acres mentioned by him.]

288. *Mr. Bell.*] And three months afterwards, when they were applying for the large block, you put in the same six men?—Yes.

289. May I ask if you had any doubt that those Natives who lived at Patea knew that the Court was sitting? When you heard Noa Huke's evidence had you any doubt that the Natives living at Patea knew that the Court was sitting to investigate?—No.

290. Supposing upon every investigation you had insisted that all the Natives entitled to come to the Court should do so, could you have investigated any block of land?—No. I should have gone home. I could not have done it.

291. What would the custom be supposing the Natives had agreed to a school reserve. Would the custom be for the whole tribe to come from Patea to Napier?—No, they would have sent chiefs there, or sent a letter to tell me what they wanted.

292. Did you expect the whole tribe of Patea to turn up at the Napier Court and tell you what they wanted?—No, I could not expect that, because I knew that of the twenty Natives I had put there a large number were old men and incapable of travelling.

293. Now go on to the minute-book, page 136. That says, "Owhaoko, 164,500 acres." Can you say what plan you had then?—I had an imperfect plan, I think. It was rather better than a sketch-plan, but it was not a certified plan.

294. You see the evidence on page 4 of Sir Robert Stout's memorandum. Renata's evidence is given. What follows Renata Kawepo's evidence in the minutes? Will you read the minute-book as to what follows?—"Objectors challenged. Wiremu te Ota stated that there was no one to object. The only person he knew that owned the land was Renata Kawepo himself."

295. *Hon. Sir R. Stout.*] When objectors are challenged, and any one stands up in Court, are these people sworn?—They are not sworn, as a rule.

296. *The Chairman.*] You have the words "Objectors challenged." Do they mean "Objectors called for"?—Yes. After the evidence is taken in the Court, then I myself say in Maori, "Is there any person in the Court who has a claim to this land?"

297. And that is what you call "Objectors challenged"?—Yes. I used to say, "If there are any persons in the Court who have any objection to this claim, now is the time to make it."

298. *Mr. Bell.*] What follows in the minute-book—the statement of the Court set out in Sir Robert Stout's memorandum: "The Court stated that, although this is a large block of land, there was evidently no objection to Renata's claim, but, on the contrary, when objection was challenged, some person had stood up to substantiate his claim; and as soon as a correct plan was produced an order would be made"?—Yes.

299. That is a correct copy of the minute-book?—Yes.

300. Then follow: "Additional names given in by Renata Kawepo, Noa Huke, and Te Hira te Oke"?—Yes.

301. Sir Robert Stout says, "So far, therefore—that is, up to the 1st August, 1876—no order was made and practically no judicial decision given regarding this block." Was any judicial decision given on the 1st August, 1876?—It is recorded, "As soon as a correct plan is produced an order would be made." That is the judicial decision.

302. *Mr. Holmes.*] What date is that?—The 1st of August. It is perfectly clear that I had 164,500 acres before me unsurveyed, and it was impossible for me, with an unsurveyed plan, to make an order at that time.

303. *Mr. Bell.*] Now go to page 414. You had to make an order to give a memorial as soon as the survey was completed?—Yes.

304. *Mr. Holmes.*] Is there any minute of the order being made on the 1st August? When was the memorandum put down as to the order being made?—It was what was termed merely an interlocutory order. No order is made on the minutes beyond that we will make an order in the future, when something is done. That minute only shows that we have determined upon it.

305. *Mr. Bell.*] Mr. Holmes wants to know whether the practice of the Native Land Court was to minute the decision when you arrive at it. Where did you minute what you decided?—Here in the minute-book.

306. But that is not your handwriting. Where did you keep your record of what was done? Had you no memorandum of your own?—I had books of my own, but they were burnt at Gisborne.

307. You see page 413, "Owhaoko"?—Yes.

308. Going back to page 404, you see that the Court sat at Porangahau on the 30th November?—Yes.

309. Now you see, on page 413, at the close of the sitting of the Court at Porangahau, on the 1st December of the same year—1876—the words "Court adjourned" struck out, and "Owhaoko, see page 136"?—Yes.

310. Can you say in whose handwriting this minute is, having reference to Owhaoko on pages 413 and 414?—In Mr. Brooking's handwriting. He was a junior clerk in the office.

311. Then you see the paragraph on page 414, "160,000 acres, to stand over till a proper plan is produced. See copy telegram, page 418." In whose handwriting is that?—In Mr. Woon's handwriting.

312. Then, the words "No. 1 School Reserve:" whose handwriting is that?—That is also Woon's.

313. And the words "twenty-eight thousand six hundred and one"?—Yes.

314. Who was Mr. Brooking?—A junior clerk with me. He was a very good Native scholar, but not a clerk.