

1131. Did you ever yourself sit on a rehearing?—I have. It was once—the only case, I believe.

1132. Did any person apply to be included in the owners of the land other than those whose names were in the application for rehearing?—No. I understand your question. The case in which I sat was at Kaiti.

1133. Where was that?—That was at Gisborne.

1134. When was that?—That was about nine years ago, I think.

1135. Well, I want to know if you found, regarding that block, any one entitled other than those who had applied for the rehearing or who had been in the block before?—I ought to say that this Kaiti was, after a little difficulty amongst the Natives in the Court, that they agreed to withdraw the rehearing altogether.

1136. Then you never made any award?—No.

1137. And never had any other case?—No.

1138. You do not know the practice in rehearings, I suppose?—Yes; I know the practice very well.

1139. The Act says that, in the matter of the rehearing, the proceedings are to be commenced *de novo*. You are aware of that?—Yes.

1140. When a Native Land Court sat to hear a claim to land, you called on the claimants, did you not?—Yes.

1141. Then, after you had heard them, you asked if there was any one else in Court who claimed a title to the land?—Yes.

1142. Whether they had given notice or not, you heard them?—Quite so.

1143. Suppose a rehearing took place, was it usual to call upon those who had made a claim to the land—who had applied for the rehearing—first?—I think the practice was to call on the persons who made the application for rehearing first.

1144. Did you then put the same question, asking if there were any other persons who claimed to be heard who were present?—Yes.

1145. And would you hear them?—Most certainly.

1146. That is, outside both claimant and counter-claimant?—Yes.

1147. In the event of applicants for rehearing withdrawing the application, would the Court go on with the question?—No; that disposed of the question.

1148. You would not enter into the question of either claims?—No.

1149. *Hon. Mr. Bryce.*] Well, then, practically, the people who applied for a rehearing applied not only on their own behalf, but on behalf of others interested. You say the claims of these others would be heard by the Court. Then, if it were so—that they applied on behalf of others as well as themselves—how can they withdraw the application at all unless the others concur?—The other persons interested are invariably in the Court, and it is always the chief who guides in these matters. In the case to which I referred just now it was a chief woman—a very important woman—who decided that they should withdraw, and all the others followed her.

1150. Supposing the people signing the application for rehearing desired to withdraw the application, and the other people in Court interested in the block did not wish it withdrawn—objected to the withdrawal—what would the Court do then?—I should think the Court would go on with the case.

1151. In case the applicants for rehearing wish to withdraw it, and the other people outside the applicants object to that withdrawal, the answer is that the Court would go on with the case?—Yes. I was never placed in that position, however.

1152. Then, speaking generally, the people who had made the application for rehearing had no right to withdraw that application unless the others outside consented to it?—No.

1153. *Hon. Sir R. Stout.*] About this Kaimanawa and Owahaoko. You seem to have, after the close of the evidence, asked in both cases if any objectors were present?—Yes.

1154. And there were no objectors?—No. Te Hapuku and Meihana, two leading chiefs—as no doubt they were—got up and said there were no objections.

1155. You would not call that part of the evidence, though it is part of the proceedings. They were not called as witnesses?—No, they were not called as witnesses. Any Native in the Court at that particular time who had an objection to the claim should have come forward and stated it. That was the proper time to make it.

1156. Te Hapuku was not a chief of the same hapu as Renata?—No; they were of totally different tribes, and not on very good terms at that time, I think.

1157. Nor yet Meihana?—No.

1158. That is what I understood?—Yes, they are totally different chiefs.

1159. Now, Mr. Bell somewhat found fault with my memorandum where I set out the evidence of Renata Kawepo and Noa Huke, on page 1, because I did not set out everything that appears in the minute-book about objectors. You would not call objectors' statements evidence, would you? They are not looked upon as witnesses? Would you call Te Hapuku and Meihana—would you set them down as witnesses? You did not examine them about the block?—No. They were not treated as witnesses. They were only there to affirm the statements made by the others.

1160. But you did not treat them as witnesses? They were not put in your notes?—To me theirs was most important testimony; but they were not treated as witnesses.

1161. Did you have any form of oath to administer to witnesses. You see here in the minute-book it says, "Renata Kawepo, on oath," and "Noa Huke, sworn;" but so far as the others are concerned nothing is stated?—There was a good deal of difficulty in dealing with some of these people. Te Hapuku was a heathen altogether, to begin with, and he was one of the most difficult men to deal with. On this occasion—if I may be allowed to say so, I had always a great deal of difficulty with him—I had to ask him to go away because he was interrupting the proceedings of the Court.