

523. I call your attention now to section 37. You have told us that it was the practice to obtain reports on claims from District Officers. Passing to section 38, it was provided that "the Judge shall institute such preliminary inquiries as he may deem necessary, in the manner he may think best, with a view of ascertaining whether the application to bring the land under the Act is in accordance with the wishes of the ostensible owners thereof; and, if he shall upon that inquiry be satisfied that the application is *bonâ fide*, and no objections thereto have been offered by the persons hereinbefore required to report upon such application, and that the hearing of such claim is not likely to lead to any disturbance of the peace of the country, he shall require a survey of the land to be made under the direction of the Inspector of Surveys, and the boundaries thereof to be effectually marked out on the ground. The Judge shall in each case minute a note of the manner in which he shall have satisfied himself in respect to the aforesaid matters." I want to know if that was done?—I think I can remember two instances—certainly two.

524. And no more? Was it the practice to make this?—It was not the practice. May I explain: I said, in the early part of the operation of the Act of 1873, which provided that preliminary inquiries should be made, it was attempted, and found unsatisfactory, I think, by these two cases, made in accordance with this clause 38, that the Court was to make preliminary inquiries. It was afterwards found that it was difficult to get preliminary inquiries made, and the practice was abolished. The Judge was relying upon the report of the District Officer.

525. The result of the section 38 would be to have two meetings of the Natives and two meetings of the Court?—Yes. It was deemed costly to the Natives, and it was in consideration for them that it was decided to abandon the practice.

526. Do you not think the question of providing funds for the Government was a leading motive?—I do not think so. I believe it was consideration for the Maoris that induced them to alter it.

527. Section 39, you see, provides that "Provided always that the applicants shall in each case satisfy the Inspector of Surveys that the costs and charges of the surveys and requisite maps of the claim will be paid by them, either in money or in land to be transferred to Her Majesty." Are you aware whether that was strictly adhered to?—I know that it was attempted—that parties making application for survey had to sign an application in which they were to all intents and purposes bound to make payments for the cost of survey.

528. Now, section 46 says, "In carrying into effect the preceding sections, or any of the sections hereinafter contained regarding partitions, the Court may adopt, and enter of record in its proceedings, any arrangements voluntarily come to amongst themselves by the claimants and counter-claimants, and may make such arrangements an element in its determination of any case concurrently or subsequently pending between the same parties." Now, do you know, Mr. Bridson, whether the Court acted upon voluntary arrangements?—Yes, I know it did.

529. I am not speaking of partitions—I am speaking of investigations. Do you know whether upon investigations the Court did act upon voluntary arrangements?—Yes, it did.

530. I now call your attention to the latter part of the clause. Was that latter provision strictly carried out?—I do not think it was. I know I was Clerk at several sittings of the Court, and I entered upon record in the minute-book such points, but I know it was not the practice.

531. I should like to know, when you were sitting as Clerk of any Court, do you know whether invariably all the Natives named in the memorial were present?—No; sometimes several of them were absent.

532. Do you know of any case or cases—I am speaking of the practice; not of any particular cases—where persons at the Court claimed to represent absent Natives?—Oh, yes; that was a common event.

533. Can you say what proof of their right to represent absent Natives was required by the Court?—Sometimes a written authority was required. Frequently the Court was satisfied without it.

534. You have been Clerk of the Native Land Court, as you have told us; and as Clerk have you kept minutes?—I have.

535. Did you enter the minutes as the Court sat?—As the witness gave his evidence.

536. But did you enter matters other than evidence while the Court was sitting, invariably?—I do not know what would be other matters than evidence requiring to be entered.

537. Minutes of the decision of the Court?—I should enter up the order after the Court had pronounced a decision.

538. Yes; but did you, as Clerk, have any practice of entering your minutes after the rising of the Court?—Never.

539. Do you know whether that was ever done?—I do.

540. I am not speaking of the Owhaoko case. I wish to know whether you know of Clerks of Courts entering up their minutes after the rising of the Court?—I do.

541. *Hon. Sir R. Stout.*] You might ask him what he means by "after the rising of the Court"?—I mean that some days he would take notes on a separate piece of paper, and then enter them up in the book in the evening, after the sitting of the Court.

542. But not while the Court was sitting?—No. I have known where a Clerk has done this as a practice, and copied them into the minute-book afterwards from his own notes.

543. *Mr. Bell.*] I want to know this: Have you known cases of errors in the minute-book—errors of record, that is, or where the matter has not been properly, correctly entered in the book? Do you not understand?—Not quite.

544. I want to know whether you have known cases where the record in the minute-book, when looked at afterwards, was found not to correctly represent what took place in Court?—Yes.

545. You have known such cases?—Yes.

546. Were such cases frequent?—Well, I could not say. I can only recall one or two.