

Court at its sitting at Waitara in October, 1887. That map is now in the office of the Surveyor-General in Wellington.

I was not present at the sitting of the Court, but have been told that the map was rejected by the Court as insufficient. Consequent upon the rejection of the topographical map, I received instructions to make a complete survey of the block according to the boundaries, as shown in the topographical map, which has now been completed, and an approved map was forwarded to the Chief Judge on the 19th of June. The cost of this last-mentioned survey is £408, which, added to the lien previously existing, makes a total of £535 6s. 5d. survey lien.

The final line from Motukaramu was cut by Mr. Dalziel. The topographical map which was produced before the Court did not profess to be a survey according to the regulations for surveys under the Native Lands Act, but only a sketch not made from actual survey. Comparison with the final survey shows it to have been a remarkably correct sketch, but it would have been impossible to have placed the same reliance upon it as upon a complete survey; there might be a very considerable difference of area, which would not be capable of deduction by office examination. It is surprising in the present instance that the area has turned out to be so closely estimated.

SATURDAY, 7TH JULY, 1888.

Mr. THOMAS HUMPHRIES's examination continued.

At the time the topographical map was produced before the Court in October, 1887, the boundary had not been defined on the ground in the manner required by section 44 of the Native Land Court rules and the General Survey regulations as applied to Native lands. No line had been cut along the eastern boundary, nor had any pegs been put in. There was nothing by which Natives could know on the ground the position of the boundary-line, excepting at the starting-point, which was a natural feature—namely, a mineral-spring. Considering the purpose for which that plan was put before the Court, I should consider it essential that the boundary should have been marked on the ground itself, because the primary object was to settle objections to the boundaries, without which no final certificate could issue.

I think it likely that the up-river Natives would be misled by what had taken place at the Land Court at Otorohanga, as a boundary was agreed to before Judge Mair, which was some miles seaward of the boundary shown on the topographical map which was prepared by me under instructions from the Surveyor-General in Wellington, on which some correspondence took place. [Exhibits Nos. 18 to 25 produced.]

In February, 1886, the day before Mr. Dalziel started for Mokau to make the final survey, Takirau te Horo and a number of other Natives from Mokau, came to me at the Survey Office, New Plymouth, to protest against any survey being made. There were eight or ten of them. I knew some of them to be persons claiming an interest in the block. I told them that Mr. Dalziel had made all arrangements for leaving by the steamer, and would go the next day (the Natives were at the time attending the Resident Magistrate's Court in a case of assault which had been preferred against Mr. Joshua Jones by one of them). Mr. Dalziel did leave accordingly. I cannot say of my own knowledge how he succeeded in getting the line through. I know that Topuni came to me while Mr. Dalziel was at Mokau, saying that Mr. Dalziel had sent him to see me on account of objections to the survey. Topuni seemed very angry about it, but cooled down when I told him it was not a final settlement of the boundaries, and that the Natives would have an opportunity of objecting.

THOMAS HUMPHRIES (recalled).

The practice with regard to land passed through the Native Land Court in 1882 was, that the persons interested would, under certain conditions, be allowed to make the survey on application. It was my duty, with regard to cases in my district, to make inquiries as to whether there was likely to be any trouble with the Natives. If it appeared to me to be a clear case I was allowed to authorise the survey, subject to the sanction of the Surveyor-General. In this particular instance I did authorise it. My reason was, as my letters to the Surveyor-General show, that, Rewi having agreed to the making of the survey, I thought there would be no difficulty. In the ordinary course of things there would have been nothing to prevent Mr. Tole from proceeding with the survey, had not the Native Minister interfered. In my opinion, the survey might have been made at that time as far as the Natives were concerned; otherwise, I would not have recommended his application.

It was in December, 1885, that I first called the attention of the Surveyor-General to the fact that there were two mineral springs in the neighbourhood of Totoro. I have no doubt it was in consequence of Mr. Skeet's report to me that I did so. I did not know of it myself personally until I went up there in the following year. To the best of my recollection, I did not know of it before Mr. Skeet went up in December, 1885. The action taken by the Survey Department in trying to find a line to the eastward of Totoro, in the direction of Umukaimata, was in consequence of a memorandum of the 18th September, 1885, which I received from Mr. Percy Smith, Assistant Surveyor-General, in which he states that, at a consultation between himself and the Chief Judge of the Native Land Court, it had been decided that it would be best to follow this course.

I cannot say whether it was brought under the notice of the Chief Judge at that time that there were two mineral springs; but Mr. Skeet, who had, I believe, knowledge of that fact, was in Auckland at that time, having been sent there expressly by the order of the Surveyor-General to give all information that was required. When Mr. Skeet went up to Mokau his instructions were, if possible, to survey the boundary by way of Umukaimata; but if he could not get that line he was to do his best to get some line that would satisfy the Natives, so as to be able to put a plan