

1879.

NEW ZEALAND.

ELECTORAL ROLL OF MONGONUI AND BAY OF ISLANDS DISTRICT.

(REPORT OF THE ROYAL COMMISSIONER APPOINTED TO INQUIRE INTO CERTAIN MATTERS CONNECTED WITH.)

Presented to both Houses of the General Assembly by Command of His Excellency.

To His Excellency Sir HERCULES GEORGE ROBERT ROBINSON, Governor of New Zealand.

YOUR EXCELLENCY,—

In obedience to the terms of a Commission issued to me on the 11th of February last, I have made the inquiry therein indicated and set forth. For reasons which it is not necessary to detail, I thought it best to open the investigation at Russell, in the Bay of Islands; but, after taking some evidence there, I found that, to render the inquiry exhaustive, it would be necessary to take additional evidence at other places, which, under the terms of your Excellency's Commission, I was able to do. Accordingly, in addition to Russell, I held a Court at Whangaroa, at Mongonui, at Hokianga, and lastly at Auckland. I was accompanied throughout by Mr. Grey, a shorthand reporter, to take notes of the evidence, and by Mr. Brown, interpreter to the Supreme Court at Auckland, to translate the Maori evidence. I have every reason to be satisfied with the assistance rendered me by these gentlemen. A *verbatim* report of the whole of the evidence given by thirty-eight witnesses was accurately taken, and accompanies this report. However unpleasant some portions of the duty may have been to myself, I think it will be seen that the inquiry has been conducted in an impartial and unsparing manner, and that the report of the evidence will show that it has been searching and exhaustive.

Probably the most convenient form in which I can place the matter before your Excellency will be to give a brief narrative of the local political circumstances of the Mongonui and Bay of Islands Electoral District for the last few years; then to direct attention to the salient features of the evidence; and finally to express, in plain terms, as I am commanded to do, my opinion on the various matters and questions on which I am directed to report.

Up to the year 1871 political feeling in the Bay of Islands was in a state which may be described as calm and peaceful. The old Mission families, their connections and friends, rested placidly, in the calm assurance that they had a prescriptive right to control the public feeling and political action of the district in which they resided. Maoris, it is true, were on the electoral roll, but this, up to the year 1871, was probably regarded by the dominant families rather as a source of strength than of weakness. At the general election of 1871, however, the serenity of the political atmosphere was rudely disturbed. For it was found that their chosen candidate, Mr. Carleton, was to be opposed by Mr. McLeod, and, incredible as it must have seemed to many, the latter gentleman was actually returned as the member for the district. It is pertinent to this inquiry to remark that the result of the election was said at the time to be mainly due to the active exertions of Mr. John Lundon, a gentleman whose name occurs with great frequency in the evidence taken by me. In 1873, owing to the resignation of Mr. McLeod, another election took place in the district. The candidates this time were Mr. John Lundon and Mr. John Williams, the present member. There was a third candidate, whose name need not appear here, for the contest, which was close, lay between the above-named gentlemen, Mr. Williams being elected by a small majority. It may here be remarked, by way of parenthesis, that Mr. Edward Marsh Williams, the brother of the successful candidate, filled at that time and up to a recent period the office of Registration and Returning Officer for the Mongonui and Bay of Islands electorate. Mr. John Lundon, the defeated candidate, does not appear to have accepted his defeat as final. On the contrary, with the view apparently of again contesting the seat at some future period, he seems to have determined that the electoral roll should become more favourable to himself. Accordingly, during the registration period of 1874, he caused many electoral claims to be filled up and made, mostly by Maoris and half-castes, who were supposed to be adherents and supporters of his own. And, notwithstanding many discouragements, efforts such as these have been persisted in and continued by Mr. Lundon up to the present time. These continued efforts, which appear only to have been intensified by a second defeat, seem at an early period to have spread consternation and dismay among Mr. Lundon's opponents. Most of the claims preferred by Mr. Lundon's Maori friends were made on freehold qualification, the freehold in all cases being held in common by a number of persons. It was therefore determined to test the validity of that qualification, with the view of

checking the action taken by Mr. Lundon. Accordingly a test case was selected in 1876, to be argued before Mr. Lawlor when holding his Revision Court at Russell, in that year. The case selected was that of Hone Mohi Tawhai, a chief who claimed in respect of a freehold of sufficient average value, and under Crown grant, but held in common between himself and seven other Natives. After argument by Mr. Carleton on the one part, and Honi Mohi on the other, Mr. Lawlor decided against the validity of the claim, and ordered Honi Mohi's name to be struck off the roll. The decision thus obtained was promptly acted on. The Registration Officer, Mr. Williams, took the earliest opportunity of objecting, in his official capacity, to many of the Maoris already on the roll, and to almost all the new claims made by Maoris, and in nearly all cases the objections were based on Mr. Lawlor's decision.

That decision was sustained by Mr. Lawlor in the succeeding year (1877), all the objections being held to be fatal to the claims. Those claims were, however, renewed by Mr. Lundon, and fresh ones added. During the registration period of last year no less than 373 Native claims to be placed on the electoral roll were preferred at his instance, and by means of his exertions. In that batch of claims too, it has to be observed, a new qualification (the household) made its appearance. These claims, up to a certain point, met with the usual fate—that is, they were objected to by the Registration Officer. But on this occasion Mr. Lundon and some of his Native friends determined to procure legal assistance, and sustain, if possible, before the Revision Court, the claims so objected to. About this time also the Government were strongly urged by Mr. Lundon and others to dismiss Mr. Williams from the office of Registration and Returning Officer. The reason given for the request appears to have been that, being brother of the sitting member, he would be apt to show partiality, and had, in fact, shown it already. The Government, it seems, were not unwilling, several months before the time at which the Revision Court was held, to call on Mr. Williams to resign; but, as a matter of fact, the request was not made until the 4th of June, the day previous to the date at which the Revision Court was to sit. Mr. Williams at once complied with the request so made, and called the attention of the Government to the fact that numerous objections had been made, and would have to be determined on the following day. Mr. (or Captain) Baker was therefore at once appointed to be Registration and Returning Officer, in place of Mr. Williams, and attended the Revision Court on the 5th of June in that capacity. Mr. Tole, a gentleman of the legal profession, and a member of the House of Representatives, was also present on behalf of certain of the Maori claimants. On the claims being called on for revision, Mr. Tole raised the preliminary technical objection that Edward Marsh Williams, Registration Officer for the Mongonui and Bay of Islands Electoral District, had then no legal existence, and that consequently the objections made by him fell to the ground. Mr. Lawlor, the Revising Officer, at once ruled that Mr. Tole's objection was fatal, and ordered the whole of the names objected to, including, as they did, dead, absent, and disqualified persons, to be placed on the roll for 1878 and 1879. The new Registration Officer, Mr. Baker, it may be remarked, remained in the Court inert and speechless during the short discussion between Mr. Tole and the Revising Officer.

In reference to the first decision of Mr. Lawlor, I have now to point out that there are, in the Bay of Islands electorate, three classes of title to land held in common by Maoris who have claimed to be placed on the electoral roll as freeholders—first, land held under Crown grant; second, land certified to Native owners under the Native Land Act; third, land certified to a tribe. In regard to the second and third classes, I think that they may be dismissed as not being freehold of a sufficiently definite character, as regards individuals, to confer a right to the franchise. The first class, or land held under a Crown grant, is, I apprehend, in a different position. The position of the owners in a Crown grant I believe to be that of tenants in common, taking (save in exceptional instances) in distinct moieties, and is one therefore, as I believe and am advised, which entitles to the franchise, if the freehold is of sufficient value. In the test case decided by Mr. Lawlor, the freehold was of sufficient value to satisfy the requirements of clause 7 of the Constitution Act. Mr. Lawlor's decision appears therefore to have been unsound, and consequently objections founded upon it were unsound also. But it has to be specially remarked that only a small proportion of the claimants possess the freehold qualification which I think entitles to the franchise. Of the 373 claims preferred by Maoris and half-castes during the registration period of 1878, I find, from positive evidence from official records, that no less than 213 are based merely on certificates of title under the Native Land Act, 97 claims being actually made on a single tribal certificate. The closest calculation I can make leads me to the conclusion that about 80 are made on Crown grants. But in some of the cases the land is of insufficient value, while in others more Natives have claimed than are on the grant. Making the necessary deduction, I believe the number entitled to the franchise on the freehold qualification to be under 50. Some of this number possess the additional qualification of a sufficient household, and outside of these there are about 20 who also possess a sufficient household qualification, and who, having claimed in respect of it, are entitled to be on the roll. Assuming, then, that the actual qualifications described in the claims preferred were the sole subject for consideration, of the 373 claims already alluded to as having been preferred in 1878, 70 ought to have been allowed, and the remainder disallowed. But when the mode is considered in which the claims were got up or prepared, it will be seen that the number of valid claims preferred in 1878 must be still further reduced indefinitely.

I proceed now to other features of the inquiry, and, as it appears to me that in a limited sense some of the parties involved are practically placed on their trial, I need not hesitate to refer to the personal motives and actions of persons connected with it.

I have already pointed out that Mr. Lundon's apparent object in getting up the Maori claims was to render the electoral roll more favourable to himself. With that object in view, it is clear from his own evidence that the questions of whether the claimants were qualified, or whether they signed the claims, or whether the claims were duly attested, were matters of complete indifference to him so long as the supreme object was gained. Mr. Lundon has himself permitted a Native in his presence to sign the names of twenty absent persons to electoral claims, and has caused the forms so prepared to be taken away to a distance to be signed by another person as attesting witness. Very many of the claims preferred were certainly never signed by the persons purporting to have signed them, and false attestation has been the rule, not the exception. Raneira Warerau's name appears as the attesting witness on 203 of the claims made in 1878, and he admitted in evidence that he had not seen more than ten of the claimants sign their names. Isaac Williamson is the attesting witness to ninety-nine claims, and he admitted in evidence that not more than five or six had signed in his presence. In addition to this, Williamson made the extraordinary statement that he had authorized another person to sign his (Williamson's) name as attesting witness because he was too busy to travel around for the purpose himself. Passing now from these circumstances, upon which I feel that it would be useless to dwell, I regret to have to say that I consider the official conduct of the late Registration Officer, Mr. Williams, open to grave censure. Many of the disclosures elicited by this inquiry, and which might have justified objections, were quite unknown to Mr. Williams, and were not indicated in his formal objection. His reasons, I think, must be sought elsewhere. The wholesale objections made by him in his official capacity, and which certainly included names which ought not to have been objected to, were made, as it seems to me, on very inadequate information. Mr. Williams is an excellent Maori scholar; he has resided in his district for more than forty years. Yet his personal knowledge on which his objections were founded only extended to twenty-two names out of the total number objected to. In all other cases he seems to have relied almost absolutely on general statements by the Resident Magistrates of Hokianga and Mongonui respectively, that the claimants were not entitled to a vote. Mr. Williams in his evidence repeatedly and deliberately says, in speaking of his objections, "I objected to all names I had a doubt upon." This is by no means my conception of the duty of a Registration Officer in this respect. Where he objects he ought, I think, to have no doubt at all. For it must be remembered that the burden of proof lies on the person objected to, who, moreover, has no claim for costs against the Registration Officer in case he establishes his right to the franchise. Practically in these cases the claimants do not appear, and the objection therefore, if wrongfully made, amounts to disfranchisement. The extreme view which Mr. Williams took of his duty as Registration Officer must, I think, have grown up out of the political situation which I have already described. Moreover, there is no doubt that many names were left on the roll of persons whose qualifications were similar to those objected to, and it happens that the persons so left on the roll resided for the most part in districts over which the influence of Mr. Williams's family might be supposed to extend. It is not surprising, therefore, that a suspicion of bias should be excited in the minds of the political opponents of Mr. Williams's family. I have already intimated, the information on which Mr. Williams founded his objections was derived in great part from Mr. Von Stürmer, the Resident Magistrate of Hokianga, and Mr. White, the late Resident Magistrate of Mongonui. In the case of Mr. Von Stürmer, the memorandum containing the information was not produced, but Mr. White's memorandum was read in evidence by Mr. Williams on the 6th of March, and I beg to refer your Excellency to it. I have no hesitation in saying that it was not a memorandum on which any Registration Officer ought to have relied, as it contained the strongest internal evidence that it was the production of a partisan. Yet Mr. Williams seems to have relied on it with more implicit faith than the writer expected, or even desired. I can only account for such conduct, on the part of a gentleman whose character for honor and integrity stands high, by supposing that, unconsciously to himself, he had suffered his judgment to become warped and his official acts influenced by personal or political antipathy to his brother's opponent, Mr. Lundon. That being my deliberate opinion, it is, I think, a matter for great regret that, when Mr. Williams found his feelings enlisted in local political questions, he did not retire from a position where his honor might not unreasonably be called in question.

I have already alluded to the extraordinary ruling given by Mr. Lawlor on the 6th of June last on the technical point raised by Mr. Tole. That decision seems to me to have been almost childish, but its effect was to place on the electoral roll all of the names objected to by the Registration Officer, including the names of dead, absent, and obviously-disqualified persons. Mr. Lawlor was probably impressed by the fact that Mr. Tole, a gentleman of the legal profession, and a member of the House of Representatives, seriously raised the point; but he ought to have reflected that Mr. Tole might think himself at liberty to urge a point as an advocate which as a Judge he would deride. The decision was undoubtedly unsound, and was unfortunate in its effects, directly and indirectly. Taken in connection with other circumstances, it gave an appearance of probability to the suspicion that the Government had become a party to a design of placing Maoris on the roll without that proper examination into the merits of the claims provided for by law. Other circumstances were not wanting to strengthen the suspicion. Mr. Williams,

the Registration Officer, had been practically dismissed the very day before the sitting of the Revision Court, and Captain Baker, who was appointed the same day to the vacant office, was a gentleman utterly incompetent to perform the duties. To use his own expression, he was "totally unacquainted with the duties," and, in my opinion, quite incapable of learning them. These things, which have been placed prominently before the public on many occasions, did look as if the Government were designedly promoting the improper packing of the roll, and deliberately burking an inquiry which might purge it. But, beyond the facts previously well known, nothing has come out in this inquiry to lend support to the suspicion, and I think an examination of the circumstances will show its utter improbability. Whether it was right or wrong for the Registration Officer to make his objections, the fact remained that they had been made. The impropriety, so far as it existed, had been accomplished. The burden of proof being on the claimants who had been objected to, no active duty remained for the Registration Officer to perform. It cannot be thought that the Government believed that inquiry before the Revision Court would be burked, except it be first assumed that the Government had knowledge that Mr. Lawlor, the Revision Officer, and an officer of the Supreme Court, would deliver a judgment grotesque in its absurdity. I am not prepared for so violent an assumption, and therefore, while the sudden dismissal of Mr. Williams, at so short a period prior to the sitting of the Revision Court, was no doubt most inconvenient and objectionable, I think the Government must be acquitted of the depth of iniquity which has been imputed to it.

In reference to the mode in which petitions to the House were got up, little need be said, after the description I have given of the way in which electoral claims were filled. If one in ten of the names on the petitions could be shown to be genuine signatures I should feel surprised. But the Maoris have a habit of allowing two or three persons to sign such documents for many others, present and absent; and this explanation may extenuate what otherwise might be regarded as wholesale forgeries.

In thus going over the facts of this inquiry as they have presented themselves to my mind, I have pretty plainly indicated the view I have taken of them; but, as I am specially enjoined to report an opinion on the various questions raised by this inquiry, I will here briefly recapitulate my opinion on the most important points.

I think, then, that Mr. John Lundon has for years past deliberately endeavoured to place persons on the electoral roll for the Mongonui and Bay of Islands District with the view of rendering it more favourable to himself, and without caring whether such persons were qualified or not. It is my opinion that, of the 373 claims which he caused to be preferred in 1878, four-fifths had no legal qualification, and that, of the remaining fifth, many were vicious and invalid by reason of the mode in which the claims were prepared. I think that the late Registration Officer, Mr. Williams, permitted, perhaps unconsciously, his political sympathies and dislikes to influence him in the discharge of his official duties as Registration Officer—that he made his objections on insufficient information, and thus became an instrument to forward the objects of a local party or faction. I think that both of Mr. Lawlor's celebrated, or notorious, decisions were unsound in law, and that his capacity is not equal to the performance of the duties of Revising Officer in a district where difficult questions may arise. I think that Mr. Baker, the new Registration Officer at Russell, is altogether unfit for that position. I think that the conduct of the Government in removing Mr. Williams from the position of Registration Officer at so unfortunate a time was inconsiderate, injudicious, and objectionable; but I do not believe that the Government, or any member of it, had any intention by that means of preventing due inquiry into the merits or demerits of the claims objected to by Mr. Williams.

It will probably be observed that scarcely any one concerned seems to come well out of this inquiry, and this circumstance has occurred forcibly to my own mind. In further illustration of this curious feature of the case, I would direct attention to a circular which was produced in evidence by Mr. John Lundon, and will be found in his evidence. This circular unmistakably advises the packing of the electoral roll for a special purpose in as gross a manner as regards the qualifications as ever was attempted by Mr. Lundon. Yet it has come to my knowledge that it has been accepted without demur, and acted on with avidity, by gentlemen of the anti-Lundon faction, who are loud in their condemnation of the tactics pursued by their opponent. It has produced a singular effect on my mind to see that these gentlemen have a high sense of their own honor, and would feel greatly pained to find it impugned. Yet it is evident that in their minds the packing of the roll may be right or wrong accordingly as it serves or obstructs a special purpose or party prejudice. If, however, the peculiar circumstances of the district are considered—the sparse European population, the isolated communities, and the preponderance of the Native people—there is perhaps little cause for surprise; for in such a district, where Press criticism must be unfelt, and public opinion without existence, arbitrary exercise of power and immoral political manœuvres can have no sufficient check.

In some of the petitions into which I have been directed to inquire, the subject is raised of the Maori dual vote. This is a political question upon which I hold decided opinions, but I can scarcely think that it was intended that I should express them here, and accordingly I have scrupulously kept them in the background not only in this report, but throughout the inquiry. Still, I think I am justified in remarking, by way of conclusion, that the evidence which I have taken, and which I herewith submit to your Excellency, will be found to be highly instructive even on that point.

Wanganui, 12th April, 1879.

I have, &c.,

JOHN BRYCE.

MINUTES OF PROCEEDINGS.

Russell, Bay of Islands, 6th March, 1879.

THE Royal Commission appointed to inquire into matters in connection with the electoral roll for the Mongonui and Bay of Islands Electoral District was opened at the Resident Magistrate's Court, Russell, at 11 a.m. this day, by the Commissioner, John Bryce, Esq., M.H.R.

Mr. Brown attended as interpreter; and Mr. Grey, parliamentary shorthand writer, was also in attendance to take shorthand notes of the evidence, &c.

The Commissioner handed to the interpreter the commission issued by His Excellency the Governor (the Most Noble the Marquis of Normanby), which was read.

The interpreter also read out the notice of the Commission in question published in the *New Zealand Herald* of 19th February, 1879.

The Commissioner then said: I now declare that I am prepared to enter upon the inquiry; and I will take this opportunity of stating how I mean to conduct the inquiry. I shall take whatever evidence is readily procurable at Russell in the first place, here at Russell. If, then, it should appear to be necessary or desirable, I will adjourn the Court to some other place—possibly to Hokianga, possibly to Mongonui, or to Whangaroa, or to any other place it may appear necessary for the purpose of completing the inquiry. It was my intention just now in the first place to have taken the evidence of Mr. Williams, and I will adjourn the Court for half an hour in the hope that Mr. Williams will be here.

The Court adjourned accordingly, and resumed at 11.40 a.m.

The Commissioner intimated that it was his intention to take the evidence on oath.

MINUTES OF EVIDENCE.

RUSSELL.—THURSDAY, 6TH MARCH, 1879.

Mr. E. M. WILLIAMS sworn and examined by the Commissioner.

Mr. Williams.

March 6, 1879.

1. What is your name, Mr. Williams?—My name is Edward Marsh Williams.
2. Where is your place of residence?—My private residence is Puketona.
3. What official position do you hold here?—Resident Magistrate of the district.
4. Have you held any other official appointment lately, or at any time, here?—I have acted for some years as Registration and Returning Officer for the district.
5. For how many years?—I cannot exactly remember how many years. Ever since Mr. Barstow left the district.
6. When did you cease to hold that office, Mr. Williams?—On the 4th of June last.
7. Will you describe the circumstances under which you ceased to hold it?—I received a telegram on that day, which I produce. On the 4th of June I came to Russell to attend to the usual Court business, and to be in readiness to meet the Revising Officer. On that morning I received this telegram from Colonel Whitmore:—"Government Buildings, 4.30 p.m., 3rd June, 1878.—E. M. Williams, Esq., R.M., Russell.—From many persons complaints have been made that you, being brother to sitting member, should not act as Registration and Returning Officer. Government are desirous that person holding appointment should be in such a position that such an objection cannot be made against him. Will you, therefore, please to resign these appointments by telegraph.—G. S. WHITMORE." On the receipt of that telegram I forwarded the following reply:—"Russell, 4th June, 1878.—To Hon. Colonel Whitmore, Government Buildings, Wellington.—Your telegram only to-day received, being first intimation. I resign at once, as requested. Revision Court sits to-morrow. Numerous objections raised by Registration Officer. No one to sustain the same. What provision to be made?—E. M. WILLIAMS, Registration and Returning Officer, Mongonui and Bay of Islands." And I think between 7 and 8 o'clock in the evening I received the following reply:—"Government Buildings, 4.20 p.m., 4th June, 1878.—E. M. Williams, Esq., R.M., Russell.—Resignation accepted. Captain Baker appointed. Kindly instruct him how to proceed.—G. S. WHITMORE."
8. I will now ask you whether you were Registration and Returning Officer at the time of the last general election?—I was, sir.
9. Who were the candidates at that time?—Mr. John Lundon and Mr. John William Williams, my brother.
10. And your brother was elected?—Yes.
11. Do you remember the number of votes polled?—No, I cannot call to mind the number. I think he was elected by a majority of between thirty and forty.
12. Did you observe at about that time an unusual number of claims to be placed on the electoral roll? I wish to know the year in which the first unusual number of claims to vote was sent in?—There was a large number sent in after the election.
13. That would be a month or two, or three months, afterwards?—About a month after the election. The time for receiving these applications was between the 1st of January and the 31st of March.
14. And the election took place in January?—Yes.

Mr. Williams.
March 6, 1879.

15. Did you object to any of these claims that were made at that time, as Registration Officer—in that particular year—I am using the word objection in a technical sense?—I cannot call to mind what I did in that particular year; but I have objected every year to certain numbers of applications sent in.

16. Have you the newspapers containing the publication of your objections—I mean from that period to this? I have tried to get them, and have failed.—I have the list. There were some papers which I have not been able to find since Major Clare held an inquiry here; and I think he must have taken them with him. I have not been able to find them at all.

17. What year was it in which you first made the objection to numerous claims?—In 1874.

18. Do you remember the grounds of your objection?—There were various grounds given—not householders or freeholders according to the requirements of the Act; and insufficiently signed, I think, some were, in that particular year. But I have not been able to find the papers of that year.

19. What took place—I am speaking now of the first year in which you made large objections at the Revision Court?—There was no Revision Court held. The Court fell through in that year. I was here to meet the Revising Officer, but he did not appear. I learnt afterwards that he was at Whangarei, but was unable to come here in consequence of the vessel he was to come by being prevented from calling there in consequence of the weather which prevailed.

20. What, then, in that case became of the claims?—There is no provision made in the Act for any adjournment, and the whole of the claims lapsed—fell through. The roll for the previous year continued as the roll for that year, according to the requirements of the Act.

21. So that not only those you had objected to lapsed, but others you had not objected to?—Certainly—every claim sent in.

22. Were many claims to be placed on the roll made in the following year? Were the same claims repeated?—Many were renewed, but several were not. But there was a great number came in; I think those we have here.

23. Did you object to many of these claims at that time?—I do not think many were objected to.

24. What happened at the Revision Court that year?—All not objected to were passed and placed upon the roll.

25. And all that were objected to?—Lapsed. The objections were held good by the Revising Officer.

26. Did the persons making the claims appear to sustain their applications?—There was no appearance at all that I can remember.

27. You were not yourself called upon to give any proof of the validity of your objections?—Not at all.

28. How far have we got now?—That would be 1875.

29. In 1876 were claims made?—If I remember correctly, there were not many objections. There were two objections raised—not by myself. There was an objection raised by Mr. Carleton in that year.

30. In 1877 a large number were made—is that not so?—No; there were not many in 1877. A great number were objected to. I objected to a great many. I objected to the names that had been on the roll.

31. How many did you object to in that year?—Two hundred and thirty-four Native names.

32. Upon what grounds?—I took up the ruling that the Revising Officer had given the previous sitting. An objection was raised by Mr. Carleton in order to try the question. He objected to a chief named Hone Mohi Tawhai, residing at Hokianga, upon the ground that he claimed as a freeholder and had no individual claim. The Revising Officer ruled the objection as fatal.

33. What was the value of the estate in respect to which the claim was made?—I think he claimed for a block of 11,000 acres.

34. What would be the value of it?—That I could not say.

35. How many people held that land in common with himself?—I am not quite sure of the block. I think that in the block he claims on there are over a hundred claimants.

36. Is the land under Crown grant to these people?—Yes. In that year I objected to all on the roll that I thought I could give a good reason to the Revising Officer, and they were all struck off.

37. I do not quite understand your reason, however, if you were unacquainted with the value of their land?—Simply that they all held the land in common.

38. Was the land of sufficient value to give them £50 each?—No; I should say not, decidedly.

39. I wish you could give me an approximate idea of the value of it?—Might I take the opinion of another?

40. Not very well. I may take the opinion, but I would rather have your own. However, I will allow you to refresh your memory in any way you like?—Then, I should say, according to the price which has been given for land purchased from Maoris, now they would not get more than probably three or four shillings an acre for it, if they were selling it.

41. And you state there were a hundred names on the grant?—I think there are more than a hundred.

42. With respect to the objections taken by you in 1877, did the people objected to generally attend to endeavour to sustain their claims?—None of them attended.

43. Then, in point of fact, Mr. Williams, did you not know that when you made these objections it practically amounted to their names not appearing on the roll?—No; many of the names I objected to were those who lived in the vicinity of the Court, and could have easily attended. When I took up the ruling given by the Revising Officer—when I took up the ruling of 1877—I first of all struck off between forty and fifty names in my own immediate vicinity.

44. That is to say, you noted them as persons you should object to?—Yes. Many of these Natives I knew to be personal friends and supporters of my brother. I could name them. I objected to between thirty and forty of these Natives. After that I went through the roll, taking up names which I thought I could raise objection to upon the same grounds.

45. It is a fact, however, that in no case have the people appeared to sustain their applications?—*Mr. Williams.*
No—never appeared.
46. Well, now with respect to the next year; that is the more important—that is the last year in which claims were made. Did you make objections then?—I did.
47. How many?—Between three and four hundred.
48. Upon what grounds? The same you stated in the other case?—On the ground that they sent in their applications as householders and freeholders, and I objected on the same grounds.
49. Have you a list, Mr. Williams, of the claims to vote?—Yes.
50. Did you object to one Hare Mikara?—Yes, I did.
51. What was the ground of your objection?—That he was not a householder or freeholder within the meaning of the law.
52. I see he claims with respect to 700 acres of land?—He was one of those objected to by me on the previous year. He was No. 433 on the roll of 1876 and 1877.
53. This form appears to be somewhat incomplete; but I suppose you know where the land is—700 acres at Awanui. Do I understand you to say, then, that that land has no existence in fact?—No; I do not say it has no existence. Might I state that before I attempted to object to one of the names on this list that was sent in, I obtained all the information I could gain from the other Resident Magistrates in the district—Mr. White and Mr. Von Stürmer.
54. Then, are you prepared to say, Mr. Williams, that this man has not the 700 acres at Kareponi he professes to have under this claim?—Before making the objection I communicated with Mr. White.
55. And Mr. White assured you that this man did not possess the land?—He did not mention that man's name in particular. But I have his statement; I can hand it in if you please.
56. What did he say in respect of this claim?—He did not object to that man in particular. He notes one or two in the list I sent him. Mr. White says,—“No. 1 is really a householder. No. 2 has left—no longer resident. Believe freehold qualification a bogus. No. 3, school-teacher in a Government schoolhouse. Query: Does such qualification entitle to a vote? Every one of the remainder are either owners in common of Native lands, having no individual right, minors, and vagabonds. Households scarcely house a dog of the commonest Maori description. Observe the numbers claiming for Waimanoni, Awanui. Among these names are three generations. The same with most of the rest of the claims. Patrick Lundon's special mission to the North for about six weeks last summer to collect the above list, being supposed to be Lundon's special friends.—W. B. WHITE.”
57. Supposing that this man had appeared at the Revision Court, and said that he held this land, what evidence would you have given in support of your objection—merely that statement of Mr. White's?—I should have stated at once that he did not hold it individually, but held it in common with the others. He did not hold an individual title to the whole thing.
58. You would have stated so on the faith of this document which Mr. White sent you?—Yes; and also the appearance of other claims upon the same land.
59. Then this land has an existence, but your objection to him is that he only has a right to it in common with certain other Natives?—Yes.
60. How many co-grantees are there in that grant—if it is a grant?—I do not know how many there are.
61. Do you know the value of the estate?—I do not.
62. Did you object on the last occasion to one Nopera Mohi?—Yes. He was on the roll in 1877, and was objected to then and struck off.
63. The claim is in respect of property called Putoetoe, 400 acres. That is a new application?—There were two of them. I have a note of Mr. White's. That land there is no record of in the Mongonui office. There is another of the same name and the same residence claiming from another block, Waimanoni, 200 acres.
64. Then, had the question been put to you by the Revising Officer, that would have been your reply—that you had the statement of Mr. White's that no such block was known in the district?—Yes, with respect to that particular name.
65. By the way, were both of these claims attested by the same person?—I believe they were, but I could not speak positively without looking over the papers. Most of them were attested by a person named Wilkinson, I think.
66. Conrad is the name. Did you object to one called Waata Mohi?—Yes.
67. On what ground?—The same—not a freehold or household within the meaning of the electoral law.
68. How did you know he was not a householder or a freeholder?—From Mr. White's statement to me that, with the exception of those noted, none of the rest were entitled to be on the roll.
69. You are going now upon the general statement? You have no special knowledge of this case?—No.
70. Did you object to one Wi Tiki—the place of abode is said to be Herekino—30 acres at Hua-hua?—Yes, I objected to him.
71. On what ground?—Neither freehold nor household within the meaning of the electoral law.
72. How did you know that?—The same information I gained from Mr. White.
73. A general statement that he was not entitled to be on the roll?—Yes.
74. No special statements respecting this man?—No special statement except that all but those he had noted were not entitled.
75. Did you object to one of the name of Henare Taumataiti?—Yes.
76. On what ground?—On the same ground I objected to the others upon.
77. When you say on the same ground, I understand you to say that you have no personal knowledge of these holdings yourself?—No; I was guided entirely by the information obtained from Mr. White.
78. Did you object to Ihaka Taiawarua?—Yes. He was also objected to on the previous year. He was on the roll. The claim was sent in again the following year.

Mr. Williams.

March 6, 1879.]

Mr. Williams.
 March 6, 1879.

79. The claim is made in respect of 50 acres, it appears. Are your reasons for making the objection the same, Mr. Williams?—Yes.

80. Did you object to Hakaraia Awarau?—Yes. Also from the same place, Awanui.

81. And on the same ground?—Yes, on the same ground.

82. Did you object to Matenga Paerata?—Yes.

83. He is from the same place, I see?—Yes. He was objected to in 1877, and he gives in this claim twice. He is an Awanui Native, and puts in two claims—Kareponi, 614 acres, on the new roll, and 616 acres. Both relate to the same man.

84. Is the claim a real one in respect to either property?—No; I have a note from Mr. White that his name is not on the grant. It is the same man putting in two claims.

85. Then in respect of the whole of these, Mr. Williams, if the Revising Officer had asked you for evidence in support of your objections, you would have said that Mr. White had given you certain information?—With regard to these Awanui Natives, yes; and with regard to the Hokianga Natives, I received further information from Hokianga, which I acted upon.

86. Was Mr. White in attendance at the Revision Court?—No.

87. Did you object to Utika Huru?—Yes. He is an Awanui Native. I may say all these Natives are personally known to Mr. White.

88. He claims in respect of 200 acres. Was your objection founded on the general statement of Mr. White?—Yes. This Utika Huru claims for 200 acres at Waimanoni. He is not on the grant.

89. So Mr. White says?—So Mr. White says—not on the grant for which he claims.

90. Did you object to Aperehama Taiawarua?—Yes.

91. On what ground?—He was objected to in the previous year and struck off the roll. He was No. 675 on the roll for 1876 and 1877.

92. You objected to him on information supplied by Mr. White?—Yes, on information supplied by Mr. White.

93. To what effect was the information?—That he was not a householder, nor had he individualized his title.

94. Do you mean that he was not on the grant for this land?—No, I do not say he was not on the grant.

95. Then the objection, as supplied to you by Mr. White, was, that he held this land in common with others?—Yes.

96. With how many others?—I do not know how many others.

97. Do you know the value of the estate?—No.

98. I understand you to say, or admit, however, that the estate has an existence?—Yes, there is such an estate. I know nothing to the contrary.

99. Did you object to Etera Tararau—property situate at Putoetoe?—Yes.

100. On what ground?—On the same ground.

101. Information derived from Mr. White?—Yes—as to Etera Tararau and Wiremu Tararau.

102. The information being to the effect that he held the land in common with others?—I believe, but am not positive, that both are minors. Etera Tararau claims for Putoetoe; and the note from Mr. White is, “No record of such a block in Mongonui office.”

103. Did you object to Wiremu Tararau?—Yes.

104. That is a different block apparently—147 acres at Matarau?—The same note is attached, “No record of such a block.”

105. What about this block of 147 acres at Matarau?—I objected to him on the information derived from Mr. White.

106. To the effect that he held in common?—That he held in common, and was not entitled to have his name on the roll.

107. Did you object to Hetaraka Taumataiti?—Yes—Henare and Hetaraka, two brothers, both of the Awanui. The note is, “Henare Taumataiti not on the grant for which he claims.”

108. This Hetaraka Taumataiti claims 200 acres at Waimanoni and 147 acres at Matarau. Did you object to him?—Yes; I objected to him on the same grounds as the others.

109. Did you object to Tamati Rangi?—Yes.

110. On the same ground?—Yes; also from the Awanui.

111. I may say, Mr. Williams, that I have arranged these by the persons attesting them. I have done that for purposes of convenience, and getting their evidence in future, if I require it. Did you object to Tamati Rangitaumutu?—Yes.

112. On the same ground?—He was objected to in the previous year. He was on the roll and struck off.

113. But in both cases you objected on the information supplied by Mr. White?—Yes.

114. Did you object to Henare Ngaru?—Yes. He was on the roll, and also from the Awanui.

115. Did you object to Rapaua Paengaro?—Yes.

116. On the same ground?—Yes, on the same ground. He was on the roll in the previous year, and was struck off by the revising officer.

117. Did you object to Komene Kaha?—Yes. He was struck off the roll the previous year.

118. On the information of Mr. White?—Yes.

119. Did you object to Hohepa Kaaka?—Yes. He was struck off the roll the previous year.

120. Upon the same grounds—upon the same information? Were your reasons for the objection the same?—Yes; from information received from Mr. White.

121. Did you object to Hupata Kaaka?—He was struck off the roll the previous year. He and Hohepa are brothers.

122. I have a number of European applications. Were they generally objected to?—No; I do not think there was one objected to, with the exception of those already on the roll who had sold their qualifications, or householders who had left the district. There were several of those.

The Court adjourned till 2 p.m.

On resuming, Mr. Williams said,—Might I be allowed to make an observation. I wish to state the grounds upon which I took my objection, not only to this list, but to the lists of previous years. I acted on the 12th clause of "The Registration of Electors Act, 1866," which states,—“The Registration Officer shall within the first seven days of the month of May make out an alphabetical list in the form numbered four in the Schedule hereto of all persons objected to as aforesaid; and if he shall have reasonable cause to believe that any person whose name shall be on the said list of voters is dead, or from any cause whatever is not entitled to be on the electoral roll in respect of any qualification stated in such list, and is not objected to, he shall insert the name of such person in the list of persons so objected to, and shall affix his name as the objector thereto.” I took my stand upon that clause. Mr. Lawlor had ruled in the question of one claim that was brought forward and discussed here—an objection raised by Mr. Carleton—Mr. Lawlor in that case ruled that he, not having individualized his property, could not be retained on the list of voters, and struck him off. Acting on Mr. Lawlor's decision, the following year I objected to a number of names. They were advertised according to law, and the case was brought forward at the Revision Court; and Mr. Lawlor sustained my objection, and struck off every name I objected to. I thought then that, having established the fact, I should object in the same manner to all I had a doubt upon, many of which (some fifty or sixty) I found to be the very names struck off by Mr. Lawlor the previous year. I did not consider it part of my duty to ascertain value—I could not possibly ascertain the value; but the parties objected to should come here and prove that I was wrong. That was the ground upon which I started with these objections; and then I acted upon Mr. Lawlor's first ruling, and commenced to object to all names I had a doubt upon, there were forty-four names in my own immediate district—Natives I knew—every one of them. I first of all objected to their names, and then, seeking advice from Mr. White, Mr. Von Stürmer, and others, I proceeded with the list of Natives strangers to me. Mr. Lawlor sustained my objections. When the last list came in I objected to all I had any doubt upon—not until I had obtained all the information I could possibly gain from Mr. White, Mr. Von Stürmer, and others. Why I make the observation is, that you might ask me the value of other properties. I could not give it, but could only make a guess. It appeared to me by Mr. Lawlor's ruling that it was immaterial what the value of property was if the Natives were owners of the property in common; and upon these grounds I raised my objections.

The Commissioner: No doubt, if Mr. Lawlor's decision is correct, it would be immaterial; but, if it is incorrect, it might be very material, because, although persons might be holding in common, if they owned among them property of the value of £50 to each person, it might be held, supposing Mr. Lawlor's ruling was incorrect, to entitle them to register. Yet a person applying to be registered, where the property did not equal that per man, could not in any case claim to be registered.

Mr. Williams: I took my stand upon his ruling and acted upon it; and in the following year, when he sat here, he sustained the objections.

123. *The Commissioner*.] Of course, if you cannot tell me the value of the various properties, there is no use repeating the questions, but I shall have to obtain that from other evidence. In some cases it is quite possible you may be able to give it. It is only an opinion. I do not want you to give absolute value; of course that would be out of the question. I have now a parcel of claims from Hokianga. The first on the list is Hemi Te Karanua. Did you object to him?—Yes.

124. Upon what grounds?—On the ground that he held his property in common with others. He claims on a block of land called Whakatere, in which grant there are more than a hundred claimants.

125. Do you know the value of that property?—That is the same block you asked me a question about this morning.

126. Are you speaking from your own knowledge, or from information received?—From information.

127. From whom did you receive it?—Partly from my own knowledge. I objected to a great number of Natives claiming on the same block. I received my information also from Mr. Von Stürmer.

128. Did you object to Hohepa Taupaki Katete?—Yes.

129. On what ground?—On the same ground. He was struck off the roll the previous year. He claims on Whakatere.

130. Did you object to Winiata te Kawau?—Yes.

131. What are the grounds of objection in this case?—That there were other grantees in the block. He held in common with others, and had no household qualification.

132. On your own knowledge?—From the information I obtained.

133. Did you object to Hone Katete?—Yes. He was struck off the roll the previous year.

134. On the ground that he held in common with others?—Yes.

135. Did you object to Hone Mete?—Yes; claiming in common with others.

136. On the information of the Resident Magistrate?—Yes; from the same information.

137. Did you object to Ngopera Ngakuku—block of 900 acres?—Yes; he is on the list of objections, but his name does not appear on the roll. I objected to him. He is down as an Ahipara Native, not a Hokianga.

138. Your source of information would be different, perhaps, in this case?—That name would appear in Mr. White's list.

139. What was your ground of objection in this case?—That he held his property in common.

140. On Mr. White's authority?—Yes.

141. Did you object to Henare te Naihi?—Yes.

142. Upon what ground?—Holding his property in common with others.

143. From whom did you get your information?—From Mr. Von Stürmer.

144. Did you object to Pehi Noho?—Yes. He was struck off the roll in 1877. He claims on Whakatere.

145. Your information is from Mr. Von Stürmer?—Yes.

146. Did you object to Hami Pauapa Takirau?—Yes.

Mr. Williams.

March 6, 1879.

Mr. Williams.
—
March 6, 1879.

147. Upon what ground?—The same ground.
 148. And your information from the same source?—My information from Mr. Von Stürmer; and also from Mr. William Webster. He claims on Whakatere.
 149. Did you object to Pene Tauī?—Yes.
 150. On the same ground?—Yes.
 151. Your information from the same source?—Yes.
 152. Did you object to Keremete Romana?—Yes.
 153. Upon the same ground?—On the same ground.
 154. Did you object to Noa Ravene?—Yes. He was struck off the roll in 1877.
 155. Same ground, and information from same source?—Yes; information from Mr. Von Stürmer, and also from Mr. Webster.
 156. Did you object to Hohepa Kiroa Rekene?—Yes.
 157. On the same ground?—Yes; claiming in common with others on the same block.
 158. Did you object to Wi Ngahuhu?—Yes.
 158A. Same ground?—Yes.
 159. Did you object to Noa Maihi?—Yes.
 159A. Same ground?—Yes; same ground. He was struck off the roll the previous year.
 160. Did you object to Ihaia te Maunga?—Yes. He was struck off the roll the previous year.
 161. On the same ground?—The same ground.
 162. Did you object to Pene te Pae?—Yes. He was struck off the roll the previous year.
 163. This is a different block of land. Do you know anything of it yourself?—No; I do not know anything of it personally.
 164. Did you object to Mohi Parore?—Yes; I objected to him on the same ground.
 165. Did you object to Hohepa Poutu?—Yes. He was struck off the roll in 1877, and sent in a claim again.
 166. Did you object to Hare Ngamanu?—Yes.
 166A. On the same ground?—On the ground that he was not a householder.
 167. Did you object to Emena Tuma?—Yes; he was struck off the roll on the same ground.
 168. Did you object to Heta te Tahī?—Yes. He was struck off the roll the previous year.
 169. On the same ground?—The same ground.
 170. Did you object to Matui Taranui—block of 1,402 acres?—Yes, on the same ground—not a householder.
 171. Did you object to Paraki Katete Tapu—he claims in respect of three different blocks?—Yes, on the same ground.
 172. Do you know anything of the value of these other two blocks, as far as the number of people on the grants is concerned?—No, I do not.
 173. Did you object to Wiremu Titore—this is on three different blocks too?—Yes.
 174. On the same ground?—Yes.
 175. I see he claims in respect of 6½ acres. Do you know whether he holds that in common or as his sole right?—He holds it in common.
 176. Did you object to Rameka Wharepapa?—Yes. He was struck off the roll the previous year.
 177. And he is not a householder?—Not a householder within the meaning of the Act.
 177A. Did you object to Puru Whero?—Yes.
 178. This is a block of 575 acres, Papua. Do you know anything about that block?—No, I do not.
 179. Did you object to Mohi Wikitahi?—Yes. He was on the previous roll. The objection here should have been “On the roll.” That name will be found on the previous roll, 1878.
 180. Not objected to except for that reason?—Exactly.
 181. Did you object to Heta Taka?—Yes.
 182. For the same reason?—Yes.
 183. Did you object to Hone Toia?—Yes.
 184. This is a different block of land, Te Aronga. Do you know anything of that block?—No.
 185. You objected to him on the same grounds and upon the same information?—Yes.
 186. Did you object to Rewiri Kohiparu?—Yes.
 187. Same ground?—Yes.
 188. Did you object to Mocaraka Hapeta?—Yes.
 189. Did you object to Hare Hapeta?—Yes.
 190. Same ground?—On the same ground.
 191. Did you object to Taniora Aporo?—Yes. Hare Hapeta was also a minor.
 192. Is this man a minor?—No.
 193. He is objected to on the same ground?—Yes—holding his property in common with others.
 194. And not sufficient household qualification?—Yes.
 195. Did you object to Pipō te Wairakau?—Yes.
 196. Same ground?—On the same ground.
 197. Did you object to Maihi Wekete?—Yes.
 198. Same ground?—On the same ground.
 199. Did you object to Reihana Te Wenehi?—Yes.
 200. Same ground?—On the same ground.
 201. Did you object to Hone Wetere?—Yes.
 202. On the same ground?—The same ground.
 203. Did you object to Mocaraka Te Hau?—Yes.
 204. This is a different block, 311 acres, Te Urupa, Waimate. Are you acquainted with it?—Yes, I know the block.
 205. What is the value of it, Mr. Williams?—It is a small block, so far as I know of it.

206. Three hundred and eleven acres are stated here. What is the value per acre?—You would not give 10s. per acre for it if you were buying it; unless a person wanted it, and then they would get a fictitious price.

207. Is it good land?—It is passably fair land.

208. How many men are on the grant?—I do not know. I know there are more than three or four of them.

209. His household is also insufficient?—Yes. In fact, he does not live there at all.

210. Did you object to Te Keene Honao?—Yes.

211. This is still another block of 288 acres?—It is held in common with others.

212. Do you know that block, Omanaia?—No.

213. Did you object to Whena te Apa—he claims on fifteen acres?—There are other claimants besides him.

214. You objected to him?—Yes.

215. On the same ground?—Yes.

216. Did you object to Arawa Moka?—Yes.

217. On the same ground?—Yes.

At this stage the Court adjourned until next day at 11 a.m.

RUSSELL.—FRIDAY, 7TH MARCH, 1879.

Mr. E. M. WILLIAMS'S examination continued.

The Commission resumed its sittings at 11 a.m.

218. *The Commissioner.*] I have here, Mr. Williams, a batch of papers attested by Raniera Wharerau. I understood you to say yesterday that you knew little or nothing personally of the value of the properties or even of the validity of the claims made about Hokianga and Mongonui; and you relied in the one case on the Resident Magistrate, Mr. Von Stürmer, and in the other on the Resident Magistrate at Mongonui, Mr. White. In that case I do not see that it is necessary to go over the whole of the claims in detail. If you know of any exceptional case with respect to those two districts, you can give me the information. No doubt there are claims within your own district about which you have a personal knowledge?—I have nothing further to say with respect to the Hokianga claims. I relied on information obtained, and not only that, but I had also doubts in my mind as to the validity of these applications, and, acting under the clause I quoted yesterday, I objected to all these names, considering that it was not my duty to prove that I was right, but the applicants' duty to prove that I was wrong.

219. I have taken down the names of the places of abode given in this batch of claims, attested by the person I have named. The interpreter will read them. Perhaps you will recognize the locality. I imagine they belong for the most part to Hokianga. The information with respect to the Ahipara claims you got from Mr. White?—Yes.

220. Your source of information would be the Resident Magistrate?—Yes, as to all the Hokianga names—every one of them.

221. All this batch of 203 names are attested by the same person, Raniera Wharerau?—Yes.

222. Whangaroa would be in your own district; there you did not rely upon Mr. White?—No. I would merely observe with regard to Hokianga claims, that I have information with regard to some of them who are minors. There is one named Hapeta Wi Whangaroa; he stands on the present roll (1878-79). There is Hapeta Hare, No. 254, also a minor. There is Hohepa Waaka, No. 311, also a minor. There is Toia Hone, No. 924, also a minor. There is Tawhai Hone Takerei, No. 882, also a minor. There is Pehikuru, Wiremu te Naihi, No. 658, also a minor. There is Wharerau Penuiki, No. 989, also a minor. There is Wheeki Manete, No. 998, also a minor. There is also one on the Whangaroa list that I know of, but I do not think there are any others. I do not speak of these names from any knowledge of my own, but I relied on the information given me.

223. By whom?—By Mr. William Webster.

224. Have you any special information with respect to others in Mr. White's district?—No; merely from a general statement of his. He has not particularized any names. He said he knew there were a number of minors on the list. The only blocks of land I have been able to gain any information about in the Hokianga District were those mentioned in the claims sent in.

225. As to block Te Awaroa No. 1, how many claims were there?—Sixty-six.

226. What size is that block?—It is given as 9,000 acres. Te Awaroa No. 2 is 3,000 acres, and there are sixty-four claims.

227. What is the value of Te Awaroa No. 1?—I could not possibly say the value.

228. The matter cannot possibly be a question of acres, unless the acres are taken in connection with the value of them?—Mr. William Webster would possibly be able to give a very good idea of the value of these blocks. He has a great deal to do with most of them.

229. There is another batch of claims here, Mr. Williams, attested by Isaac Williamson.—Of what part?

231. Here is one from Awanui.—I should imagine these are all in Mr. White's district.

232. Then you relied upon Mr. White for your information in respect of these claims?—Yes.

233. And is there no district in which you have a personal knowledge?—There is the Whangaroa.

234. Were claims made from that district?—Yes; twenty-two names from Whangaroa.

235. Have you got them there?—Yes.

236. Twenty-two claims to which you objected, I understand?—Yes; twenty-two Natives.

237. If you have the list there, perhaps you will give your reasons for the objection in each case?—I objected to these names on the same grounds I objected to the others, from my own personal knowledge of most of the names. Most of the Natives I know, and I felt certain in my own mind that they were not in a position to establish the claims they put in, and I objected to them. They were in the vicinity, and could have been present if they had chosen.

Mr. Williams.

March 6, 1879.

Mr. Williams.
 March 6, 1879.

238. Have you the new roll, and the names upon it?—Yes.
239. We will take them in detail, as you have a personal knowledge of them?—No. 23 on the new roll is Arama Taniora.
240. You objected to that person?—Yes.
241. Why? What was the ground of your objection?—That he was not a householder or freeholder within the meaning of the Act.
242. What did he claim for?—He claimed as a householder and freeholder. His qualification on the roll is a householder.
243. Did he occupy the house at all, Mr. Williams?—I have always known him occupying the house in common with others.
244. Is the house his?—I could not say whether it was his or not. I have a doubt whether it was his.
245. What sort of a house was it?—It is described here as “Kaeo, wooden house in his occupation.”
246. What is the size of the house, and what material is it built of?—I could not say it was his house; I have my doubts.
247. What sort of a house was it he occupied?—Small.
248. How large?—Very small.
249. As large as this room?—It might be about the size of this room.
250. Fifteen by twelve?—Yes—about that.
251. Do you know whether other Natives claimed also in respect of this house?—I do not think they did.
252. Do you know to whom the house belonged?—I believe it belonged to his father, properly speaking.
253. Is his father living?—Yes.
254. And residing in the house too?—I have known him living in the house.
255. Does this man live continuously in the house, or is he only a visitor?—I do not think he does live continuously in it. They are always moving about to different residences.
256. We will pass on to the next?—The next is Pera Hakena.
257. What does he claim in respect of?—A house in his occupation, Waionepu.
258. What description of house? Is it a large house?—No; about the size of this room—the usual size of Maori houses.
259. Does he occupy that by himself, or in common with others?—Himself and his family.
260. What height are the walls? I want to have an idea of the kind of house, because I have seen very fine raupo whares occasionally?—The walls are about four or five feet high—it is a small, low house.
261. Where is this house situated?—Waionepu is the name of the locality; it is at Kaeo, Whangaroa.
262. Will you pass to the next?—The next is Hakena Taikato, Hakena Pera’s son, No. 213 on the roll. He is about sixteen years old.
263. Will you please pass on to the next?—The next is Heremaia Hone, No. 292.
264. What is your objection to him?—He was not a freeholder—he claimed a freehold qualification.
265. How did he describe it?—A place called Te Paru, 250 acres. This man is since dead.
266. Are you acquainted with this land in respect of which he claimed?—No; I know the locality.
267. Is there such a piece of land?—Oh, yes!
268. Is he one of the grantees of it?—I believe him to be so.
269. In common with some others?—Yes.
270. How many others?—I do not know how many: five or six others.
271. What is the value of this piece of land?—That I could not give you.
272. Will you please pass on to the next?—The next is Heremaia Papu, No. 294.
273. What does he claim in respect of?—He is down here, “Ohutai, house in his occupation.” I do not know the place. I have always known him as living at a place called Pupuke.
274. Did you make any inquiry whether he occupied the house at the place he named?—I made inquiries.
275. And the result led you to believe that he had no such house?—Yes. I was told that not one of these names had a right.
276. I understood that you were giving this on your personal knowledge. If you were relying on others I shall ask for the names of the persons?—I am relying partly on my own knowledge.
277. From inquiries you made you are satisfied that he had no house at the place he named?—Yes.
278. And personally you are aware that he generally lived at another place?—Yes—at Pupuke.
279. What sort of house does he live in in the place you have known him to live?—In a raupo house.
280. Will you please go on to the next?—The next is Raneka Kotoiti. I do not see him on the roll.
281. It may perhaps be an error in printing in this case?—I think it must be.
282. You cannot find it on the roll, and you think there must be some printer’s error?—Yes.
283. Will you pass on to the next, please?—The next is Ripara te Kuri, No. 438 on the roll.
284. What does he claim on account of?—A block of land called Huahuataia, and the house upon it.
285. Can you give the acreage?—No.
286. Can you give any information as to that block of land?—No.
287. Do you know the house which he alleges he is in occupation of?—No. I cannot recall the man to mind, or his name.

288. You objected to him?—Yes.
289. You must have known something of it at the time, or you would not have objected?—I objected because I did not recognize the name.
290. Did you make any inquiries as to whether the property had an existence?—Not at the time I made the objection.
291. Will you please pass on to the next?—The next is Ngapapa Wiri, No. 527, wooden house in occupation at Mangaiti.
292. Do you know anything of that house?—I have never been in the house. I have had it pointed out to me. I know the man.
293. Was the man really in occupation?—Yes.
294. What sort of house was it?—It appeared to me to be a miserable house—one that I should certainly object to. A miserable, tumble-down place.
295. Weather-boarded?—Yes.
296. What kind of roof?—Shingle roof.
297. What size would it be?—A very small place.
298. Any glass windows in it?—I think it had one window in it, and a door.
299. A chimney?—I do not think it has a chimney, unless it be a wooden one; certainly not a brick chimney.
300. Was he in sole occupation of it?—He and his wife.
301. Will you please pass to the next?—Might I see that man's paper—his application?
302. There would be a difficulty in finding it, as I have rearranged these papers. What is the next one?—The next one is Taua Toro.
303. Have you found him on the roll?—Yes—No. 933.
304. What are his qualifications stated to be?—Two hundred acres and household, Upokorau.
305. Do you know anything of that 200 acres?—No. There is such a place as Upokorau. I do not think the block of land he claims on would be called under that name. There are several owners of properties in the place called Upokorau.
306. Still, you are aware he is a grantee of some piece of land there?—Yes.
307. Do you know the number of men in the grant?—No.
308. Or the value of the land?—No.
309. Or the character of the house?—It is a raupo house.
310. Of what description?—The usual Maori house.
311. Much as you described the other one?—Yes.
312. Is it the size of this room?—I have not seen this man's house for a long time.
313. What is it stated there—a wooden house?—No; merely freehold and household.
314. How long ago is it since you saw the house, Mr. Williams?—It is some years since I was up there.
315. Then he may have built a good house since?—He may have done so. They do not generally build good houses.
316. Will you please pass to the next, Mr. Williams?—The next is Tamati Tuiti, No. 948.
317. What does this man apply in respect of?—Freehold and household.
318. Is the freehold more particularly described?—He claims freehold and household, Upokorau, house in occupation. He is one of Taua Toro's party—of the same party living at Upokorau.
319. Are you aware what kind of house it is?—A raupo.
320. Will you please pass to the next?—The next is Hone Tao, No. 855.
321. What does he claim in respect of?—Freehold and household. There is no freehold given; simply, "Kaeo, house in occupation."
322. Are you acquainted with his house?—No. I do not think he ever owned a house of his own.
323. Do you know where he does live?—He lives in the Kaeo, in a whare with the tribe. I never knew him to be a householder in his own right.
324. Will you pass to the next, please?—The next is Hoera Tau, No. 868.
325. What is the qualification?—Freehold and household. In the description he merely gives, "Huataia, house in his occupation."
326. Do you know where the man does live?—He lives in the Kaeo.
327. Is that the name of the place?—Yes. It is a village in Whangaroa.
328. Are there any houses there?—Yes. Kaeo is partly a European settlement as well.
329. Will you pass to the next, please?—The next is Pauapa, No. 622.
330. What is the qualification?—Freehold and household. No description of property given; house in occupation. He lives in the same place as the others—Upokorau.
331. Do you know the house he lives in?—No; only that he lives in a raupo hut.
332. If any of these huts happened to be of a superior description, you will please mention them?—Yes.
333. Will you please pass to the next?—The next is Wiremu Parau, No. 641.
334. What did he claim in respect of?—Freehold and household—"Upokorau, 250 acres, and house in occupation."
335. Do you know anything of that house which he alleges to occupy?—I do not know the house. It has been described to me as a common raupo house.
336. By whom?—By Natives from whom I made inquiries.
337. Will you please pass to the next?—The next is Riwhi Paru, No. 642.
338. What is the description?—No description of property given; "Mangatai, house in occupation."
339. Will you please pass to the next?—The next is Arama Patara, No. 644, freehold and household. No description of property given; "Mangatai, house in occupation."
340. Have you seen that house?—It is a raupo house.

Mr. Williams.

March 7, 1879.

341. Will you pass to the next place?—The next is Karena Pouroto, No. 656.
342. Qualification?—Household and freehold. No description of freehold given; “Upokorau, house in his occupation.”
343. What is the house?—I believe he has a wooden house, but not at Upokorau proper.
344. Where is it?—I saw this man at the time the claims were sent in, and he told me that he lived in Kaipara.
345. In this electorate?—No.
346. Then the house which you believe he has is not in this electorate?—Yes, the house is at Moari; but the Native told me that at the time the claims were sent in purporting to come from Whangaroa, he was not in Whangaroa, but had been in the Kaipara for some months.
347. Do you know who attested his claim?—Raniera Wharerau.
348. Do you suggest, Mr. Williams, that this name has been attached by forgery?—I only go by what the man told me himself—that he was not in Whangaroa at the time these papers were made out. I was merely wishing to call your attention to this name in particular. It strikes the eye that a great number of these signatures are in the one handwriting. There is a signature there, Mohi te Raihiri; that man cannot write.
349. Who told you, Mr. Williams, that this man was at Kaipara at the time?—He told me himself.
350. Where could he be got at?—At Whangaroa, perhaps. He might not be there now. He works at Kaipara occasionally, in the timber trade, and is backwards and forwards. I am not certain he would be found there now. He remains away from Whangaroa for months.
351. You say this man has a wooden house?—Yes.
352. What was your reason for objecting to him—not that he had not a wooden house, but you believed his name had been attached by forgery?—I had doubts not only of his claim, but of many others.
353. That is, doubts that he did not sign it?—Yes.
354. That claim purports to be attested by Raniera te Wharerau?—Yes.
355. Will you pass on to the next, please?—The next is Pumipi te Puihi, No. 695.
356. Do you know anything about his house?—He says freehold and household, and gives his description, “Te Hoanga, 55 acres, Crown grant.”
357. Are you acquainted with that piece of land?—No; there is a piece of land of that name.
358. Is he a co-grantee or sole grantee?—Co-grantee.
359. Do you know the number of the grant, or the value of the land?—It cannot be of much value.
360. Do you know his house?—He claims household and freehold; he does not describe the house at all.
361. Will you pass to the next, please?—The next is a misprint in the roll—702, Pumipi Kainanui, 30 acres, Crown grant. That is his only description; he does not describe the house.
362. Do you know whether he is in the grant?—I do not know whether he is in that grant. I do not know that name.
363. Do you know whether he is in any grant?—I do not.
364. Do you know anything about his house?—He lives in a raupo house, but does not mention it in his description.
365. Will you please pass to the next?—The next is Moihi te Raihiri, No. 708, freehold and household; Mangatai, house in his occupation. He lives on the opposite side of the Whangaroa Harbour.
366. What sort of house does he live in?—Raupo house.
367. Will you pass to the next, please?—The next is Rihari Hemi, 742, freehold and household; description given, “Kiripaurari, house in his occupation.”
368. Does he describe his freehold?—No; that is the only description, “Kiripaurari.”
369. Do you know anything of his house?—Raupo house.
370. Please pass on to the next?—The next is Rihari Tamiora, 743, freehold and household, Te Moana Wharaua; that is the only description.
371. What about his house?—A raupo house.
372. Will you pass to the next, please?—That is the last one in it.
373. With regard to the European claims?—I do not think any were objected to except those who were dead, those who had sold their qualification, and householders who left the district; but I do not recollect one European new claim objected to.
374. I see that these claims were attested by very few people. Can you tell me whether the claims were made spontaneously by the Maoris, or whether it was the result of organization?—I can form no idea beyond what has been told me by the Natives. I have no personal knowledge.
375. *The Commissioner*: I think it is desirable to state them at once.—I have not the names with me. I would not like to make any positive statement, as I might find myself mistaken.
- Witness*: Might I reserve the names until I get to Whangaroa?
- The Commissioner*: I think it is desirable to state them at once.
- Witness*: I have not the names with me. I would not like to make any positive statement, as I might find myself mistaken.
376. Will you state generally the information you have received?—I was told by the Natives in Whangaroa that they knew nothing at all about their applications having been sent in.
377. You are aware, Mr. Williams, that amounts to a charge of forgery?—I am merely repeating what these Natives told me. I have already stated that I know nothing of my own personal knowledge.
378. What I meant by the question was not exactly to bring that out, but to know whether there had been an organization—not necessarily an evil organization, but an organization of any kind for the

purpose of getting the names. As a resident of Wanganui, I have frequently subscribed to send persons round to get people to sign their names. I want to know whether in this case it was an organization, or spontaneous on the part of the Natives?—I have been told it was an organization.

379. Do you know, Mr. Williams, whether the bulk of the people who sent in new claims were likely to be supporters or opponents of your brother?—I could only form an idea upon the question; because the bulk of them are strangers to me. I know nothing whatever of them. I may say that, with the exception of the Whangaroa Natives, they are all perfect strangers to me.

380. You produced yesterday, Mr. Williams, a document from Mr. White, the Resident Magistrate at Mongonui, giving you certain information upon which you acted?—Yes.

381. You relied so fully upon this document that you founded a very serious official act upon it—namely, an objection to people voting. I see that Mr. White, in one part of that memorandum, makes a statement in these words: “Patrick Lundon’s special mission to the north for about six weeks last summer to collect the above list, being supposed to be Lundon’s special friends.” Did not that convey to you an idea whether these men were likely to be supporters or opponents of your brother?—Certainly. If they were Lundon’s friends the probability is that none of them would vote for my brother.

382. This memorandum was, I presume, made officially to you, or semi-officially?—I had permission to make use of it.

383. Was it your opinion, upon the receipt of this memorandum, that this was a decorous paragraph, seeing you were brother of Mr. Williams the member?—I do not see there was anything wrong in his mentioning that.

384. It must be mentioned—or else it has no meaning—for the purpose of satisfying you in some way that these men really had not a claim, or to strengthen the general objection he made. Is it not so?—My object in asking Mr. White’s advice upon these names was, not to ascertain whether they were friends or opponents of my brother, but whether they really had any claims to be placed on the roll.

385. Then, if I understand you, he supplemented the information you really desired by this gratuitous statement?—It was a gratuitous statement of Mr. White’s, not sought by me.

386. Mr. White says, in another portion of the memorandum, “Every one of the remainder are either owners in common of native lands having no individual right, minors, and vagabonds. Households scarcely house a dog of the commonest Maori description.” Do you believe that with regard to the houses?—Yes, with regard to many of them. I would not say it exactly in those words; but they are of the commonest description throughout the district—mere hovels.

387. You do not consider that exaggerated language, Mr. Williams?—No; not with regard to some of these hovels which they call houses.

388. It has been broadly alleged, Mr. Williams, in petitions to the House, that you favoured some claimants because you knew them to be favourable to your brother, and objected to others because you knew them to be unfavourable. Is there any truth in that assertion?—No. I think I called your attention yesterday to the fact that after Mr. Lawlor’s ruling, when I objected to over two hundred names, I first of all selected over forty names in my own immediate district—Natives whom I knew personally—and I could not help knowing they had been supporters of my brother, and would continue to be so; and had I been disposed to manifest any partiality, it would have been easy to have passed these names over.

389. You were kind enough yesterday to offer a list. Perhaps you would give it now?—I could mention two or three names who would not only feel annoyed at being struck off, but would use their influence against my brother. One Native, the strongest supporter of my brother, was objected to—Wi Piriongo.

390. On what grounds was he objected to?—Because I had doubts as to his qualifications—holding in common. He was struck off the roll by Mr. Lawlor in 1877. Out of these forty-four struck out, not one of them reappeared the following year—not one of them renewed his claim. But of the other lot, there were between fifty and sixty struck off in 1877, and they reappeared in the new claims. My object was to act without partiality. It could scarcely be supposed I would break into my brother’s stronghold and object to names I knew were his supporters, and would continue to be his supporters, if I intended to act with partiality. Every name I found on the rolls which I had my doubts upon, I objected to. When Mr. Lawlor held his Revision Court, none of these Natives appeared, although, as I said yesterday, these forty-four were all within twenty miles of the Courthouse. Some of them were less distances, some within ten or twelve miles; and they might have appeared if they had chosen to do so.

391. Am I right in understanding it in this way: that your brother’s friends to whom you objected were living so near that they could have appeared without inconvenience, while those on the other side were living at a distance, and could not have appeared without inconvenience?—Most of them could not attend without inconvenience.

392. Did you allow similar claims to remain upon the roll to those which you objected to?—There are some similar to those that I objected to, that I passed over.

393. Why allow them to remain?—Because I had my doubts. I believe there are many names I ought to have objected to in that year.

394. You use the same expression in two different senses. You say, because you had doubts you objected, and again, because you had doubts, you did not object?—I would not say that, because I could not gain sufficient information. I was ignorant of them, and could gain no information. I could advance no information; and I left them.

395. Did you take any part in circulating for signature petitions to the House for last session?—None whatever.

396. Has it come to your knowledge directly that such petitions were circulated? Have you seen such petitions in the hands of any person?—No, I never saw a petition.

Mr. Williams.

March 7, 1879.

Mr. Williams.

March 7, 1879.

397. There is just one point remaining. It has been stated—in fact, you said as much just now—that some of these claims were not in the handwriting of the person purporting to sign them. Can you give me any information upon that point? Can you lead me to any evidence, or point out claims that have been evidently signed by some person other than the one purporting to sign them?—Merely my own doubts, and from what has been told me by the Maoris.

398. Will you look at 26 and 27? Do you know those men?—I know Hone.

399. Are those two signatures in the same hand?—I should say they are very similar, but I do not know the handwriting. There is a great similarity between the two; and, as a rule, I should say that, unless it had been a Native who had been at school learning to write, he would sign his name very differently to that. They generally sign their names in an extraordinary manner—more like hieroglyphics than anything else—most of them.

400. Is the attesting signature in the same ink?—No, I should say not. There is a paleness about it. The attesting signature appears to be lighter in both cases.

401. Can you point out any claim to me that, from your knowledge of the signature of the claimant, is evidently not in his hand?—Yes—Wiri Ngapapa, Moihi Rahiri, and Taniora Rahiri. They are apparently all in the same handwriting, and with the same ink. Wiri Ngapapa's signature I know. I have had it in Court at times. He can write, and signs generally in a very small hand. This Moihi Rahiri cannot write at all, so far as my knowledge goes. As to Ngapapa, it is not the signature I have seen him write. He generally signs his name Wiri, without the Ngapapa.

402. Where is he?—In Whangaroa. The other signature I do not know. These three appear here to be in the same handwriting.

403. These three men reside at Whangaroa?—Yes.

404. Now, I will close your examination by giving you an opportunity of making any general statement you might wish to make on the subject.—I would remark with regard to my having made these numerous objections to these Native claims, that it has never been my wish to take a part in depriving or attempting to deprive the Natives of any rights they may be entitled to; I have always encouraged them. But I felt that I had a duty to perform. I was entrusted with the charge of the electoral roll. I had a duty to perform towards the Government, and I felt I had a duty to perform towards the electors of the district; and wherever I saw or felt there was a doubt in these names being brought forward I objected to them. I have already stated what action I took after Mr. Lawlor's ruling of the one case that was brought forward as a test. I looked upon Mr. Lawlor as my superior officer; that he sat here as judge, and that I was bound to follow his ruling when these objections were made in 1877. He ruled that they were all fatal, and struck them off. In these objections I took up the names of all parties. I can say this: that I feel that whatever charges have been brought against me of acting with partiality have been unjustly made. As long as I have held the office of Registration and Returning Officer, I have endeavoured to carry out my duties in an impartial manner, without any regard to parties; and I do not think myself that any man can establish a charge against me of having knowingly acted with partiality to either side, either in compiling the rolls for the district, or conducting the elections that have taken place in the district. I felt it my duty to take the steps I have taken, and at the present moment I feel no regret at the steps which I did take.

405. There is just one question which I find I have omitted to put; and that is, whether you received from any member of the Government any intimation of a desire that you should act differently in the way of making objections?—Certainly not.

406. I did not suppose you had; but I felt bound to put the question.—I might further state that you must be aware that the duties I had to undertake with regard to the electoral roll and the elections necessitated not only a great deal of time, but at times caused me a great deal of anxiety. The whole of this work was done gratuitously. I never received any remuneration; there was no salary attached to it. I might, if I had chosen, have spared myself by passing over these lists unnoticed. I felt, and feel now, that if I had done so I should not have been carrying out my duty.

The Commissioner: The Court will now be adjourned until 2 o'clock. I propose to take Captain Baker's evidence at that hour.

The Court adjourned accordingly.

The Court resumed at 2 p.m.

The Commissioner: Mr. Landon, I wish to say that, as you take a great interest in the matter you can have the report of yesterday's evidence to read as soon as the Court rises.

Mr. Landon: Thank you, Mr. Bryce. I do admit being largely interested.

Captain BAKER sworn and examined.

Captain Baker.

March 7, 1879.

407. What is your name?—George Baker.

408. You are harbourmaster at Russell?—Harbourmaster and pilot.

409. Do you hold any other official appointment?—No, sir; with the exception of this appointment since the 4th of June.

410. What other appointment do you hold?—Registration and Returning Officer.

411. When were you appointed?—I think on the 4th June, 1878. I received the following telegram:—"Government Buildings, 4.30 p.m., 4th June, 1878.—Captain Baker, Harbourmaster, Russell.—You are appointed Registration and Returning Officer for the Electoral District of Mongonui and Bay of Islands from this date. Please see Mr. Williams as to how to proceed. You will attend Revision Court to-morrow.—G. S. COOPER."

412. Is that the first intimation you received of the appointment?—That is the first.

413. And were you not consulted as to whether you would accept it or not?—Nothing further than that I received this telegram. Afterwards I sent the following:—"Russell, 8th June, 1878.—To Under Secretary, Colonial Secretary's Office, Wellington.—Have received revised electoral list from Revising Officer. Will clerk, R.M., afford me necessary clerical assistance and stationery in preparation roll for printer on above matter? Also, where roll to be printed, as time limited, and I am totally unacquainted with the duties?—GEORGE BAKER, Registration and Returning Officer, Mongonui and Bay of Islands."

414. You had, however, previous to this, I understand, tacitly accepted the appointment by attending the Revision Court?—I attended the Court, as instructed by telegram to do. *Captain Baker.*

415. Did you make any remonstrance against accepting an appointment about the duties of which you admitted you were totally unacquainted?—I could not see at the time that I could make any objection, not knowing who had or who had not claims at the time. March 7, 1879.]

416. Did you consult with Mr. Williams, in terms of your instructions, as to what you should do at the Revision Court?—Nothing more than that I saw Mr. Williams the night previous, and told him I had to attend the Court the next morning.

417. Did you ask him what course you should take?—I do not remember that there were any such words made use of.

418. You did attend the Court next morning?—Yes.

419. Was Mr. Williams there?—No, I do not think he was.

420. Had Mr. Williams to go away on any special business?—I could not say.

421. What took place at the Court?—There were Mr. Lawlor and Mr. Tole in Court, and there were some words passed respecting the electoral roll; but there was nothing that I know, particularly, about anything else—no more than that the Revising Officer signed the papers and passed them over.

422. Were you aware that a large number of objections had been made by your predecessor to claims to vote?—Not at all.

423. Surely that question arose in the Revision Court on that day?—I do not remember being asked anything about it.

424. You attended, I presume, to what was going on?—Yes; I was where I am sitting now.

425. Did you not understand that the Revising Officer was to decide whether certain claims were to be admitted or not?—I understood that.

426. And did you not understand that your predecessor had made objections?—Yes.

427. Did you endeavour to sustain the objections?—No; the time was so short that I had to let things pass as they were.

428. Had you in your possession a list of objections?—I do not think I had—no, Sir.

429. The question before the Court at that time, as I understand it, was whether a certain number of claimants were to be placed on the roll or not—your predecessor had made objections. Do you tell me you did not know of them, and had not the list before you?—I had not the list. I knew there was a case pending about these people, but I saw nothing of it; I just heard what passed between Mr. Lawlor and Mr. Tole.

430. Did Mr. Lawlor not appeal to you as to whether you intended to sustain the objections?—He asked me, and I said I could not, as I was not aware whether they were right or wrong.

431. Certain objections were made against dead men appearing on the roll?—There was nothing asked me on the subject.

432. Did Mr. Tole take an objection to your endeavouring to sustain these objections of your predecessor?—No, I cannot say that he did.

433. You prepared this roll subsequently [roll produced]?—No, Sir; I had to sign it. It was prepared by Mr. Greenway.

434. Not by yourself?—No.

435. How came you to sign a document without knowing anything about it?—They informed me it was all correct.

436. Who are "they"?—Mr. Greenway told me it was all correct.

437. I may tell you, Captain Baker, since you do not appear to know it, that at that Revision Court a large number of names appear to have been added to the roll, and it seems to me that these names are added here (referring to roll). I want to know if you have any documentary evidence that the Revising Officer authorized the addition of these names?—No, Sir; I have not.

438. I have before me the roll of the previous year, but with the figures 1877 and 1878 altered into 1878 and 1879. This roll appears to be complete in itself, as being the roll in force at the present moment. It is numbered from 1 to 16, signed on each page by the Revising Officer, and is evidently signed and dated on the last page by the Revising Officer?—I think it was a misprint. We did not find it out here.

439. Have you any documentary evidence that the names of the people who claimed to vote were to be added to the electoral roll?—No.

440. *Mr. Williams* (through the Commissioner).] Do you remember my giving you a printed list of objections, and calling your attention to certain names of persons who were dead, householders who had left the district, and qualifications sold?—You gave me a piece of newspaper. I remember you giving me a paper with a list of those voters; but I did not understand it at the time.

441. *The Commissioner*.] I understand you to say that you made no effort to sustain the objections which your predecessor had made?—No; none whatever.

HIRINI TAIWHANGA sworn and examined.

442. What is the nature of the statement you wish to make, Mr. Taiwhanga?—We wish to know the reason why our names were struck off the roll.

443. What do you mean by "our names"?—There were twenty-eight of us belonging to Kaikohe on the roll; the whole of those names were struck out of the roll.

444. Have you the list of those names?—All our names are on that roll.

445. You saw the list of objections?—Yes; I then saw that our names had been struck out.

446. You must have seen the reason, as stated by Mr. Williams, for making the objection?—The reason I saw was, that Hirini's name had been struck off the roll as not within the meaning of the Act. It was not in accordance with law. Similar objections were made to the names of the rest of us—namely, to myself and my father, Matenga Taiwhanga Wi Hongi.

447. Show me your name upon the list of the previous year? When was your name removed from the list?—In 1875.

Hirini Taiwhanga.

March 7, 1879.

*Hirini Taiwha-
nga.*

March 7, 1879.

448. Do you own that land in question at Kaikohe?—Yes.
449. What do you mean by it? How many partners are there?—There are three of us.
450. Do you all live in the same house?—Myself and father live in the same house. My elder brother lives in another house.
451. Would it not be more correct to say that it was your father's house, and you were living in it?—I think I am a father to him, because he is a very old man, and I am obliged to support him.
452. To whom is the land granted?—To us three.
453. What sort of a house is it?—A wooden house—a dog's house, as Mr. Williams said.
454. Perhaps you will be good enough to give a serious answer?—Mr. Williams calls it a bad house.
455. What is the size?—Eighteen feet long and seventeen feet wide.
456. And how is it roofed?—Shingle.
457. What height are the walls?—Nine feet.
458. Has it windows?—It has four windows.
459. A chimney?—It has a wooden chimney.
460. What sort of a floor?—A wooden floor.
461. Did you see the objection in the newspaper made to your name when it was published?—All that I saw was, that my name had been struck off.
462. Did you see in the newspaper notice that objection had been made to it?—It did not say so in the newspaper I received. It said it had been struck out. I saw it in the *Weekly News*. It was like this one produced.
463. Did not you notice this at the bottom of it: "The above objections will be heard by the Revising Officer appointed for that purpose"?—When we voted for Mr. Landon—this European here—Mr. Warteford urged Mr. John Williams to use his influence with the Parliament to get my name struck off the roll.
464. This list of objections is headed in this way: "The following persons are objected to as not being entitled to have their names retained on the list of voters for the Electoral District of Mongonui and Bay of Islands." Then it is ended in this way: "The above objections will be heard by the Revising Officer appointed for that purpose"?—I did not look at it. I just looked at the heading. I thought they were determined to have our names struck out of the roll. I did not look at the foot of the list.
465. Do you mean to tell me that you had no knowledge the Revision Court was to sit to hear and determine these objections?—I did know that such Courts were held, but I did not know the Court would be held in this case, because I had seen how determined Mr. Williams and others were to have our names struck off the roll.
466. Can you read and understand English?—I cannot read or understand it thoroughly. I understand some.
467. You can read it sufficiently to read a notice of a Court about to be held?—Yes.
468. Have you any further evidence to give?—I wish to ask Mr. Williams a question—whether it was on account of my not attending the Revision Court that my name was struck off?
- The Commissioner*: I can answer that for Mr. Williams. It certainly was. If you had attended and shown the Revising Officer that you really had the property you claim to have, it would have been his duty to have annulled Mr. Williams's objection, and to have retained your name on the roll.
- Witness*: If these men had voted for Mr. Williams and not for Mr. Landon, would their names have been struck off the roll?
469. *The Commissioner*.] That I cannot say. In the meantime it is you who are giving evidence, not me. If you have any evidence to give, please proceed with it.—I maintain that was not the reason my name was struck off the roll. It was because I voted for Mr. Landon.
470. That is easy to say. How do you prove it?—I voted in the year 1873 for Mr. John Williams. I was not struck off the roll then for having voted for Mr. John Williams; but when I voted for Mr. Landon I saw that my name had been struck off the roll. It was Hone Mohi who proposed him, and I seconded the proposal, and in our opinion that was the reason why our names were struck off.
471. Do you know of any supporters of Mr. Williams who were struck off?—There are some of them still on the roll who voted for Mr. John Williams, and some were struck off. Wi Hunga's name was struck off to show that he had no ill-feeling towards me.
472. You are giving now as evidence your own opinion, I suppose?—Yes.
473. Did Mr. Williams ever tell you that he would have your name removed from the roll because you had opposed his brother?—No; but I came to him with those people whose names he had struck off the roll, to have them put on again, and he did not allow them. After that, Hone Mohi Tawhai came with the names of four hundred people, and they were all put on the roll; but the names I gave him were not put on the roll. He said it would not be right in accordance with the law.
474. Did you fill up an application to be placed upon the roll?—Yes; I still have it.
475. Was it an application like one of these?—Yes.
476. And did Mr. Williams receive it?—No; he said it would not be right.
477. What month was that in?—In February or March of last year; but it was before the 30th of March.
478. You tendered a form duly filled up, and Mr. Williams refused to receive it?—Yes; each name was on a separate form—the same names I have renewed the applications for.
479. Where was it you tendered the forms to Mr. Williams?—At Puketona, at his house.
480. And he absolutely refused to receive them from you?—He did not receive them, and I took them back.
481. Did he assign any reason for refusing?—He said it would not be right, because we were not qualified according to law.
482. You are making a very serious charge. I suppose you remember you are on your oath?—Yes; I could swear to it.

483. You are swearing to it. Who were present when you tendered these papers?—There was only myself and Mr. Williams. I cannot say how many weeks after I had been to Mr. Williams that Hone Mohi came with the names of four hundred people. I said to him at Kaikohe, "Hone, it is no use your going to Mr. Williams to have the names placed on the roll, because I have been to take mine to Mr. Williams, and Mr. Williams said it would not be right according to law." Hone replied, "I do not care. It does not matter. I will go."

484. Did you go down to Mr. Williams for the express purpose of tendering these claims?—That was the express purpose. I thought if I did not take them before the 31st of March, my name would not be placed on the roll.

485. Did you tell any one at the time that you were going to Mr. Williams with these claims?—Yes; it was with the consent of the people in the claims that I went.

486. What particular people did you tell?—Te Pure, Whai Hare Ngakau, Tiopira Kirau, and Te Para Kura.

487. Did you tell any one when you returned that Mr. Williams had refused to receive them?—I told them all. I said we had been disappointed—that our names would not be placed on the roll.

488. Have you the claims with you that you tendered to Mr. Williams?—I renewed them, which are those I produce. I did not keep them, because I did not think they would be of any use, as the date had expired.

The Court adjourned until Saturday, March 8th, at 10 a.m.

RUSSELL.—SATURDAY, 8TH MARCH, 1879.

Mr. E. M. WILLIAMS re-examined.

The Commission resumed at 10 a.m.

489. *The Commissioner.*] Did I understand you to say, in reference to the evidence given by Taiwhanga yesterday, that you were able to produce documentary evidence to refute the statement he made respecting you?—Yes, I will.

490. In that case, Mr. Williams, I think it would be desirable you should do so at once in Mr. Taiwhanga's presence. I would not think it necessary to take your evidence for the purpose of giving a mere verbal contradiction; but if you can produce documents to refute it, I shall be glad to see them at once?—I am prepared to do so.

The Commissioner: Then I will administer the oath again.

Mr. Williams was again sworn and re-examined.

491. You heard the statement made by Mr. Taiwhanga yesterday, to the effect that you had refused to receive electoral claims from him?—Yes.

492. Was that statement correct or incorrect?—There is a certain shadow of truth in what he stated yesterday. With your permission I would explain. Sydney Taiwhanga stated yesterday that he had shown me a number of applications, and that I had told him to take them back to Kaikohe. That part of his statement is correct; I did so. He is wrong in the year. This took place in the year 1875. In the month of March, 1875, Sydney Taiwhanga came. I am not certain whether it was to my house. He met me, at all events, with a number of applications. He tendered them to me, and showed them to me, and asked me if I would take them on to Russell. Having shown them to me, I drew his attention to the fact that there was not one of them correct, and that if they were taken on to Russell, not one of them would pass; that they were no use whatever; that he had better take them back to Kaikohe and get his friends to sign them.

493. In what respect were they incorrect?—The applications were drawn out in the names of the parties applying; but, instead of each applicant signing his name, Sydney Taiwhanga, in ignorance, I suppose, had signed them all himself. I told him that if they were presented in that form not one of them would pass. I recommended him to take them back. He took them back. He stated yesterday that I had positively refused to accept these papers, and, finding them useless, he had destroyed them; that when Hone Mohi was coming on with papers he told him it was no use—that I had positively refused to accept applications from him. He took them back to Kaikohe, and subsequently they were returned here in an altered form, with the exception, I think, of one or two of them. They were signed by the applicants and attested by an elector. One or two remained in the form that he first showed them. They were not signed. This took place, as I have stated, in 1875. I think I can show you that Sydney Taiwhanga is wrong in his date, from the fact that he stated yesterday it was in 1878, and that shortly after he had tendered these papers, and I refused to take them, Hone Mohi came with a number of papers, and, notwithstanding that Sydney Taiwhanga told him it was no use for him to come, he still came down. These papers were brought by Hone Mohi in 1875.

494. What interval elapsed between the so-called rejection of the informal papers and the presentation of the proper papers?—I do not remember; but there could not have been a great interval, because if here at all they must have been here before the end of March. I do not think it could have been more than a fortnight.

495. Can you produce the applications tendered in that year?—Hone Mohi did present a number of papers here in 1875, but in the year 1878 Hone Mohi did not bring in a single paper. The bulk of the papers were brought in by Patrick Lundon, not by Hone; and I believe he brought them here on the last day of March. I remember meeting him at Goffe's, and he asked me if he would be in time. I remember telling him that if he got over to Russell that afternoon he would be in time. I can refer to Mr. Greenway to substantiate what I say. The papers to which I have alluded will be found amongst the papers of 1875. [The papers for 1875 were here produced.] You will observe what I remarked about the signature, and about these papers being sent back to have the signatures of the applicants attached. Sydney Taiwhanga stated yesterday that he had destroyed those papers.

496. How many of these papers are there?—I can find now sixteen of them. [Witness here produced ten formal papers and eight informal papers for 1875.] The informal ones are signed by Sydney Taiwhanga in the place where the claimant's signature should be, and the formal ones have been signed also by Sydney Taiwhanga, but his name has been partially obliterated and the name of the claimant inserted.

Hirini Taiwhanga.

March 7, 1879.

Mr. Williams.

March 8, 1879.

Mr. Williams.
March 8, 1879.

497. I understand these were received?—When he handed these papers to me every one of them was in this form. It was then that I recommended him to take them back to Kaikoho. I now find that what I had done as an act of kindness towards himself and others, he yesterday brought against me as a very serious charge—that I had positively refused to accept those papers; and, moreover, he stated that they were destroyed by him, whereas they are now produced in the office.

The Commissioner: I shall re-examine Mr. Sydney Taiwhanga on this particular point.

SYDNEY TAIWHANGA re-examined.

Hirini Taiwhanga.

March 8, 1879.

498. You are still upon your oath, by virtue of the oath you took yesterday. Are these the papers which you alleged you had broken up and destroyed?—No.

499. Do you know anything of these papers?—Yes.

500. Was it, then, in another year that you brought the papers which you stated you had destroyed?—These were the forms we sent in when our names were placed on the roll, which were afterwards struck off in the year 1865. That was the first time we applied to have our names on the roll, in 1865, because the first members we voted for were Mr. McLeod and Mr. Carleton, in 1870.

501. You were on the roll in 1870?—Yes.

501A. And you say that these are the papers you sent in by virtue of which you appeared on it?—It depends upon the year in which our names were placed on the roll.

502. You sent in applications by virtue of which you appeared on the roll and exercised your privilege in 1870?—Yes.

503. When was your name removed from the roll?—When I saw that document that I saw yesterday.

504. Give me the year—you must have some sort of memory—give me the year when you were first removed from the roll?—I saw it in the newspaper. I made a mistake yesterday when I said it was in the *Weekly News*. It was in the *Advocate*.

505. When did you see it?—This last year—1878. I saw that my name had been struck off.—That is why I made a new application.

506. Was that the second application you had made?—That was the third. The first time we applied our names were placed on the roll and we voted for members.

507. Then you found that your names were removed from the roll when?—In 1875. I sent in applications to have other names of some of our people placed on the roll. I should like to see the papers.

508. If these are the papers you say you broke up and destroyed you have no right to them, and you cannot get them. Did Tamati Whakaita's name appear on the roll in 1870?—No; it was in 1876 that I applied to have his name put on the roll.

509. This man's name was not upon the roll when you voted in 1870?—No.

510. Was Whai Te Hoka's name on the roll in 1870?—That name was not on the roll in 1870.

511. Was Tiopira Kairau's name on the roll in 1870?—I am not quite certain whether his name was on the roll, or whether it was with the new applications.

512. Was Te Para Kiwa's name on the roll in 1870?—I do not think this man's name was on the roll. It is a new application.

513. Was Nopere Te Ripi's name on the roll?—I am not quite certain. If the roll for that year were here I could say who were on and who were not.

514. Was that application made as a new application, or in consequence of the name of the person having been objected to and removed from the roll?—I am not quite certain.

515. Was he on the roll of 1871?—I cannot say. If the roll were here I could see. I have sent in applications three times. The first time we voted for Mr. McLeod and Mr. Carleton. The second time we voted for Mr. John Williams and Mr. John Lundon. During the interval between the time we voted for Mr. McLeod and Mr. Williams new names were placed on the roll.

516. Was Hori Tapia's name on the roll in 1870?—No.

517. Was Ropata te Nganga's name on the roll in 1870?—Yes; I know that.

518. Was Hone Puriri's name on the roll?—Yes; I know that his name was placed on the roll.

519. Was Hawera Rae's name on the roll?—I am in doubt about it. It was subsequently his name was placed on the roll.

520. Was Te Teira Raimiati's name on the roll?—I am not certain. I have the same doubts I had in regard to the last one.

521. Was Piripi Poti's name on the roll?—I have the same doubts about this as I have about the other.

522. With respect to these men who were upon the roll, by what means had the names been taken off it so as to render fresh applications necessary? Had they been objected to? How were their names taken off the roll?—I do not know.

523. How did you know they were off?—I saw by the newspaper which I read yesterday.

524. That is, the list of objections. Their names could not have been off at that time?—Well, I thought that they had been struck off, or would be struck off, and therefore I sent in new applications.

525. Do you remember taking these claims to Mr. Williams?—It is correct.

526. And he advised you to correct them?—That is true. That was in another year.

527. What year was that in?—In the year named in the application.

528. As a matter of recollection, what year was it in?—I think it was in 1875.

529. Is that the year that Honi Mohi presented a number of claims after you?—I do not know when it was he brought his claims here. I made a mistake yesterday in saying that he was on his way with the claims to Russell; he was coming to the Revision Court at the time. The claims had been brought in previously.

530. You stated yesterday that you presented a number of claims to Mr. Williams, and that he rejected them?—Yes.

531. And that afterwards, in the same year, this gentleman—Mohi—presented a large number of claims?—I thought that was the time when he brought the claims. It turns out they were brought in previously. He was on his way to the Revision Court.

532. Do you consider yourself justified in making a statement so loosely as that upon oath?—I was not certain whether he was bringing these, or going to have names placed on the roll. I suspected he was going to have names placed on the roll, therefore I said, "Friend, it is no use going, because I was there a short time ago, and Mr. Williams said it would not be right, in accordance with law." I forgot to state yesterday that Mr. Williams told me at the time, "You had better take them, but I think when they reach the Revising Officer they will be struck off the roll." That is why I went back with the forms.

533. Then that amounts to saying, instead of asserting that he refused to accept them, that he said he would accept them if you took them to the proper place?—That was on account of my urging him to accept them. I was discouraged, and I took them back, as I thought it would be useless bringing them here.

534. How long a period elapsed between the time Mohi came to the Revision Court and the time you offered the claims to Mr. Williams?—I think it was about two or three weeks after he came.

535. Was it four weeks?—It may have been. I am not certain.

536. Was it six weeks?—I do not know. Hone would know.

537. He would not know. How long was it?—It may have been two or three weeks; I am not certain.

Mr. Williams: I forgot when I was alluding to these papers to add that those are the only papers ever presented and shown to me by Sydney Taiwhanga. He showed me no papers whatever; no applications to be placed on the roll in 1878—not one.

HONE MOHI TAWHAI SWORN and examined.

538. What is the nature of the evidence you wish to give?—I wish to give a preliminary explanation of the evidence.

539. Will you proceed to do so?—Before the time Mr. McLeod and Mr. Carleton were voted for Mr. Carleton came to me and asked me to have my name placed on the roll. Mr. Carleton and Mr. Rouse, a clergyman, made out an application to have my name placed on the roll. I signed my own name, and it was attested by Mr. Rouse. The qualification inserted in the claim was "Crown grant," in which there were eight persons, not one hundred.

540. State the acreage?—Two thousand seven hundred odd acres.

541. State the value?—We told Mr. Von Sturmer, when we wished to sell to the Government, that he was to ask 5s. an acre for it. My name was placed on the roll. When the election of Superintendent came, I voted for Mr. Gillies. My vote was not objected to at that time. Afterwards there was voting for Mr. McLeod and Mr. Carleton. My name was still on the roll. My vote was not objected to. After that there was the election of Mr. Lundon and Mr. John Williams. I went to support Mr. Lundon to have him elected as a member. At the time of the nomination here I proposed Mr. Lundon. It was before the election of Mr. Lundon that I went back to Hokianga. I induced my people—my *hapu*—to send in applications to have their names placed on the roll. They signed their own names to the applications, which were attested by me—as I was already an elector. All their names were placed upon the roll at that time. They were not objected to. At the time of the election of Mr. Lundon and Mr. Williams I induced all those people to vote for Mr. Lundon. They all voted for Mr. Lundon. After that Mr. Lundon received intelligence that it was the intention to have some of the names struck off the roll. I asked Mr. Lundon on what day this was to take place; I had forgotten the date. I then came by way of Waikare to Russell; and on my arrival here I found the Revising Officer, Mr. Lawlor. The person who wanted to have my name struck off, or who objected to my name, was Mr. Carleton. We stood here, and the Revising Officer asked Mr. Carleton upon what grounds he objected to my claim to vote. He objected to it on the same grounds mentioned by Mr. Williams—namely, the 12th clause of the Act of 1866.

542. Might I suggest possibly the ground of objection was that you held in common with others?—That was the reason. I said to Mr. Carleton it was not of my own seeking that my name was placed on the roll: "it was you who had my name placed on the roll." Mr. Carleton said, "I told you that your qualification was to be your wooden house, and you inserted a Crown grant." I then said to Mr. Carleton, "I had no house at the time you came and asked me to send in an application to have my name placed on the roll; the house belonged to my father; he was alive at the time; but now he is dead I have his house. Therefore I wish to know the reason why you object to my name being on the roll. I think it is because I did not vote for your brother-in-law that you had my name struck off the roll, or object to my name being on the roll." I said to him, "Listen! now that my name has been struck off the roll I shall not be like a dog when it is kicked by its master and it runs away to a certain distance, and then the master calls to it to come back, and it comes back. I am a human dog who have been kicked by you: if you say to me hereafter, 'Come here, boy,' my tail will not wag to you."

543. This conversation is not very material. Will you proceed to the decision of the Court? If you choose, give the decision?—The decision of the Court was that my name should be removed from the roll.

The Commissioner intimated that Mr. Mohi's examination would be resumed on Monday, 10th March.

The Court adjourned until the 10th March at 2 p.m.

The above evidence was duly interpreted by me to Hone Mohi Tawhai, and he understands the purport thereof.—GEO. BROWN, Interpreter.

Hirini Taiwhanga.

March 8, 1879.

Hone Mohi Tawhai.

March 8, 1879.

Hone Mohi
Tawhai.

March 10, 1879.

RUSSELL, MONDAY, 10TH MARCH, 1879.

HONE MOHI TAWHAI'S examination continued.

The Commission resumed its sitting at 2 p.m.

545. We interrupted your evidence, Hone, at the point where your name was struck off the roll on the objection of Mr. Carleton. You were about to show, I think, that you made another application. Will you please proceed from that point?—My name was placed on the roll shortly after. My object in having my name placed on the roll again was so that I might be able to ascertain the reason why our names had been struck off. At the time Mr. Williams and Mr. Landon were voted for, we who voted for Mr. Landon had our votes annulled—cancelled. The people of Omanaia, who voted for Mr. John Williams, had not their names struck off. Those people were ten in a grant, six in a grant, four in a grant.

546. Those people who were not struck off?—Yes; therefore I thought, "What is the reason our names are struck off, inasmuch as there are only eight names in the grant of one?" When my name was first struck off the roll I was ignorant of the law. That is why I did not press my case here.

547. Perhaps before you go you will state the names of those persons who were retained on the roll notwithstanding that they held in common?—Aperahama Taiko was one, Matiu Taranui was another, Wiremu Titore was another, Wheua te Apa was another, Mohi Wikitahi was another. These were the only men whose names were not struck off. In the year 1877 I then commenced to get applications made out. Up to March, 1878, I got the names of all the people belonging to my tribe written down: that is, those names that were struck off at the time mine was struck off.

548. Do you mean that they were signed by themselves?—I got forty of my own people to sign their names to applications. I asked grown-up people to sign their names. I did not get the children to sign their names. After that was done, I then asked a lawyer to come here and ascertain the reason why our names were struck off the roll, inasmuch as we had Crown grants. On our arrival here, and the lawyer's, Mr. Lawlor also came here. There were several of us. There were some people belonging to other tribes who accompanied me here on the 5th of June. They came here to see about their own claims to vote, as their names had been struck off every year, although they had Crown grants; but they did not know the grounds on which their names were struck out. The names of the people who accompanied me were Arama Karaka, Raniera Wharerau, Re te Tai, Hori Hare, Heremaia te Waka, Nui Hare, Peri Tamaho, and Heremaia te Ara. On our arrival here Mr. Williams did not remain here; he returned to his place of abode. On our arrival here we did not talk, as there was no one here for us to talk to at that time, as Mr. Williams had gone.

549. Did not your lawyer speak for you?—Yes, my lawyer did speak, and the Revising Officer, Mr. Lawlor, spoke to the lawyer. After the lawyer ceased speaking I got up. I stated there that my reason for coming here was on account of my name having been struck off the roll. I wished my friend Mr. Williams to have remained here, but he went away. Although I was alone I had several of them to contend against, yet I was not frightened. I will speak now in reference to the remarks made by my friend Mr. Williams. Mr. Williams stated that Hone Toia was a minor. Hone Toia is married, and has had children; some of them are as tall as he is. This man is a half-caste, and is tattooed on the face.

550. State his age, if you know it?—I do not know his age. He is a middle-aged man. He was born shortly after me. I am forty years of age, or more. As to Wharerau Pereniki, I do not know his age; all I know is that he was married by license to a woman.

551. Even if you do not know his age, you may know whether he is over or under twenty-one?—I do not exactly know, as I did not get him to sign an application. His application was attested by another person. I attested Hone Toia's application.

552. Can you state his age? Whether he is over twenty-one or under twenty-one?—I think he is thirty years of age. I heard a remark made by Mr. Williams that one Crown grant contained 11,000 acres, and there were one hundred persons interested in it. There are only eight persons in the Crown grant of that land. After my name had been struck off the roll I thought that my interest in that land would not qualify me to have my name placed on the roll; therefore I determined to sell the land to the Government. I and my seven co-grantees sold the land to the Government. The amount I got for my share in that land was £78. That land was sold to the Government.

553. What was the total amount the land brought?—I have forgotten.

554. I attach some importance to that point, however?—I do not exactly know whether it was £624 or £500.

555. Was it more than £400?—It was more than £400. When the Commissioner's notice came it stated that some of the names were wrongly placed upon the roll, and asked the people to come to Kororareka. I can say I did not wrongly write the name of any person. I heard the remark made by Mr. Williams that I brought some applications here, and that others were brought by Patrick Landon. In reply to that word of Mr. Williams, I say that I did not at all bring any claims here to Kororareka. Whenever I made out any applications to have names placed on the roll I used to give them to Mr. Landon, and he used to provide a person to bring them here. As to those people whose names I have given you who accompanied me here, their object in coming here was to see that their names were not struck off the roll as they had been in previous years. Therefore they came when I came here, lest their names should be struck off. That is all I have to say.

556. You stated that names had been struck off of people who had voted for Mr. Landon on the ground that they held in common?—Yes.

557. And that others who also held in common were allowed to remain on as they had voted for Mr. Williams?—Yes.

558. What land was it that was held in common the owners of which you suppose voted for Mr. Williams?—Omanaia is the general name of the block; but Mangawhero is the name of one block and Mongapupu the name of another; Papamai is another.

559. Did these men hold that land in common, or was their title individualized?—In the Mangawhero grant there were seven or more persons. In the Mongapupu there may have been ten or less, in the Papamai grant there are two grantees.

March 10, 1879.

560. Will you give an approximate value of these lands; I merely want your opinion. You cannot state the value absolutely?—The value of Mangawhero has been stated. There are 1,000 acres odd in that block. A pakeha offered £3,000 for it, but the land was not given to him.

561. How did you know that these men were supporters of Mr. Williams? It was vote by ballot. How, therefore, do you know they voted for Mr. Williams?—Because they said so; because I was one of the persons who induced the people to go and vote—who went to people and asked them whether they would vote for Mr. Landon. These people said “No; they were going to vote for Mr. Williams.”

562. Do you feel certain that fact was within Mr. Williams’s knowledge?—I cannot say; but perhaps the people who overlook the polling-booths might know.

563. Did they speak openly of their intention to vote for Mr. Williams, or did they conceal any such intention?—They told us openly that they were going to vote for Mr. Williams, when I asked them to vote for Mr. Landon. When their names were left on the roll I suspected then that they had voted for Mr. Williams, and that their names had been left on the roll.

564. Do you remember distinctly that they told you they were supporters of Mr. Williams?—Yes.

565. You stated that you had induced forty of your own people to sign their names. Did you attest those names yourself?—I attested their signatures.

566. You first saw them sign their names with their own hands and then you attested them as the attesting witness?—Yes, I saw them signing the applications with their own hands. After they did that, I signed my own.

567. Did you not apply to any people who were unable to write?—I did apply to some people who were unable to write.

568. How did you manage in those cases?—I told them to let some one else sign their names, as it would not do for me to do so.

569. In those cases the applicant himself did not sign, but somebody else did?—There was only one case—an old man; he asked me to sign his name. I said, “It would not be right; you had better get someone else to do it.”

570. What was his name?—Pehi Maki.

571. And who signed his name for him?—His daughter’s husband signed his name for him.

572. And that was the only case?—He was the only ignorant one, owing to his being an old man.

573. You appear to have expressed surprise that Mr. Williams was not present at the Revision Court. Were you ever informed of the reasons why he was not present?—I have not heard.

574. Are you not aware that he had been virtually dismissed from his office, and that Captain Baker had been appointed in his place?—I did hear that. I heard when I came here that it was telegraphed that Captain Baker was to take Mr. Williams’s place.

575. Were these forty names you got the whole of the names you saw signed?—Yes.

576. How came you to take such an active interest in signing; was there any organization for the purpose of getting names signed?—No; I saw it in the law that the proper persons to attest signatures were clergymen and magistrates. Therefore I was told I could attest applications, as I am an assessor. I have been nineteen years an assessor.

577. I am afraid you misunderstand me. In using the word “organization” I do not mean to imply that there is any harm in it. I only want to ascertain the way in which the claims were got?—It was my own wish to have their names placed on the roll, as the Maoris wished to have their names placed on the roll.

578. Did it occupy much of your time going round to get these signatures?—I commenced after the 8th day of March. I was two weeks. The reason I was able to get the signatures so quickly was that one of our chiefs had died, and the people assembled. I obtained a great many signatures on that occasion; but, as to those who did not attend the meeting, I went afterwards and got their signatures.

579. Did you receive any payment or allowance from any person whatever for doing this work? I wish again to explain that there was no harm in it if you did?—I did not receive one penny, as it was our own wish to have our names placed on the roll.

570. Did you subscribe towards sending any other person round in other directions?—I did not. I omitted one word. I heard a statement made here by Mr. Williams that Mr. White had stated that the houses were dogs’ houses.

581. Mr. White did not state that in the sense of saying that the Maoris were dogs; he said the houses were scarcely fit for dogs. Mr. White did not call the inhabitants of the wharcs dogs; he said the houses were scarcely fit for dogs. I should like you to understand the distinction?—The description of house is not defined by law. The houses in which the Natives live are the same as they have always lived in with their children.

582. The Commissioner read the description from the Act: “Occupying a tenement within the limits of a town of the clear value of £10, or outside of the limits of a town of the annual value of £5.” That is the household qualification. With respect to that, were these households outside of a town, or inside?—They were outside the town.

583. Do you consider they were of the clear annual value of £5?—If another person went to one of these people living in one of these houses and offered him £5, he could not possibly leave it, because he and his people would be destitute.

584. What would it cost to build such a whare? How much labour would it cost?—I will speak about a house that was made for a certain European by my younger brother and my father (my uncle). £6 was paid for that house for Here Kerei.

585. And did it resemble those houses in respect of which your Maori friends claimed?—Some of their houses are better than that one. Our best houses are *wharepuni*; some are wooden houses.

586. I am speaking now of the houses you have described just now as being similar to what Maoris and their families always lived in: I am comparing the one built for £6 with those?—This house that was built is of *nikau* and *raupo*.

*Hone Mohi
Tawhai.*

March 10, 1879.

587. Should I be right in supposing that the building of them would cost from £5 to £10?—Those houses of theirs built on posts cost £10, including the cost of drawing out the large posts.

588. Is there any other Native present who wishes to give evidence?—There are none of my people here.

589. Mr. Landon, do you know of any who would give evidence now?—I do not, Sir.

Hone Mohi Tawhai: I wish you to show me Mr. Von Sturmer's letter Mr. Williams spoke of?

The Commissioner: I have not seen it. Mr. Williams did not say that he received a letter from Mr. Von Sturmer, but that he received information. In the case of Mr. White, he said he wrote a memorandum, which Mr. Williams produced.

Hone Mohi Tawhai: If the letters of both are here?

The Commissioner: I do not know that Mr. Von Sturmer ever wrote a letter. Mr. White did, and that letter was produced in evidence.

The above evidence was interpreted by me to Hone Mohi Tawhai, and my interpretation thereof was fully understood by him.—GEO. BROWN, Interpreter.

Mr. Webster.

March 10, 1879.

Mr. WILLIAM WEBSTER sworn and examined.

590. Here are some names of blocks I have taken down. The acreage is stated, and if you would go through them, I should like to know whether it is accurate. That is the information I wish to get from you?—Whakateru is 11,828 acres. It is a block of good land, at the head of a rich valley.

591. Would you please give the value in pounds, shillings, and pence, approximately—the value that it would sell for, supposing it was in a fair market. Supposing they could put that land into a fair market, and did so, what would that land bring?—It is worth 10s. an acre. If cut into lots some parts might bring more, supposing there is no extra expense for title.

592. What would be the number of claims?—There would be a number; I do not know exactly. Mangawhere, 1402 acres, is very good also. If it were put under an assessment, as a County Board would do, they would not put it under a less value than 10s. an acre. Pupua, 575 acres, I value at 10s. an acre; Kareponi, 700 acres, I value at 10s. an acre; Putoetoe, 400 acres, I value at 10s. an acre; Awaroa No. 1, 9,000 acres, I value at 5s. an acre; Awaroa No. 2, 3,000 acres, I value at 5s. an acre; Rotokakahi, 7,000 acres, I value at 5s. an acre; Kauripatete, 2,600 acres, has been sold to the Auckland Timber Company for £1,250, I think; Okehewai, 1,000 acres: I am not sure where that land is situated; Motu Karaka, 5 acres, Crown grant to J. Webster; Tautehere, 600 acres, I value at 5s. an acre; Haekino, Te Rawhitiroa, 3,000 acres, I put down the half (the coast half) at 2s. 6d. an acre, and the other half at 5s.; Te Reha, 500 acres, I do not know; Waimanoni, 200 acres, I do not know; Mangapupu, 890 acres, I put down at 10s. an acre.

593. These are the values at which the blocks would have been put down supposing they had been in the possession of any European, or of any person taxed for them?—Yes.

594. If you had been valuing for the County Council these are the values you would have attached, as far as you know?—Yes.

Mr. Greenway.

March 10, 1879.

Mr. GREENWAY, Clerk to R.M. Court, Russell, sworn and examined.

595. I want to know what actually occurred in the Revision Court on the 5th of June last, if you were present?—I was present.

596. Do you remember the 5th of June last?—I remember the day on which the Revision Court sat. I am not quite clear as to the date. It was some time early in June.

597. Was Mr. Williams, who had been shortly before that the Registration Officer, present on that occasion?—He was not present.

598. Do you know why he was absent?—He told me the day before that he had received a telegram asking him to resign, and he had done so; and that Captain Baker was appointed in his place.

599. Was Mr. Baker present?—Yes. Who was the Revising Officer on that occasion?—Mr. Lawlor.

600. Were any members of the legal profession present?—Mr. Tole was here, representing Mr. Landon and certain Natives.

601. Will you tell your recollection of what occurred?—As far as I can recollect, after the Court opened Mr. Tole got up and addressed the Court, saying that he appeared on behalf of certain Natives, and that he had come fully prepared to argue their case. I think he said Hone Mohi was one; I am not quite certain, however. He said he had come fully prepared to argue their case, but, owing to Mr. Williams's resignation, he had a point of law which he thought would settle the matter at once, without the trouble of going further into it. He called the Revising Officer's attention to it—name ly that all the claims were objected to by Mr. Williams. He said, "At present there is no such person as Edward Marsh Williams, Registration and Returning Officer for the Mongonui and Bay of Islands District, as he had resigned, and they could not look upon his successor in the light of the objector." As far as I recollect, that was the substance, though not the exact words, of what he said; and he held that owing to that the objections would all fall through, and that his clients were entitled to have their names on the roll. The Revising Officer held that the objection was fatal, and ruled accordingly. Captain Baker was not called upon to make any statement, or to defend his position in any way.

602. He not only put Mr. Tole's clients on the roll, but the whole of the others objected to?—He ruled that the objections fell through, and consequently there was no argument as to whether certain people should be placed on the roll; and when he decided he signed the list of claims and the old roll as they were, and the new roll was made out according to the Act from these two copies.

603. Was Mr. Tole's argument lengthy? Did he cite precedents?—No, it was not at all lengthy; only a very few words.

604. Do you remember whether he cited any precedents?—I am not certain, but I think not.

605. Did Mr. Lawlor state any additional grounds to those stated by Mr. Tole?—I think not. I think he held Mr. Tole's objection to be fatal. I know Mr. Tole asked the question, "Then I understand my clients are to have their names inserted?" or words to that effect; and Mr. Lawlor said "Yes." Mr. Landon and Hone Mohi were present in Court.

606. Did you see Mr. Lawlor attach his name to the various pages of that paper?—I think I did. *Mr. Greenway.*
I cannot positively say that I saw him attach his name to them all, but to the best of my belief he did. I was present in Court, sitting where Mr. Grey now is. *March 10, 1879.*

607. Are you acquainted with Mr. Lawlor's signature?—I have no doubt this is his signature, and I have no doubt I saw him attach it.

608. Here is the list of persons applying to have their names on the electoral roll, signed by Mr. Williams, as Registration Officer, and also by Mr. Lawlor. Will you look at that signature on the last page and say whether it is Mr. Lawlor's?—That is Mr. Lawlor's signature.

609. Did you understand from that that those names were to be inserted in the roll?—Certainly. I certainly understood that from him. It is the usual way in which it is done in Russell.

610. I understand you to say that your impression is very decided that Mr. Lawlor intended all those names, dead men included, to be inserted?—He said nothing about dead men being excluded. He did not positively say the dead men were to be retained, but he said nothing to the contrary.

The Commissioner: This Court will be adjourned now until 11 o'clock to-morrow morning, but will only meet for the formal purpose of being further adjourned to Whangaroa on Wednesday. I think it is likely that I shall to-morrow adjourn the Court to Whangaroa, at 11 o'clock. In the meantime, the Court stands adjourned until to-morrow at 11 o'clock.

RUSSELL, TUESDAY, 11TH MARCH, 1879.

The Commission resumed its sitting according to adjournment at 11 a.m.

The Commissioner: Is there any person present who desires to give further evidence on the subject-matter of this inquiry?

There was no response.

The Commissioner: This Court will be adjourned to Whangaroa, to meet there in the Courthouse at 11 o'clock to-morrow morning; or, should the steamer not arrive at that time, then as early as possible afterwards.

Adjourned accordingly.

WHANGAROA, WEDNESDAY, 12TH MARCH, 1879.

The Commission sat in the Courthouse, Whangaroa, at 11 a.m.

The Commissioner: This Court is held for the purpose mentioned in an advertisement which, I dare say, most of you have seen circulated in the district, and under the authority of a Royal Commission. It has been adjourned from Russell to this place for the purpose named in the advertisement. I am directed to inquire, amongst other things, into the truth of certain allegations made in a petition to the House of Representatives. I find one here signed Heremaia te Ara and others. If Heremaia te Ara is present I shall be glad to receive his evidence; and I wish to state that at the close of my examination I shall ask Mr. Williams and Mr. Lundon respectively if they have any questions to suggest to me, which I shall put to the witnesses, if they are proper questions.

HEREMAIA TE ARA SWORN and examined.

The Commissioner: This is the petition to the House—the authorized translation of it. Mr. Brown, read it in English first, and translate it into Maori; so that he may understand the meaning of it.

The petition to the House of Representatives signed by Heremaia te Ara and others was then read out in English and then in Maori by the interpreter.

611. Did you sign that petition to the House of Representatives?—That is our petition that we sent.

612. Did you attach your name to it yourself?—My uncle, Pera Hakena, did.

613. Did he do so with your knowledge?—He did it with my consent. He was appointed as a clerk for us.

614. Did he do it in your presence?—I was standing there present.

615. Are you able to write your own name?—I do know how to write my name.

616. Why did not you do it on that occasion?—That was the regulation laid down for our hapu, the Ngatiuru—that one man should sign.

617. Will you be kind enough to write your name now on a piece of paper?—[Witness wrote down his name, and the paper was handed to the Commissioner.]

618. Did you ever sign an application to be placed on the electoral roll for this electorate?—No.

619. Did you ever write a letter to Mr. Williams making that statement—that is to say, denying that you ever signed one of the electoral claims during the last session of Parliament?—I have already said that my uncle is the writer.

620. I would explain that they are two separate matters—one was a petition to the House, the other a letter to Mr. John Williams, a member of the House?—I do not know; I have forgotten.

621. [Letter from witness to Mr. John Williams read in English and Maori.] Did you send that letter to Mr. Williams?—I now remember it was my uncle who wrote it.

622. With your consent?—I did consent to his writing it.

623. Mr. Brown, please make it particularly clear when you come to the point where he says that not only did he not sign himself, but that he did not give any person any authority to sign for him?—That letter was written by Pera Hakena, with my consent.

624. [Application to be placed on roll shown to witness.] Did you sign that document?—I did not.

The Commissioner: Show him the document, and ask him if that is not his signature.—[Document shown to witness.]

625. Did you sign that document?—I never signed it. There were five of us present—namely, myself, Arama Patara, Hone Heremaia, Paapu, Pumipi Whitua; and several women were in the house.

Heremaia te Ara

March 12, 1879.

Heremaia te Ara.

March 12, 1879.

626. When that was signed?—When this document was signed. It was Patrick Lundon's. Mr. Tole, it appears, telegraphed to Hokianga asking Mr. Lundon to get the votes of the people at Hokianga, Whangape, Herekino, Ahipara, Mongonui, and Whangaroa. Patrick Lundon and William Bates arrived at my place on the evening of the Sunday: they stayed at my house; and then he explained about the roll, and asked us to sign our names, in order that our names might be placed on the roll. I told him that my petition had been sent some time previously to the Parliament—that my name had been signed by my uncle. Patrick said then that it would not be right for another person to sign my name. I then said to him, "Friend, that is the custom among these people"—the Ngatiuru. He said, "No, you had better come here and sign my document." I said, "I cannot sign, because the petition has gone to the Parliament." He then urged me strongly. I then said to Patrick, "If you are so urgent at your work"—meaning that I disapproved of his request. My elder brother (or cousin) then signed. It was my own hand that signed it. Paapu then signed with his own hand. Arama Patara did not sign, but Mr. Lundon signed for him with a pen. My son's name, who is dead, was signed by Patrick. I did not go forward and sign the document with my hand. The only thing I assented to in my own mind was the petition signed by the forty people. That was the petition from the whole of the Ngatiuru.

627. Here is a document similar in purport and meaning to the one which has just been read, and purporting to be signed by yourself merely. [A statement drawn out by William Bates and purporting to be signed by Heremaia te Ara was then shown to witness.] Is that your signature to that document?—No.

628. Did you authorize any one to attach your name to that paper last read?—This is Patrick's and William Bates's document.

629. Your signature purports to be written by yourself; you have said it was not. I now wish to know if you authorized any one to sign for you?—That is the only time I had a talk—at the time this took place. I did not speak on any other occasion to Mr. Bates or Patrick Lundon. We were all present when this took place. The talk took place at the one time, in the presence of Bates and Lundon; not with them separately.

630. You are aware that what you say now amounts to a charge of forgery against some person?—No, I am not; all that I look at is, that it is Patrick's work.

631. In the petition to the House of Representatives, which you authorized the other person to sign for you, you state that the roll for 1878 was not made up quite right. In what respect was it wrong?—That had reference to Hokianga. When I came back from Hokianga Mr. Bates came to my house; and the document you mention was written in my house at Kaeo. It was not a petition.

632. You state that the making-up of the roll was not quite right. I ask you what you mean by that? How was it wrong?—The only paper that I recollect seeing written was a paper asking to have the members supported, or the votes supported; afterwards Patrick came.

633. I will just read a portion of it: "Friends, the Government and the Speaker,—Salutations to you and the Assembly. This is our word. We have seen that this roll was wrong; it was unauthorized." What do you mean by saying it is unauthorized?—It is true that he signed it; it was done at Kaeo, at my own house, and Te Parihi took it.

634. To whom?—I think he went to the Bay of Islands.

635. Did you sign your petition without understanding the meaning of it?—I did not sign it; my hand did not sign it.

636. Did you authorize your uncle to put your name to this paper, without understanding the meaning of it?—He wrote it. I authorized him to write it when the petition was given to Parihi.

637. Did you know what you were signing?—The contents were read; there was not much in it.

638. Here is another passage: "We were said to be at Hokianga; we did not see it." That, I presume, is that you did not see the electoral form to be filled?—That was the word of Pera Hakena, disproving of the Act.

639. We will leave this for the present. I am now going to put this question: Did you sign an application to be placed on the electoral roll last year? Did you, last year, sign an application to be placed on the electoral roll?—That document of William Bates and Patrick Lundon is the only one. I did not consent to my signature being attached to it.

640. [Form of claim to vote produced.] Is that your signature to that document?—I never saw a printed document. I never signed a printed document. Raniera Wharerau, the attesting witness, I never saw. He lives at Waima.

Mr. Williams: I think the witness is a little confused in answering questions. Perhaps he is not aware he was on the roll the previous year.

The Commissioner: I do not think that affects the question as to whether he signed.

641. *Mr. Williams* (through the Commissioner).] Did you authorize any person whatever to sign this claim to be placed on the electoral roll. It is attested by Raniera Wharerau?—I never authorized any one. I never told any one to sign my name. I am a lazy man at seeking out such matters as that.

642. I may say, Heremaia, that the signature to this claim and the signature with which you have favoured me just now have a very remarkable resemblance?—That does not matter; they are able to copy my handwriting now.

643. Did you authorize any party present, when Mr. Bates says he witnessed your signature, to sign in your stead?

The Commissioner: He has denied that.

644. Were any material inducements, such as money, held out to you to induce you to sign the document, in the presence of Mr. Bates?—There was no money offered. I will not speak falsely in your presence.

645. *Mr. John Lundon* (through the Commissioner).] Did you see me present at Pikiwahine on the Waihou?—That is correct. I then saw Mr. John Lundon. There were myself and my elder brother, Patrick Lundon, William Bates, and a half-caste or Maori, a workman of his. There were four of them; they arrived about 6 o'clock.

646. If Mr. John Landon says he saw you actually sign that document, would his statement be correct or incorrect?—We saw this roll. If that is the roll, it is correct. The word of Mr. Landon was, that he had obtained the applications to have the names of the Ngatitoto and Ngatihao placed on the roll. They had all their names placed on the roll, or applied to have their names placed on the roll; but I did not see them. After he had done getting the names there, he came to Pikiwahine. Myself and my elder brother were there. I shall tell you about it now. That is when Mr. Landon came. He then said that all the people there should send in applications to have their names placed on the roll. The names of the people whom Mr. Landon wished to sign applications were at Pikiwahine. Mr. Landon then told me, and all the rest who were there, that his object in getting these people to send in their names to be placed on the roll was because, according to the law now, wooden buildings only would qualify persons to vote.

647. Were you persuaded by Mr. Landon to attach your name to the paper. Did you sign the application at that time?—Now, I understand you. It is quite true. That is the time the names were written. I then signed. This is correct.

648. A few minutes ago that was shown to you, and you said you never signed it, and never saw a printed paper?—I did not understand it. If it was the paper that was signed at Hokianga, it is clear.

649. Do I understand you now to admit that you signed this paper?—I signed it myself.

650. Who witnessed it? Did Raniera Wharerau witness it?—The people who were present and saw me sign it were Mr. Landon, my elder brother, his younger brother Patrick, and William Bates.

651. This is a matter of importance. I want you to be particular. Was Raniera Wharerau present when you attached your name to that paper?—He was not there. There is a person here who can corroborate my statement about Raniera Wharerau.

652. Do you know where he was at that time? Was he in the neighbourhood?—He was at his own place at Waima.

653. Can you suggest any further questions, Mr. Williams?

Mr. Williams: The witness seems so confused, I do not think I should be able to elicit what information I want from him. I will try once more.

654. *Mr. Williams* (through the Commissioner.) Do you recollect that you were ever asked what salary you were receiving from the Government; whether you were offered a probability of an increase of salary as the result of your signing the document? At the time you signed that claim was there any conversation with respect to your salary as assessor between yourself and any other person?—The conversation did not take place then.

655. In respect of the document which Mr. Bates has drawn up, did any conversation with respect to your salary occur at that time?—I was asked what my salary was. The question was, "What do you get per year?" I get a salary. That pakeha said, "It is wrong; your salary is too little."

656. Nothing more?—There was nothing further said. There were five of us there listening.

657. Did he suggest that he might possibly get it increased for you?—He said that it was wrong—that it was not sufficient—that it was too little.

658. Have you any statement to make?—This is my word to you: Friend, this is the first time I have been caught (dragged into) in this work. I have no other thoughts. My thoughts are still with the General Government. These are my only thoughts; because my name was already on the roll, and all I had to do was to vote. When I was asked to vote I voted.

The Commissioner: Mr. Landon, I should like to make you and Mr. Williams as fully conversant with the evidence as possible. Therefore I would ask you to inspect the two signatures of Heremaia Ara—the one on the application to vote, and the other written to-day.

Messrs. Landon and Williams examined the signatures accordingly.

PERA HAKENA SWORN and examined.

659. Did you hear the petition to the House read to Heremaia te Ara just now?—I did hear, and I saw it.

660. Did you sign it?—Yes.

661. What do you mean by this expression in the petition: "We have seen that this roll is wrong; it is unauthorized?"—That was my own word.

662. What did you mean by those words?—The meaning is that I was not aware that all my people had made application to have their names placed on the roll.

663. In reference to your last answer, I would ask you whether you made any application to vote last year. Why do you say in the petition that the roll was wrong—that it was unauthorized? I now refer to the petition which was read out to Heremaia te Ara, the first petition which was sent to Parliament?—Because I saw the wrongness of the roll. The reason I found fault with it was, I did not sign my name to any application to have my name placed on the roll.

664. Can you write?—I can.

665. Would you be kind enough to write your name now?—[Witness did as desired.]

666. Did you sign that claim to vote? [Form of claim to vote shown to witness.]—That is false; I was here. That is why I decided to write about the roll, finding fault with it.

667. Did you authorize anybody else to attach your signature?—I did not at all.

668. You state in the petition, after objecting to the way in which the roll is made up, "This work has been done by a European living at Hokianga." What reason have you for thinking that?—Because I heard from persons that applications to have names placed on the roll were got by one pakeha belonging to Hokianga.

669. Your name purports to have been got by one Raniera Wharerau; he is not a pakeha?—The statement in that paper is false that I signed the application.

670. How do you know that a pakeha did this work? What reason have you for supposing that a pakeha did this work?—Because it was reported to us that it originated with a pakeha that people should send in their applications to have their names placed on the roll, even if they lived at a distance.

Heremaia te Ara.
March 12, 1879.

Pera Hakena.
March 12, 1879.

Pera Hakena.
—
March 12, 1879.

671. Who brought this petition to you for your signature?—The petition was brought here by Hone Heremaia, the son of Heremaia te Ara, to whom he was a grand-nephew.

672. Did he give you that information with respect to the pakeha?—No; it was not him. I have forgotten who it was that told me.

673. After objecting to this work, you proceed to say, "We think the Government backed him up;" that is, that they backed the pakeha up in the work you objected to. How did you get that information?—I do not remember who it was told me.

674. [Fifth paragraph of the petition read in English and Maori.] Did you understand the purport or meaning of that at the time you signed the petition?—I did understand it at the time I signed it.

The original draft of the petition was here handed to witness by Heremaia te Ara, and it was compared with the petition presented to the House of Representatives.

Mr. Brown, the interpreter, stated that the last paragraph in the petition presented to Parliament was not in the original draft. The paragraph is as follows: "Friends, the Government and the Speaker,—Salutations to you and the Assembly. This is our word. We have seen that this roll is wrong; it was unauthorized. We were said to be at Hokianga; we did not see it. We therefore ask to look into that matter, and the others therein referred to—that is, in this petition which we address to the Speaker of the House of Representatives."

The Commissioner: That is not in the original, but there is something nearly the same at the commencement of it.

675. *Mr. Lundon* (through the Commissioner).] When you say that this work you object to was the work of a pakeha, do you mean Mr. John Lundon?—This is the first time I have seen this pakeha, Mr. Lundon. I now know for the first time that he is Mr. Lundon. This petition was sent away long since.

676. You refer to some pakeha in your petition. Did you refer to a person you had heard of as Mr. John Lundon, although you did not see him?—We heard that a pakeha, originally engaged in getting the people of Whangaroa, had their names sent in from Hokianga.

677. What was the pakeha's name?—There was no name mentioned, nor is there a name mentioned in the petition.

678. You have sworn to tell the whole truth?—I am telling the truth; there was no name mentioned.

679. Was Mr. John Lundon's name in your mind as the pakeha referred to?—I know now for the first time that he was the person in the habit of getting these papers [applications] sent in. I wish to speak in reference to my having been appointed as clerk to write these things. I did write the petition, or the names to the petition. That is all I have to say.

680. Describe the circumstances under which you wrote the names.—The people were assembled like they are here, and it was said that I should sign their names. We were all in the one place. There were forty-three of us in the petition. They were all sitting round at the time. I was asked to sign the names. One would say, "Sign my name, too," and I signed it.

The Court adjourned for an hour, and resumed at 2 p.m.

The above evidence was read over by me to Pera Hakena in the Maori language, and he fully understood my translation thereof.—GEO. BROWN, Interpreter.

Wiremu Katene.
—
March 12, 1879.

WIREMU KATENE sworn and examined.

681. What is your name?—Wiremu Katene.

681A. Were you at one time a member of the House of Representatives?—Yes.

682. When did you cease to be a member?—In 1875.

683. Did you last year sign a petition addressed to the House of Representatives?—Yes.

684. You state in that petition that the names of persons were not written properly in the roll; that there were many persons named in that document whose names you did not see given in?—Yes.

685. Do you mean by that that they did not sign the electoral claims—the claims to be placed on the list of voters?—That is what they told me.

686. Do you by the term "roll" mean papers like this [form produced]?—This is the thing I saw. The names of the persons who spoke to me are here. They said that they did not see the signing of their names.

687. That is to say, they did not make an application that their names should appear there?—No.

688. And you state in the third paragraph that this mode of action originated with a European living at Hokianga?—Yes.

689. Who was he?—All that I knew then from what I heard other people say was that this thing was done by Patrick Lundon through all the districts.

690. And it was he who directed that this was the manner in which the persons of this district should be put down in the roll—that is, without signing?—Yes.

691. You state that this European originated a certain mode of action to which you objected. I ask you how you know who did originate that mode of action?—I knew it upon the statement made to me by the people that it was Patrick Lundon who took round the roll. I saw him at the Waimate myself when he was taking round this thing.

692. Did you see him sign other people's names?—No.

693. How do you know that he did?—Because I was told by the people that Patrick himself signed the names of some of them; and that the names of some people belonging to Waihou were signed by John Lundon.

694. Who were these people who gave you this information?—Hirini Marupuwhenua was one, Henare Eruera another, and Ngore was another. He is since dead.

695. Any others?—Another was Hone Heremaia, who belonged to this district. He is also dead. These were the only ones who told me. Wi Whangaroa's elder brother also told me. I looked at Wi Whangaroa's appearance, and I thought he had not reached the age of twenty-one years.

696. You proceed to say you are of opinion there was some matter which caused the pakeha to be energetic in the action taken?—Yes; that is correct. Wiremu Katene.

697. What matter do you suppose it to be?—In order that he might get a large number of people to vote for him, I suppose. March 12, 1879.

698. You then go on to say, “Your petitioners know how strongly he urged that the Registration Officer of this place should be dismissed.” How did you know that?—I attended the Revision Court at Kororaraka.

699. The question is, how did you know that this European urged that Mr. Williams should be dismissed?—I heard from certain remarks he made himself. I will explain. John Lundon and his people came from Hokianga. When they reached my place John Lundon and others went on. After them Heremaia and Hone Hara went. They were going to the Revision Court at Kororaraka. Heremaia and Hori told me they were going to see Mr. Williams dismissed. I then said to them, “It is well. I will go, so that I may see him too.” When we reached Haruru we slept there. After breakfast in the morning we started off in a boat. On Te Ti we met the boat of Mr. Williams and friends coming back. Mr. Williams had received a telegram that he was to cease having anything more to do with the Court roll. The telegram, I think, was from the Government.

700. You supposed he had been dismissed at the instance of Mr. Lundon, because Mr. Lundon was privy to it before the public were aware. Is that the reason?—Mr. Lundon made some remarks to me in conversation. Whenever he saw me he said the only bad people were myself and Mr. Williams, and I thought, perhaps, that the cause of the remarks Mr. Lundon made to me was on account of the roll.

701. After you signed this petition yourself, did you carry it round for the purpose of getting the signatures of other people?—Yes.

702. Did you clearly explain the meaning of this petition to the people who signed it?—The persons signing that petition are all able to read.

703. As a matter of fact, did they read it?—They did read it. I gave it to them to read—the whole of them.

704. Have you a copy of the names of the people who signed this petition?—No.

705. Have you any other statement that you desire to make?—I wish to make a statement, inasmuch as I wish to understand the law in reference to the roll. I do not understand the meaning of this—whether that was the way in which persons named should be placed on the roll. Had this been laid down as the law by the Parliament, I should consent to submit to it. There are a number of us on the former roll. My qualification is a Crown grant. I am the only person in my Crown grant. Another qualification I have is my house. Some of these have *nikau* houses, and the people will not live in them for more than two years, when they remove to another place. I think that some of them have a right. There are some whose names are on this list [produced]. Another reason is, I heard that these names had been placed on this roll, and that the only persons who could attest applications to have names placed on the roll were Raniera Wharerau, Hone Mohi, and a European who lived at Mongonui. When these people spoke I asked them, “Did Raniera see you sign your names?” They replied, “No.” These are my reasons for finding fault with the roll.

706. I can tell you this much, Mr. Katene: this is not a roll of voters. This is a list of names to whom Mr. Williams has objected as not being entitled to be on the roll. It would be for the Revising Officer at the proper time to determine whether these names should be placed upon the roll, or struck off. What I state appears clearly from the heading and end of this list?—What I heard was when I attended the Revision Court at Kororaraka from friends of Mr. Lundon, who told me they went to Kororaraka, and that if they had found Mr. Williams there, they would have contended against him for having objected to their names.

707. *Mr. Williams* (through the Commissioner.) Are you sufficiently acquainted with the signatures of the people of this district to be able to say whether these are actually their signatures or not?—I could not speak as to some, but some I should recognize. I would be able to say whether they were written by the parties. [Claims to vote shown to witness.] Hakiaha did not sign that form. I have seen Hakiaha sign his name. I have a document at home in reference to land signed by Hakiaha. It is a deed conveying land to me. It was signed when the Native Land Court was held at Ohaewai.

708. Where does the man live?—At Tautoia. His signature was signed in the presence of Mr. Munro. When I made inquiries about Hirimaru Pawhenua—when I asked him whether he signed his own name to the application—a woman said to me, “Does he know how to write his name?” Therefore I concluded that Hirimaru did not know how to write.

709. *Mr. Lundon* (through the Commissioner.) Do I understand you to say that you saw Patrick Lundon signing the people’s names?—I merely saw him going round.

710. You did not actually see him attach people’s names?—He did not sign any names at the Waimate. He told me that he had been to Whangaroa and Mongonui for the purpose of getting signatures. I do not know whether it was signatures to the petition or the application.

711. Do you remember the month? Was it July or June?—I do not remember; I have forgotten.

712. Was it in the summer or winter?—I am not certain whether it was in the winter or spring. I do not recollect the month I saw him. I had been at the Court at the Waimate. I went there on the Monday.

713. Do you recollect whether it would be about the month of February or March?—I do not remember. That is the time I saw Patrick, Mr. Lundon’s younger brother.

714. Do you know of him going into any houses at Waimate for the purpose of getting signatures?—I now recollect the time he came to my house. I was not at home. I was at the Court at Waimate. On this occasion my wife gave him some peaches. It was about this time. He went to my house for the purpose of getting a drink.

715. When the son of Heremaia te Ara told you he saw Lundon signing voting papers, was any person present besides yourself and this young man?—There was no one besides our two selves.

Wiremu Katene.

716. Where was it?—At my house.

March 12, 1879.

716A. Did the young man tell you at what place he signed these names?—He did not mention Lundon's name, but he was wishing to find out where their names had been written, or who was the person who signed their names, or had their names written.

717. Then John Lundon's name was not mentioned as the person who signed them?—Hone Heremaia did not mention Mr. John Lundon's name.

The Court adjourned until next day, at 11 a.m.

The above evidence was read over by me to Wiremu Katene in the Maori language, and he fully understood my translation thereof.—GEO. BROWN, Interpreter.

WHANGAROA, THURSDAY, 13TH MARCH, 1879.

The Commission resumed its sitting at 11 a.m.

The Commissioner: I wish to state that Heremaia te Ara came to me this morning and wished to make an explanation with regard to his evidence yesterday. I told him that I could not listen to his explanation privately, but that if he had a material explanation to make I would take it in open Court at 11 o'clock. I will do so accordingly if he is prepared to make it.

Heremaia te Ara was not present then. He entered the Courthouse subsequently.

718. *The Commissioner*.] If you desire to make any explanation, it is voluntarily made. I do not call upon you to do so, but if you wish to make a voluntary explanation I will listen to it.—I have nothing to say now.

Heremaia Paapu.

HEREMAIA PAAPU SWORN and examined.

March 13, 1879.

719. I see your name, Paapu, to a letter addressed to Mr. John Williams, dated 10th July, 1878. Did you sign that letter? [Letter shown to witness.] It is a letter which was sent to Mr. John Williams just before he left for Wellington to attend last session of Parliament?—I recollect the letter, but I did not sign the name myself. One man signed.

720. Did you authorize him to sign your name?—Yes. I told that man to write my name.

721. You state in that letter, or imply, that you did not sign an electoral form. Is that true?—I did not sign my name to a claim.

722. You state therein that your name was numbered (*namaed*) at Hokianga. Would you explain the meaning of that phrase? [Phrase read to witness in Maori.]—It means this: the person was at a distance, and his name was borrowed from him.

723. Do you mean that some person at a distance signed your name? Is this your signature? [Form of claim to vote shown to witness.]—If it was the younger brother of Mr. Lundon who brought this roll or claim, that is my writing. When was this signed?

724. That is just what I am trying to find out.—If it was when Mr. Lundon's younger brother came, I signed it myself.

The Commissioner: Sign your name on a piece of paper. [Witness did so.]

725. Do you think the name you have written just now and the name on the form produced are written by the same hand?—This (the application to have the name placed on the roll) is signed Paapu Heremaia, and the other is Heremaia Paapu.

726. Did you write that?—From its appearance, I did not write that. This is my handwriting that I have just now written.

727. *Mr. Williams* (through the Commissioner).] Can you remember that a paper of that description was handed to you for the purpose of recording your application to be placed on the roll? Was ever a paper like that handed to you for signature at any time?—No one has given me such a paper.

728. Was a paper like this laid before you for signature?—I remember the document that was laid before me by Lundon's younger brother.

Mr. Williams: I think the witness is referring to the petition brought round by Patrick Lundon.

729. Did the paper which Mr. Lundon brought round bear any resemblance to this piece of paper—form?—I have forgotten what it was like. It might have been like this. I have forgotten. If I were to see the document again I should know it.

730. Is that the document?—It might be. If this is the document Mr. Lundon's younger brother brought to me, this must be it.

731. Read him the name of the attesting witness, and ask him if he was present, and when it was signed.—Raniera Wharerau was not present.

732. Do you remember what month it was Patrick Lundon came to you with the document for signature?—I have forgotten the month in which he came.

733. Was it summer or winter?—It was in the winter.

In reply to the Commissioner, Mr. Lundon said he had no questions to ask.

The above evidence was read over by me to Heremaia Paapu in the Maori language, and he fully understood my translation thereof.—GEO. BROWN, Interpreter.

Moihi te Rahiri.

MOIHI TE RAHIRI SWORN and examined.

March 13, 1879.

734. Your name appears here to a letter addressed to Mr. John Williams, dated 10th July, 1878. Did you sign that document?—No, I do not write; but I heard from a pakeha that my name was in the document.

735. This is a letter to Mr. John Williams, the member. Did you authorize any one to sign your name to that letter?—I did not authorize any one to write my name. I did not see it. I saw my name in the paper. Because I am ignorant I do not hear all that is said.

736. Did Pera Hakena sign that letter with your consent?—No, I did not consent to his signing. My place is outside. I did not take part in the writing of the names. I saw in a document which Mr. Lane had, on the other side, my name in it.

737. *Mr. Williams* (through the Commissioner).] I think the witness is confused. He is imagining that the questions put to him are in reference to his application paper. His name is amongst the applicants. What I should like to ask him is, whether what he refers to—the public list of objections—was shown to him. Is that your signature on that electoral form?—I do not know how to write, nor can I read. *Moihi te Rahiri.*
March 13, 1879.

738. Did you authorize any one else to put your name to that paper?—My name must not be written. Let me be alone.

In reply to the Commissioner, Mr. Lundon said he had no questions to ask.

HEMI RIHARI sworn and examined.

Hemi Rihari.
March 13, 1879.

739. Your name appears on this letter, which has been repeatedly read. Did you authorize Pera Hakena to attach your name to it?—That is correct. These are my parents, Heremaia te Ara and Pera Hakena.

740. What do you mean by the statement that your name was numbered at Hokianga?—My name was borrowed by a person at Hokianga.

741. By what person?—By a person (or persons). My name was written without my consent there.

742. Do you know who wrote it?—I do not know.

743. Now we will take the electoral roll. [Claim to vote shown to witness.] Did you sign that paper?—I am unable to write. I do not know how to write.

744. Did you authorize any person to sign that paper for you?—No.

745. Did you authorize Heremaia te Ara to attach your name to that paper?—No. I had forgotten to say something about the letter to Mr. Williams. That was the correct one. My hand did touch that. I did not sign this form.

746. *Mr. Lundon* (through the Commissioner).] Do you remember Heremaia te Ara being at Meri Hepi's place at Hokianga, in last March?—When he went to point out the boundaries of his land, to have it surveyed?

747. I refer to an occasion on which Hepi was dying?—I remember when they two went.

748. Did you not hear then that Heremaia te Ara signed your name to a roll-paper?—No.

PUMIPI TE PUHI sworn and examined.

Pumipi te Pahi.
March 13, 1879.

749. You are a resident of Whangaroa?—Yes; I belong to Whangaroa.

750. Do you remember being present with Heremaia te Ara last March at a place called Pikiwahine, Hokianga?—Yes.

751. Did you hear anything said about the signing of voting papers—claims—at that time?—Yes.

752. Do you remember what passed?—I do remember what took place when Lundon came to me.

753. Just describe it.—Mr. Lundon came to us two [that is, he and his younger brother], and he said to us, "You two had better roll now, or have your names placed on the roll." Heremaia said, "Sir, my name is already on the roll." Mr. Lundon said to me, "Have you no roll or vote?" I said to him, "I have not sent in an application to have my name on the roll, or my name is not on the roll, but all my lands are Crown granted; yet I have no vote." Mr. Lundon then said to us two, "You must write a roll, or sign an application." Heremaia wrote his name; I wrote my name. Mr. Lundon said, "Are you two the only ones?" We two said to him, "There are many in our *hapu*; we have a large *hapu*." Mr. Lundon said, "What is the name of your *hapu*?" Heremaia replied, "Ngatiuru." Mr. Lundon said, "Write down the names of your children or people." The names of the people belonging to the Ngatiuru *hapu* were then written down. I said to Mr. Lundon, "We have no wooden houses." We said, "There are four of us who have wooden houses." I said to him, "The only name my house has is 'house;' I call it a house, and I have Crown grants." We wrote in those documents and finished. Next morning the document was taken to Mr. Williams by Mr. Lundon's younger brother—I mean the roll papers.

754. Then you saw Heremaia te Ara signing the names of a number of his people, including his own?—Yes, that the names might be placed on the roll.

755. Had those people given Heremaia authority to sign the names?—No, they did not tell Heremaia to write their names.

756. Were they afterwards informed that Heremaia had written their names?—When we returned, and they knew that we had arrived, the whole *hapu* came to our place of abode. We said to them, "All your names have been written in a paper by us two."

757. Did they express satisfaction?—Yes.

758. *Mr. Williams* (through the Commissioner).] Did you see Raniera Wharerau at Pikiwahine on that occasion?—I did not see him at all.

759. He was not there?—He was not there at all.

760. How many papers did you see Heremaia sign?—He wrote the names of the twenty people in four papers like these.

761. How many times did you see Heremaia writing?—Only on one occasion.

762. And how many names did he sign?—He wrote twenty names.

763. What did he write them on—on a piece of paper or each sheet?—He wrote them with ink on paper.

764. On one paper?—On four papers. He signed the names one under the other.

765. Do you not mean first on one paper and then on the other underneath, and so on?—When one paper was filled up with one lot he commenced with another.

766. *Mr. Lundon* (through the Commissioner).] Is Heremaia related to you?—Yes; he is a *teina* (younger cousin) of mine. I am by the elder brother, and he is by the younger brother.

767. *The Commissioner*.] Are there any other persons present who desire to give evidence on the subject-matter of this inquiry?

Pumipi te Pahi.

March 13, 1879.

Taniora Rapata : I have something to say in connection with this inquiry.*The Commissioner* : I will adjourn the Court until 2 o'clock, and will then resume. Court adjourned, and resumed accordingly.*Taniora Ripari.*

March 13, 1879.

TANIORA RIPARI sworn and examined.

768. Here is a letter addressed to Mr. John Williams, dated 10th July, 1878. It purports to bear your signature. [Letter read in Maori.] Did you authorize Pera Hakena to attach your name to this letter?—I do not remember. I do not know the contents of that letter.

769. Is that your signature to the application to have your name placed on the roll?—That is correct.

770. Did you sign that with your own hand?—No.

771. Who did?—Heremaia te Ara, who is an uncle of mine, wrote it.

772. Did you tell him to write it?—No.

773. Did he tell you that he had written it?—Yes.

774. *Mr. Williams* (through the Commissioner).] Where did Heremaia te Ara tell you that he had signed your name?—At Hokianga.

775. Did he tell you that Raniera Wharerau was present when he signed it?—No, he did not.

776. Can you read and write?—Yes.

777. Are you acquainted with Heremaia te Ara's writing?—I do not know that.

778. Then you suppose that Heremaia te Ara signed that because he told you he signed your name?—Yes.

779. When did you become acquainted with this fact, that Heremaia te Ara signed your name at Hokianga?—I do not remember the date.

780. Did you not tell me, on one of my visits to Whangaroa, that you knew nothing about the affair—that you never knew of parties applying to me to put in a paper—that you knew nothing at all, and were perfectly ignorant that any paper had been sent in?—No; I never spoke to you about it on any occasion of your visiting here.

In reply to the Commissioner, Mr. Lundon said he had no questions to put.

Mr. Lundon : I might suggest that Pumipi, Heremaia te Ara's brother, should be examined.

The Commissioner intimated that Pumipi would be examined.

Arama Patara.

March 13, 1879.

ARAMA PATARA sworn and examined.

781. Your name appears here in a letter addressed to Mr. John Williams, the member, dated 10th July, 1878. Did you sign that paper?—This letter is correct.

782. I understand you to say that it was signed with your consent?—Yes; I consented to my name being written in it in reference to the roll of lands.

783. This is not an electoral form; it is a letter to Mr. John Williams?—The only document I know of is the one written out by Mr. Nesbit, the year before last.

784. This is a document written by Pera Hakena?—I was under the impression it was Europeans who had written it—I was under a misapprehension.

785. Now that you know that this is a letter written by Pera Hakena, did you authorize him to attach your name to it?—That letter was written by Pera Hakena, because Pera Hakena is the writer for us.

786. [Letter read in Maori to witness.] Did you authorize your name to be signed to that letter?—Yes; I told him to write my name.

787. What do you mean by that expression, "Their names were numbered at Hokianga"?—We did not see Hone Mohi and Wharerau. If our names had been written by Pera Hakena and Heremaia te Ara, we should have known.

789. Is that your signature to the form of claim to vote?—When I want my name signed I tell a person to sign it for me.

790. Did you authorize Raniera Wharerau to sign your name for you?—I do not know. I have not seen him. I only know Pera Hakena and Heremaia te Ara, my uncle.

791. *Mr. Williams* (through the Commissioner).] Was any paper of that description shown you for signature, or for the purpose of authorizing any other person to sign, between January and March last year?—No such document as that has reached me, or been placed before me. All I know is, that the only document I saw was that in which the name of Pera Hakena is mentioned.

792. Was your name at that time not on the roll, and was not the application sent in by Mr. Alexander Nesbit?—I have not sent in an application to have my name on the roll. When members are voted for I vote.

793. *Mr. Lundon* (through the Commissioner).] Has Heremaia te Ara your general authority to sign your name for you?—Yes, he has power to sign my name. If he were to say, "Come here. This is our document," we should all consent to it and concur in it.

794. Have you not heard that Heremaia te Ara signed for yourself and twenty-two others at Pikiwahine, in Hokianga?—I did hear of it. He told me, "Your names have all been written." I said, "It is well."

795. Do you know of any others who were told the same thing?—All the people of Kaeo heard of the writing of the names by Heremaia te Ara.

796. *The Commissioner*.] Were they told this after the names had been signed?—They were told after the names had been written.

797. Previously to the names being written were they told that Heremaia te Ara would write them?—He told me that "by-and-by we shall write our names."

798. That is to say, that Heremaia te Ara would write their names for them? Is that what it means?—Yes; that is the meaning of what I say.

The above evidence was read over by me to Arama Patara in the Maori language, and he fully understood my translation thereof.—GEO. BROWN, Interpreter.

JOSEPH HARE, Jun., examined.

Joseph Hare.
March 13, 1879.

The oath was about to be administered when the witness stated that he had conscientious scruples against taking an oath.

799. *The Commissioner.*] Upon religious grounds?—Because I have conscientious scruples.

800. You will make a formal declaration, I suppose, that you will speak the truth?—Yes.

801. You declare that upon your conscience you will speak the truth equally as if you were upon oath?—Yes.

802. I understand you can give the Court some information with respect to the making of applications to be placed upon the electoral roll, and with respect to objections that have been made to the same?—I think the information I can give on the subject will be very little, although I can state, speaking from memory, when I first applied for a vote with one of my brothers—I think about the time that Mr. Lundon and Mr. Williams put up first—we made application for a vote, my brother William and I, and we were refused. The objection I saw was “insufficient qualification.” Whether it was insufficient or not, of course I could not prove. We applied for our vote that year on the Government sections of land we got, although living at another place at the time. Mr. Williams was well aware of it, as he passed through the place coming to and fro holding his Court at Whangaroa, and Okaeo as well. The second year was after the election. I think we applied for some forms and got them, and we applied, too, that year, and were objected to that year. My father had voted for John Lundon, and we thought perhaps that would be the reason that year. As settlers for seven or eight years we thought it a hard thing that we should not have a vote. Perhaps we were not justified in doing so; I would not swear we were. The third year we applied for our votes—it was the same year that some applications were sent through Mr. Radcliffe; some were put on and some not. I and two of my brothers and father applied. My father and I had changed places, and therefore we again applied. All were objected to this year, and nothing but insufficient qualification given in the paper. I was so indignant at this that I sat down and wrote a letter to Mr. Williams (I believe he was Registration Officer at the time), telling him that if my name, with my other brothers’ names and father’s name, was not placed on the roll for that year, I would take steps to ascertain the reason, as I thought it was an indignity heaped upon us. Mr. Williams got my letter; and I said I would put it in the hands of a solicitor and ascertain the reason why. They were placed on the roll after that. That is all the evidence I can give in that case.

803. I understand you to say, then, that Mr. Williams received your application, but afterwards objected to it on the grounds of insufficient qualification?—Yes. We are now on the electoral roll. The applications were received in every instance, and objected to.

804. What was the nature of your qualification, as it appeared in the first claim?—It showed my ten-acre allotment in my own name.

805. What was the value of that ten-acre block?—I could not say. Land in Whangaroa generally is not of much value. I reckon £1 an acre.

806. Where situate?—Up in the Kaeo.

807. Any buildings or improvements upon it?—None.

807A. And with respect to your other claims, did they refer to the same qualification, or to another?—At the first time we were in occupation of another place in the Kaeo. We did not think it necessary to apply for a vote on the place we were occupying. We had not a Crown title. There was a house upon it, and we were in occupation.

808. As a matter of fact, you are of opinion that the place you occupied was not in your first claim?—It is not.

809. Was it in your second?—I cannot say; but I believe it was in the third.

810. Was that the claim which placed you on the roll?—Yes. We are now on the roll. They were all objected to on the third, the same as the first—“insufficient qualification.”

811. You are quite sure that in these three cases you were objected to?—Positive sure.

812. Have you a list of the objections with you here?—I have not. I recollect seeing it in the paper. I cannot say which paper it was in.

813. Will you tell me whether your name appears in that list of the persons objected to in the *Advocate* last year?—I do not see our names here.

814. I have it in evidence that the only year the objections were printed in the *Advocate* was last year. You do not see your name in that list?—No, I do not. The names seem to be Maori names.

815. *Mr. Williams* (through the Commissioner.)] What was the last year you applied?—I could not say. Mr. Williams had a letter from me, which will show him the year.

816. Can you give the year, Mr. Hare, in which your name was placed on the roll?—I cannot. It is two or three years ago, I believe.

817. I would like to know the date of the letter you speak of?—I cannot give the date. I was looking up a copy of the letter this morning, and I could not find it. I did not expect to be called here until I got the summons to attend.

818. Was it one, or two, or three, or four years ago?—I could not swear the year, but I believe it is two or three years ago.

819. Do you think it was the year 1875?—Yes, or 1876.

820. Can you say whether you were on the roll in 1876?—I could not say. I was put on the roll immediately after this letter was sent to Mr. Williams.

821. Were you a ratepayer in Kaeo in 1876?—I do not think I was. I know my brother William was.

822. Do you mean to say that it was through intimidation, in consequence of receiving your letter threatening legal interference, that your name was placed on the roll?—I only surmised it; it was the only natural conclusion I could come to.

Mr. E. M. WILLIAMS re-sworn and re-examined.

823. Do you wish to make any statement in reference to the evidence of last witness as far as you are concerned?—Yes. I have not papers with me at the present time which I could refer to to refresh

Mr. Williams.
March 13, 1879.

Mr. Williams. my memory; but, so far as my memory goes, if there were any objections raised to Mr. Joseph Hare's applications, I can only say that the objections were raised on sufficient grounds. I cannot put my hand on a later roll than 1877-78, and in that year his name appeared on the roll, and it has not been interfered with since that time. It appears to me the object of Mr. Hare's evidence is to show it was through intimidation that his name appeared at all on the roll—that I was threatened with legal proceedings, or that a complaint would be made to his legal adviser, and in consequence of being frightened by the receipt of his letter, I at once placed his name on the roll, or withdrew any objection I might have had against his name appearing on the roll.

March 13, 1879.

824. You proceed to deny that that is the case?—I deny it, certainly. I cannot put my hand on papers so readily here as at Russell, when I refuted the charges which Sydney Taiwhanga brought against me. I am certain of this, that if I did object to his name I had sufficient grounds for so doing; and had those grounds not been substantial, at the Revision Court they would have been overruled, and his name would have appeared. I would like to observe that in 1876 I raised a number of objections to different persons in Whangaroa, as well as other places. By an Act passed by the Assembly it was enacted that the Chairman of every Road Board should send in a list of ratepayers. These lists were sent in to me as Registration Officer, and, in many instances, I found the names on the roll. Some names were sent in by the Chairmen of two Road Boards, and, of course, I objected, once they were upon the roll. I am not positive that Hare was one of these ratepayers, but I believe, as far as my memory carries me, that I objected to some Hares because they were already upon the roll.

825. Do you remember getting a letter from Mr. Hare, to which he has referred in his evidence?—I cannot call to my recollection. It is possible he may have written. What I wish to observe is, it appears he wished to leave the impression that it was through intimidation his name appeared on the roll. That I distinctly deny. If ever I objected to his name, I had sufficient grounds for so doing.

The Commissioner: Just previous to the adjournment of the Court, a Native expressed a wish to give evidence. Is he present?

Taniora Rapata.

TANIORA RAPATA sworn and examined.

March 13, 1879.

826. What is the nature of the evidence you wish to give?—The nature of my evidence is in reference to the carrying-out of the roll.

827. I do not want a speech; but if you can give evidence as to facts, I will take it.—I have good reason for saying what I have to say. The word I wish to say to this Court is in reference to the two laws which exist in all parts of this Island. The law which I approve of is that which will bring me out right—cause me to do right. I object to these laws—

828. I do not want a political speech.—The law I like—

829. Can you give any evidence in respect of facts—things that have occurred?—I will speak about the roll and the votes.

830. Did you sign any voting paper?—No; I never signed any such papers.

831. Do you know anything about this matter of signing names to voting papers?—I cannot write. I know letters.

832. What do you know about letters?—I can read.

833. Do you object to any person signing your name for you?—I do.

834. Did any person sign your name for you?—I do not know.

835. That will do. Has any person present any material evidence to give on the subject-matter of this inquiry?

Mr. Shepherd.

MR. JOHN S. SHEPHERD stepped forward and was sworn and examined.

March 13, 1879.

836. Can you give any evidence to this Court which you think material respecting the present inquiry?—It struck me from what I have heard from the last European witness that the Court might be led to suppose—I do not say it is—that Mr. Williams struck off names he thought would go against his brother. I know this for a fact, that I myself and various members of my family have put in applications to be on the electoral roll, and those applications have been objected to by Mr. Williams. That certainly could not be because we should go against his brother. We never questioned his objections; we took them to be correct. When we did comply with the proper qualifications he put them on.

837. I will ask you a question which I would not think of asking only that you have almost invited it. Were you and your family supporters or opponents of Mr. Williams, your present member?—I have never voted for him, though I am on the roll.

838. I do not know whether you see the drift of the question. The reason you are giving evidence, I understand, is to show that Mr. Williams is impartial; and, although you appear to show he was equally ready to strike off supporters, then I ask you, are you and your family supporters of Mr. Williams?—They are, as a general thing—not of Mr. Lundon. I believe those of my family who did vote, voted for Mr. Williams, so far as I know.

839. Have you anything else to say, Mr. Shepherd?—Anything else would be merely matter of opinion.

840. *Mr. Williams* (through the Commissioner).] Do you recollect my objecting to many names in Whangaroa, and my reasons?—I think it was in 1876 you objected to my name. I saw it in the paper. I asked you the reason. You told me, and I was quite satisfied.

841. What were the reasons?—It was in connection with the new regulations that had come out with regard to the Road Boards—of ratepayers being entitled to be on the roll.

842. Had your name been previously on the roll?—It was some years before; but was not at that time. Why it was struck off I did not know; and I never bothered myself about it.

843. What was the ground on which I objected to you?—It was through the new regulations that came out with regard to the ratepayers' rolls. The thing was informal. When I asked you, you told me you had no doubt the Revising Officer would make it all right. The next I heard was that my name was on the roll.

844. *Mr. Landon* (through the Commissioner).] Had your name been objected to, and the objection overruled by the Revising Officer?—I do not know who struck it off; but I know my name was put on during Mr. Barstow's time.

Mr. Shepherd.

March 13, 1879.

845. In whose time was it taken off?—I cannot tell that.

846. Was it ever taken off?—I have never examined the rolls to see; but I was told it was not on, and that was the reason for applying to have it on again.

847. Might Mr. Williams's reason not have been that it was really on the roll?—No, it was not.

848. Are you perfectly certain it was not on the roll at the time Mr. Williams made this objection?—I could not swear positively; but I was told it was not. If it was, why did Mr. Williams make that objection to my application?

849. Naturally, if twice on the roll?—He did not give that as the ground.

850. What was the ground?—That my application was not in accordance with the regulation that came out.

851. Was that an objection printed in the objections?—It was printed in the objection "insufficient qualification," as far as I remember.

The Commissioner: If no other person desires to give evidence here, I will adjourn the Court to Mongonui.

No further evidence being forthcoming, the Commissioner adjourned the Court to Mongonui, on Saturday, 15th March, at 11 a.m.

MONGONUUI.—SATURDAY, 15TH MARCH, 1879.

The Commission opened here this day, at 11 a.m., in the Courthouse.

The Commissioner: This Court is held under the authority of a commission issued to me by His Excellency the Governor. It was held in the first place at Russell, pursuant to the terms of an advertisement circulated in the district. From Russell it was adjourned to Whangaroa, and now here. I will have your evidence in the first place, Mr. White, if you please.

WILLIAM BERTRAM WHITE SWORN and examined.

Mr. White.

March 15, 1879.

852. You have lately held some official appointment in this district, I understand?—I have been Resident Magistrate here up to the end of last year for thirty years previous.

853. Have you held any other official appointment in this place?—I have held a great number of appointments; but I was Returning Officer of this district from the period at which it was first erected into an electoral district until it was incorporated with the Bay of Islands District.

854. When did you last act as Returning Officer or Deputy Returning Officer?—I never acted as Deputy Returning Officer. I have not acted as Returning Officer since the district has ceased to be an electoral district—that is a good many years ago—I cannot remember exactly—it must be eight or nine years ago since the district was incorporated with the Bay of Islands District.

855. Who acted as Deputy Returning Officer for Mongonui at the first election? That is the point I wish to get at at present. Not yourself?—No.

856. Are you aware that for some years past numerous claims to be placed on the roll have been made by persons of the Native race in this district?—Yes.

857. Are you also aware that the late Registration Officer, Mr. Williams, has objected to the bulk of those applications?—Yes.

858. Did you supply him with any information for his guidance in respect of his objections during the last year he objected—1878?—Yes.

859. Mr. Williams applied to you, I presume, for information, in consequence of not having a knowledge of the Natives of this part of the district himself?—He did, Sir.

860. Were you aware, or did you think it likely, he would rely absolutely upon the information supplied by you to him?—No; I cannot say. He was Returning Officer, and it was his duty to exercise a judgment in that matter. I simply gave him information as to the persons in the district, as the Resident Magistrate of the district, and a person knowing a good many of the claims.

861. Do you know whether he applied to any one else for information in this district besides yourself?—I am not aware. I saw the nature of the application was simply forwarding me a list of the claims, and asking in a very simple form (a memorandum) if I knew of any objections against them.

862. Would you be surprised, or would you have been surprised at the time, to hear that Mr. Williams relied absolutely upon that memorandum?—Well, I do not know. I should not think so. The fact is, he was Returning and Registration Officer, and it was his duty to judge for himself. I simply gave him such information as I had.

863. Do you remember a number of names as to which he sought information from you, Mr. White?—No, I do not. I must state, in justification of what might appear to be singular, that I am blind to all intents and purposes. I cannot see any writing now, and could not for the last two years; so that I relied a great deal from persons reading to me, and a great deal from memory.

864. In reference to that, did you write the memorandum yourself?—Oh, no! I have got my wife or one of my daughters to write from my dictation.

865. Do you remember, Mr. White, the number of names you sent information upon?—I do not; there was a long list.

866. Perhaps it would be a satisfaction to you if Mr. Kelly were here to give you any assistance you want in referring to documents?—I do not know that he could give me any information. This is an electoral list for the district, and upon this list I have had marked off the names of various persons that I knew had no claim to vote—that I knew had not the qualification which they asserted they had.

867. Did you give the special objection that was in your mind in each case separately, or did you make a general statement that they were not entitled?—To some I put a special objection; to the whole I put a general objection—to almost all. There were some few exceptions, I think. May I state the reason why I gave that general objection?

Mr. White.
—
March 15, 1879.

868. Certainly.—The reason I gave a general objection is, that I did not believe the law contemplated (I am speaking now my opinion of the law as having administered it as Returning Officer)—I did not believe the law contemplated the introduction or admission of so many Natives on the list unless they qualified themselves according to what I understood was the law—that is, individualized their title. I did not think the Native Lands Act, giving a communistic title, entitled them to vote under our law. That is why I gave a general objection—because they had not individualized. There are only two men in this district I am aware of who have individualized their title.

869. From your official position, you make this statement with some degree of authority. I will put an extreme case for the purpose of getting your opinion: Supposing two Maoris held a block of land under Crown grant in common, and the value of that land was £1,000, is it your opinion that these two men would have no right to claim to be on the electoral roll?—Do you mean this to be a Crown grant under the Native Lands Act?

869A. Yes. Then I should say the two would not be entitled. I am giving an extreme opinion upon an extreme case. To carry out my view, these two men should have their title individualized by the Native Lands Court, because from my experience in purchasing Native lands I am quite satisfied it might be that one man might own nine hundred and ninety-nine pounds' worth of that property, and the other man only one pound's worth. I have seen one man, where there have been, perhaps, thirty or forty to take it, take £150 out of £700, and another half a fig of tobacco.

870. But the question is the position in law while they hold in common. I will change the question a little, and put it in this way: If two Europeans held a farm of the yearly value of £1,000 as tenants in common, do you think they would be entitled to be on the electoral roll?—Yes; because their titles are individualized. Before they go into that title each one knows what his share is; whereas the Natives do not know what their share is. I make that distinction because one is under a general law and is governed by general known principles, and the Natives have an especial law which has not come into general practice amongst the Natives themselves. It is only on trial, and is a special law.

871. I will read an extract from a document that was submitted to me by Mr. Williams at Russell, and I will ask you whether you recognize it as being your production. This is it: "Mr. White says,—No. 1 is really a householder. No. 2 has left—no longer resident; believe freehold qualification a bogus. No. 3, school-teacher in a Government schoolhouse. Query: Does such qualification entitle to a vote? Every one of the remainder are either owners in common of Native lands, having no individual right—" Do you recognize that as a part of the memorandum you made?—I think I do.

872. In reference to the total number (which you do not remember) upon which Mr. Williams sought information, I will ask you whether you think it exceeded a hundred? That is merely a guess on my part.—I really could not say; it was a large number. I am labouring under this difficulty of not being able to see for myself. Many of these things do not press themselves upon my attention or memory in consequence.

873. I think I understood you to say, Mr. White, that in sending this memorandum you had no idea that Mr. Williams would accept it as conclusive evidence that these men ought to be objected to?—Certainly not. I cannot conceive such a thing; because in the matter of my own duty I would not take any man's opinion—only as a guide, not as a rule.

874. I may say, Mr. White—and I see no reason for concealing it—that Mr. Williams stated in evidence that his personal knowledge only extended to twenty-two claims, and he relied on you almost absolutely in reference to the names of the people in this district. I state that for your information. You will see the importance of that point even now. In reference to the Putoetoe, you express an opinion (it appears in the memorandum) with regard to that block of land, to the effect that there was no record of such a block in the Mongonui office. Do you remember expressing that opinion?—Yes; I must accept that as very likely the case; because, though I cannot exactly remember the individual names, I know many blocks, and have caused them to be marked on this list that there is no record of them in this office, and I do not recognize them by name. They may have passed through the Court, and they may not; but you will observe from the way in which I gave that information—"that there is no record in this office"—that it was for the Returning Officer to find out that there was. I gave him positive information of certain Natives. I gave him other information which he was to fortify if he could. With respect to such as is given, "No record in this office," that would imply that he would find out himself; and then I gave as a general objection, "No individualization of title;" and I was confirmed and fortified in my opinion by the Revising Officer in 1876, who struck off the Natives as not having individualized their claims. That fortified me in the opinion I had held for years.

875. In saying that there was no record of such a block in the Mongonui office, did you mean Mr. Williams to understand, as an inference, that no such block was in existence?—No; that I had no record of it; that I could not possibly say who was on it and who was not, because I had no record of it.

876. You say with respect to one Utika Huru that you do not recognize the name. His was the name of a man objected to subsequently to your writing the memorandum?—What did I say about him?

877. That this Utika Huru claims for two hundred acres at Waimanoni, and that he has not that grant. Mr. Williams says he acts on information supplied by you. Mr. Williams's observation is, "So Mr. White says—not on the grant for which he claims."—Will you allow the interpreter to find it on the list? and, in all probability, he will find opposite to it a cross, which denotes that he is not upon the grant for which he claims.

The Interpreter (after making search): There is a cross against the name here.

Witness: Against every name there is a cross where the name is not on the grant. An "O" means that a man claims for land in respect of which there is no record of the block in the Mongonui office. There is one who claims for Te Kau. To my knowledge it has never been through the Court.

878. *The Commissioner*.] I come now to some household qualifications. There is one Heta Raka Komene, and there is a cross against him. The cross means that he is not on the grant for which he claims?—Yes.

879. What about the household?—I do not think he has got any house. He has got a hut, but not a house worth £5 a year. Mr. White.

880. Can you speak from your own knowledge positively?—I have not been there for several years. I do not think he has built since. March 15, 1879.

881. I feel myself, in respect of your evidence, in rather a peculiar position, because I came here with the full impression that the information supplied by you to Mr. Williams was intended to be relied on absolutely?—As to that, I have already stated positively that such was not my intention—that it should be absolutely relied on. I objected generally to the Natives upon one ground, and to certain Natives upon other grounds.

882. This is in respect of household qualifications; and it appears that your knowledge did not extend up to a very recent period at the time this information was given in to Mr. Williams?—I have been sick for the last two years.

883. What kind of house has Wiremu Paratene?—None of those Natives are living in solid houses.

884. The cross against it would denote an objection to the freehold qualification?—Yes.

885. Do you know what kind of house that man does live in?—In an ordinary Maori hut, I think.

886. And to what period does your knowledge in this respect extend?—Not for three years.

887. What kind of house does Timoti Ropata live in?—He lives close by the road in a wretched hovel. He is living almost on the main road. It is a wretched hovel.

888. Of what material is it built?—It is an ordinary Maori raupo place, with stakes, I think, around it.

889. That would be three years ago or more?—No; I saw his place the other day.

890. You are not aware that he has built another?—No; I do not think he has.

891. Are you aware that he has been living recently in that hut?—Yes; I saw him there about three or four months ago, when I was down here before.

892. What kind of house does Tamati Rawiri live in?—I do not remember that I objected to those particular names as householders.

893. I will read what you say, then, in that part of your memorandum. It is as follows: "Every one of the remainder are either owners in common of Native lands, having no individual right . . . Households scarcely house a dog of the commonest Maori description."—There I must explain that I did not—probably through not having been able to read myself—pick out those that have two qualifications on the list; but, generally, I am speaking of the way in which the Natives are living. There are some I could name who have good houses; of the rest, they live in a most deplorable, wretched state.

894. I may say that this list I am taking down now has been handed to me as the list of persons whose household qualification could be proved. That is the assertion made. I was very glad to get it, or otherwise I would have had to trace Mr. Williams's evidence all through.—You will understand in picking out these that I have made no particular objection, but a general objection to their household qualification.

895. But Mr. Williams acted upon it very implicitly. Do you know the residence of Henare Taumataiti—residence, Awanui; qualification, Putoetoe?—I do not know that particular residence.

896. Then you do not know, Mr. White, whether that man has a household qualification or not?—No.

897. Do you know the residence of Herewini Nopera?—I am almost certain they are living in raupo houses, and generally of a very dilapidated condition. I have not been at Kareponia (California) for some time, and therefore cannot say positively.

898. Do you know the residence of Hereriri te Kamiti?—I am satisfied he has not got a house. There are only two houses in Hauturu at all worthy of being called houses.

898A. The next is Hopa Toa?

The Interpreter: His name is not on the list.

899. *The Commissioner*.] I will have to fall back on Mr. Williams's evidence. Do you know anything of Wi Tiki's claim, either as to household or freehold?—There is an "O" against it, signifying I have no record of the block.

900. What about Henare Taumataiti?—There is an "O" against it, signifying that there is no record of the block.

901. Have you any knowledge of his household qualifications?—I do not know a single house that would come under a £5 leasehold at Awanui that I would consider to be worth £5. I do not think a low Maori hut would qualify for a household.

902. Are there no wooden houses there?—I cannot recall a single wooden house belonging to the Maoris at the Awanui. They are in a very deplorable state there. I do not know one instance there of a wooden structure.

903. Do you know anything about the residence of Ihaka Taiawarua?—I do not know of any person at the Awanui who has got a household qualification.

904. Do you know anything about the household of Heteraka Taumataiti? Mr. Williams says the information he derived from you about that man was that he was not on the grant for which he claimed?—As to the two first qualifications I am certain; not certain as regards the third. I have made no objection; I have put "3" before his name, as denoting that he had three claims.

905. You do, however, make general objection to him in this way, by saying that all the remainder were not entitled?—As I have said, on the general ground that they had not individualized their title.

906. What about the household?—He is living at Parengarenga.

907. Where has he lived?—In a wretched little place.

908. Up to what period does your knowledge extend in that respect?—About two years ago. Before I was laid up I was at the Kau. I have seen him since, and am perfectly certain he has not altered his residence in any way. His affairs are not in a condition that would have allowed him to improve his dwelling. I know him perfectly well; I may say very well. I have long talks with him about his affairs. I am perfectly certain he has not improved his house.

Mr. White.
March 15, 1879.

909. Do you know of any minors having claimed?—There were a good many; but, you see, for the past two years I have been ill, and have not been able to look over the list myself. I could not pick them out now. I have forgotten their names. Some of those names that have been read are sons of Heteraka and his brothers. They are all minors.

910. That is to say, under the age of twenty-one?—Yes.

911. A portion of your memorandum is in these terms: "Households scarcely house a dog of the commonest Maori description." Did you mean that to be understood literally?—I meant that the Natives were living in very bad houses. In this northern part of the Island of late years they have gone back extraordinarily in their houses. It has been a constant talk on my part to improve their dwellings. Some few have built wooden houses, and made an effort; but the majority live in a disreputable way—worse than in any other parts of New Zealand I have been in. I attribute it to the habit of wandering about for kauri gum.

912. Would you describe a whare of the common description that prevails?—They are very ill-constructed toetoe and raupo huts, of very fragile material indeed—merely what I should call temporary dwellings; in fact, they are, for they do not build them as they do strong, warm, and comfortable dwellings. I believe it is the cause of very serious illness amongst them, and one of the causes of their destruction.

913. What would be the size of a whare?—Many of them are not half the size of this room.

914. Would that be for a single individual?—No; for a man and his family. Sometimes they have long dwellings, with three or four families living together. In other more permanent settlements they are a little better in construction, but even there they are very far behind what they used to be a few years ago.

915. Do you remember the last general election of a member of the House of Representatives here?—Yes.

916. Were you here at that time?—I fancy so.

917. Do you remember who the candidates were?—Mr. John Williams and Mr. John Lundon, I think.

918. And what was the result of the election?—Mr. John Williams was elected.

919. Do you remember the previous election, in which Mr. John Lundon was a candidate?—I remember that there was a contest between Mr. Lundon and Mr. Gillies, and that Mr. Gillies was returned.

920. And Mr. Lundon has been a candidate for this district on two separate occasions?—Yes.

921. On the last occasion he contested the seat with Mr. Williams?—Yes.

Mr. Lundon: I contested twice with Mr. Williams. Mr. Macfarlane, Mr. Williams, and I contested together.

923. *The Commissioner.*] Are you aware that Mr. Williams, the late Registration and Returning Officer, is a brother of the sitting member?—Yes.

924. And he acted as Registration Officer after both contests between Mr. Lundon and Mr. John Williams?—Certainly; he has acted as Registration and Returning Officer up to a very late period.

925. As to this memorandum of yours, Mr. White, at any rate you expected it partially to guide Mr. Williams's mind in his objections?—It was one source of information.

926. This is what you say: "Patrick Lundon's special mission to the North for about six weeks last summer to collect the above list, being supposed to be Lundon's special friends." Was that equivalent to saying that they were special opponents of his brother's?—No; I did not mean it in that way: simply what the language conveys, that Mr. Patrick Lundon was sent upon a mission to collect his friends. They had been great friends with all the Natives there up to the Parengarenga.

928. I will read you a quotation from Mr. Williams's evidence: "'Patrick Lundon's special mission to the North for about six weeks last summer to collect the above list, being supposed to be Lundon's special friends.' Did not that convey to you an idea whether these men were likely to be supporters or opponents of your brother?—Certainly. If they were Lundon's friends the probability is that none of them would vote for my brother." With the knowledge which you then had at the time you wrote this memorandum, that the Registration Officer was the brother of the sitting member, who had contested the seat with Mr. Lundon twice, do you think this was a proper piece of information to give him as to the men being supposed to be Mr. Lundon's special friends?—Probably not in that sense. I would not justify it; nor was it done, I will say in justification of myself, with any special intention: it was simply a mere matter of news. I would much rather have left that out, unquestionably.

929. I am glad to hear you say that you think it was not a discreet paragraph?—Not at all discreet. I hope you will not think I did it from any evil intention, because it was done more as a piece of news of the fact than from any wish to support either one side or the other.

The Commissioner: Quite so. I should have said nothing if it had been in a private note; but it formed part of this semi-official communication, and looked bad. Can you, Mr. Lundon, suggest any questions to me to put to Mr. White? I may tell you it is my intention now to take evidence as to these household qualifications, and then Mr. White will be re-examined, if necessary, upon this point.

931. *Mr. Lundon* (through the Commissioner.)] Do you know how many sons Heteraka Tamataiti has got?—I cannot say. I used to know a great deal about him. He has gone to Parengarenga, and lives out of my sight and ken. He has got a large family. That is all I can say.

932. Will you say positively that these two sons on the roll were minors at the time?—I do not think that any of Heteraka's sons can be at present over twenty-five years. I do not say they are twenty-five, but I do not think it possible they could be over or up to twenty-five.

933. *The Commissioner.*] In that case I do not understand you to be certain in saying they were minors last April or May?—No; I did not say they were minors last May.

934. *Mr. Lundon* (through the Commissioner.)] Would Hupata te Kaka know what age they are?—I do not know that he could say positively.

935. *The Commissioner.*] Has there been no registration?—No; only of late years.

936. *Mr. Landon* (through the Commissioner.)] Has their father not a wooden house in the Awanui?—He has been living at Parengarenga constantly for many years. That is his residence where he lives; and his son Karena was taken prisoner the other day alongside his father's place, and sent up to Auckland.

937. Are you aware he has a wooden house in the Awanui?—It is a sort of catch-question. There is a house built by Butler for a gum-store.

938. I should be sorry to take any advantage of you, Mr. White?—I do not know of his having any wooden house in the Awanui.

939. When were you at the Awanui last?—I have been there constantly, passing backwards and forwards.

940. When were you in California?—I have not been in California, except through the road that goes through the block, for several years. The road to Awanui runs through the block, and some of them are living almost on the road; but California proper I have not been to for several years.

940A. Has Timoti Popata got a house in California?—Timoti Popata lives close by the road. He is actually residing now in a miserable hovel close by the road.

941. *The Commissioner.*] For anything you may know, he may own a wooden house in another place, and does not reside in it?—He may.

942. *Mr. Landon.*] Does he own a house in the Kaitaia Valley?—He may own a dozen houses, but they are very inferior.

943. *The Commissioner.*] You are sure that he is residing in this miserable hovel?—Yes; in fact, that is the ruin of them—having these miserable shanties all over the country.

944. *Mr. Landon.*] Has Hare Rawiti a house?—He has a very nice house; but it is not completed. So has Papa.

945. Had he that house at the time the objections were made last year?—I could not have objected to him as a householder, because he has got a wooden house.

946. *The Commissioner.*] You have noted Hare Rawiti's name in ink between two other names?—Yes.

947. *Mr. Landon.*] Are you aware how many names the Revising Officer struck off, which you state were not entitled?—I could not say. A considerable number. As I am obliged to speak from memory, I could not say that at all.

948. You would not be surprised to find it was more than a hundred?—I should. I do not think there were a hundred. There were a great number.

949. Do you know who raised the question at the Revising Court about the Natives' right to be on the roll as owners in common?—Yes, Mr. Carleton; but I believe the thing was done at my own suggestion, because for several years I have been of opinion, and spoken out my opinion, that it ought to be tested; and Mr. Carleton claims the credit, or whatever you may call it, of having done it.

950. *The Commissioner.*] Who was the Revising Officer?—Mr. Lawlor.

951. Does he belong to the legal profession?—I forget now. He is a very old official. I think he was formerly a postmaster.

952. *Mr. Landon.*] Are you aware that the Natives had counsel there to sustain their claims?—I can answer generally that I know nothing of the proceedings at the Bay of Islands. The only thing I had to do with the electoral roll was when I stated that Mr. Williams sent up a list and asked me for information. I must exonerate Mr. Williams from ever having made any remark in his letters, notes, or memoranda to me in any manner. I do not think I ever made any remark in return, except upon that last paper. I was in Auckland at the time.

953. *The Commissioner.*] Is Mr. Lawlor, from your knowledge of him, a gentleman whose judgment, in your opinion, is entitled to special respect?—Is it fair to put such a question to me?

954. I think so, for this reason: that the greatest value throughout the district—in fact, throughout the colony—is attached, by a certain side, to this particular judgment. You have a considerable knowledge of Mr. Lawlor, I have none, and I am anxious to know what your opinion of the gentleman is?—You may be very anxious to know, Mr. Bryce; but I question whether it is a fair question, after all, to put to me. It is a question of opinion, and I do not know that I ought to be called upon to give my opinion of a man's character. You see he is an official, and he has a character to depend upon in some sense. He concurred in my view of the matter, and so fortified my opinion. I might have a very good opinion of him for that, and then might have a very bad opinion of him for allowing himself to be controlled, as he evidently was in his last sitting. So I would not like to give an opinion.

955. I am perfectly satisfied with what you state: it has answered my purpose completely.

956. *Mr. Landon.*] Were you not aware that Mr. Lawlor was Resident Magistrate at Coromandel before he was made Revising Officer?—I do not know. I have no personal acquaintance with Mr. Lawlor. I know he was an official. I believe that formerly he was a postmaster, and I believe I heard it said he was Resident Magistrate. I cannot speak positively on this point. I only know him as an official.

957. Did you not hear that Mr. Lawlor was removed from the magistracy for giving illegal judgments—judgments contrary to law?—That I do not remember to have heard. I may have, but I really do not remember.

958. Can you name any of those minors objected to?—I am completely at fault now, because I cannot look over the lists myself, and have not been able to do so the last two years. I heard there were minors amongst this lot, but when one ceases to have the power of seeing for himself he loses a great deal of interest in the matter.

959. *The Commissioner.*] You state here in this memorandum that "there are three generations"?—I was informed of that. That was from former information I had received.

960. From whom?—I forget who it was. I remember having heard a good deal about it. I am not prepared to say how I heard about it, but it was in my mind.

Mr. White.
March 15, 1879.

Mr. White.
—
March 15, 1879.

961. *Mr. Lundon.*] Were you not canvassing the district some years ago in your own interest? —No, I was not, or I should have gone in.

962. Did you not give way for Mr. J. S. Macfarlane?—I never canvassed the district, and never gave way for Mr. Macfarlane or any one else.

963. Did you not canvass the Peria Natives at the last election in the interest of Mr. Williams? —I do not think that, in the course of my life, I have asked a Native or European for a vote for Mr. Williams or any one else.

964. How long have you been incapable of doing your duty? I want to know how you came by the knowledge which you supplied to Mr. Williams, because I understand it was your wife and daughter who did the work for you?—They read the letters for me.

965. How did you obtain the knowledge which enabled you to supply the information you did to Mr. Williams in respect of the claim to be placed on the electoral roll?—I have been Resident Magistrate, and living here a lifetime. At one time, when I was Returning Officer, seven or eight years ago, I do not think there was any individual in the North who had more knowledge of the land than I had. Natives used to come to me for advice. Since that time I have not been mixed up with them, and have forgotten.

966. Did you advise Mr. Williams to object to the name of John Lundon?—I dare say I did.

967. On what grounds?—That Mr. Lundon has ceased to be the lessee of the farm for which he is entered on the electoral roll. I gather that because the rates are paid by the Insurance Company, and not by Mr. Lundon.

968. Are you aware, of your own knowledge, that I was ever lessee of that property?—No, not further than you told me yourself.

969. Are you aware that I have freehold property there now, and have had for years?—I do not know anything about your affairs.

970. Then you should not have objected?—Certainly, as you were down for a claim you had no right to.

971. Will you swear positively now that I had no right to it.

The Commissioner: Mr. White says he found the rates were paid by the insurance company, and you were not the lessee.

972. *Mr. Lundon:* I was not the lessee; I was the owner of the property.

973. Do you know Mr. William Lundon?—No, I do not know him.

974. Did you ever know him?—No.

975. Have you objected to him?—Not that I am aware of.

976. Has he been on the electoral roll for a number of years?—I think he has.

977. Do you know that he has been dead for a number of years?—No. I never knew him.

978. Do you know the family of Hunts?—Yes.

979. Are they on the roll now?—They are.

980. How long has their right to that property ceased?—I should think about eighteen months, perhaps more.

981. Has not the right of some of that family ceased three or four years ago?—There are two properties—one at Hikurangi, and the other at Oruru; one branch of the family had claims to the one property, and the other branch to another. Which do you mean?

982. I am referring to the Oruru property?—It ceased, I should think, about eighteen months ago. John and Tom Hunt have both ceased to be proprietors at Oruru.

983. Are you aware of a family of Grahams at Mangatete?—Yes.

984. Have the most of these names ceased to be on the roll?—I do not know. I do not remember whether they have or not.

985. Are you aware that they are all on the roll now?—I do not know.

986. Are you aware some of them are dead?—I know Robert Graham is.

987. Is his father?—His father is dead, too.

988. Are you aware of Mr. Lambley being on the roll for two different places?—Yes.

989. Is he still on the roll?—Yes.

990. How long have you been aware of it?—Two or three years.

991. And still he is on the roll?—Yes.

992. *The Commissioner.*] Did you object to these names?—I intimated to Mr. Williams a correction should be made. Some of these men could not be put off the roll until the present time. We will take the Hunts, for instance. They only sold their property about eighteen months ago. There has been no opportunity of revising the electoral roll since.

993. The Revision Court was held on the 5th June last?—It was swept away. There was no revision. It has been a clerical error, or carelessness: Mr. Lambley was resident at Kaitia, and, instead of taking his new claim as a substantive one, they put him down twice. I pointed out every claim I possibly could as objectionable.

994. Do I understand you to say that these persons named Hunt were objected to again?—I called Mr. Williams's attention to it.

995. Can you, Mr. Brown, find the name of Hunt upon that list of objections?

The Interpreter: Yes. John Hunt and Thomas Hunt, "freehold, freehold; sold qualification; sold qualification."

Witness: Isaac Williamson is down for Parengarenga and Awanui, and Staunton the same: in fact, every person who I knew had sold his qualification. There was Mr. Wm. Henry Clark: I objected to him, and his name was not taken off.

996. *The Commissioner.*] As a matter of fact, did Mr. Williams object?—No, because the name is still on the roll.

The Interpreter: Isaac Williamson is objected to "freehold sold." George Staunton is on the roll.

The Commissioner: That will do, Mr. White, unless you desire to make a statement.

Mr. White : I stated clearly enough what I meant by my views upon the Native question.

The Commissioner : I understood you perfectly.

Mr. White : And I will leave that list which I marked, with the objections I made to it, as showing individual objections. I shall be here several days, so that if anything more is required I shall be sent for, I presume?

The Commissioner : Yes.

The Court then adjourned till 2 p.m., when it resumed.

HUPATA TE KAKA sworn and examined.

Hupata Te Kaka.

997. Are you an elector of this district?—Yes.

998. When did your name first appear on the roll?—I do not exactly know, but I think my name has been on many years.

999. Did you sign an application last year to be placed on the electoral roll?—I did write one.

1000. Where?—At the Awanui.

1001. Who attested or witnessed your signature?—There were many people present when I signed my name. Patrick Landon was there.

1002. Was Isaac Williamson there?—No.

1003. Was Mr. Conrad there?—No.

1004. Was Raniera Wharerau there?—No; he lives at a place a great distance off.

1005. What qualification did you claim in respect of?—I was asked to sign the paper; therefore I wrote my name, because I thought that I was entitled to a vote.

1006. Did you state therein that you owned land?—I do not know.

1007. Did you say that you occupied a house?—No. I think I stated that I held land.

1008. As a matter of fact, did you occupy a house at that time?—I did occupy a house at that time.

1009. What sort of a house?—A Maori house.

1010. How large was it—about as large as the Court-room?—Yes.

1011. And how high were the walls—as high as these?—Maoris do not usually build their houses with walls as high as these. They were about five feet in some parts, in other parts the wall was nine or twelve feet.

1012. Had your house a chimney to it?—Maoris do not build chimneys to their houses.

1013. What would it cost to build a house similar to the one you describe?—If such a house as mine were ordered to be built, the builder would earn a horse.

1014. Worth £5 or £10?—£5, £6, £7, up to £10.

1015. When you signed this paper, making the application to have your name placed on the roll, were other Maoris signing at the same time?—I do not know what they did; they may have done so at other places.

1016. Do you know what kind of house Heteraka Komene occupies?—His first house is a large one.

1017. As large as this Court-room?—Larger.

1018. Built of the same materials?—I am now speaking of his first house. He subsequently built another very large one. Two of the sides were thatched, but the roof was shingle.

1019. When did he build this large house?—At the commencement of May last.

1020. What sort of house was the other one?—It was a Native hut, but it was well made.

1021. Of the same value as yours?—It was of more value than mine.

1022. Twenty pounds?—It was of more than £20 value.

1023. Thirty or forty pounds?—I think it was worth about £30, because the house was in three divisions—three rooms and three doorways. There was one large room in the centre, and two small doors in each end.

1024. How high the walls? As high as these?—About as high as the walls of the Court-room [eight or nine feet]. All the people present know the house I am speaking about.

1025. Was that his own house, or did he hold it in common?—It was his own house.

1026. And in his own occupation?—Himself and his parents.

1027. What sort of house does Wiremu Paratene occupy?—A Native hut like the one I have been speaking about, with walls as high as this Court.

1028. Did he use that as a dwelling-house?—Yes.

1029. Where is it situated?—At Kareponia.

1030. How far is that place from here?—I do not exactly know.

1031. Could I ride to it to-morrow and come back the same day?—Yes.

1032. And I should have these houses pointed out to me, I suppose?—If you could go there they would be pointed out to you.

1033. What sort of house does Timoti Popata occupy?—Like Wiremu's.

1034. Are these houses close together—in a street, as it were?—They stand, as it were, like this house and another wooden house, near the other.

1035. What sort of house does Herewini Nopera live in?—He has a similar house.

1036. What, with walls as high as these?—They are not quite so high. When I speak of the walls, I do not mean the two end walls. You know how the Maoris build their houses; the ends of the house are very much higher than the centre.

1037. What height are the side walls?—I think six feet high.

1038. What size of house? As large as this room?—This Court-room is smaller. This house is larger and wider—it is a fine house. The roof is covered with *mangemange*. It has windows, but I do not know whether the glass has been put in them. The openings are there.

1040. When did you see these places?—I am in the habit of seeing them every day. I am not certain whether the house has two windows, or whether it has one window glazed and the other not.

1041. What sort of dwelling does Reihana Matiu occupy?—I have never seen his house.

At this stage the Court adjourned until Monday, 17th March, at 11 a.m.

Mr. White.

March 15, 1879.

March 15, 1879.

MONGONUI, 17TH MARCH, 1879.

The Commission resumed its sitting at 11 a.m.

The Commissioner: I understand that this room is required for the purpose of holding an Assessment Court to-day. My Court will therefore be adjourned to the County Council Office.

Adjourned accordingly.

The Commission sat in the County Council office immediately afterwards.

Mr. Williamson.

ISAAC WILLIAMSON sworn and examined.

March 17, 1879.

1041. Will you state your name and place of residence?—Isaac Williamson, residing in the Awanui.

1042. It is in this district?—Yes; Mongonui.

1043. Do you remember last year attaching your name as attesting witness to a number of electoral claims?—To several.

1044. A considerable number. How many do you suppose?—Well, I really could not say, because I have been attesting a great number of years, and cannot say positively how many there were.

1045. One hundred?—No; I should say not.

1046. Will you describe, Mr. Williamson, the process that was adopted to get the signatures? Did you carry them round, or call a meeting of the Maoris?—Mr. Patrick Lundon had the papers. He went round to the Maoris. I attested some of them. Others I could not go round to I gave him authority to use my name.

1047. You gave Mr. Lundon authority to give your name as attesting witness?—To any he knew were right, and where they were entitled to a vote and could claim a vote.

1048. I see you state in this form, "Signed and declared by the claimant this 19th day of March, in the year 1879, before me, Isaac Williamson, an elector of the district." Did this man, Hone Kingi, attach his signature in your presence?—Well, I really could not say that he did. Some few I did see sign. The others I authorized Mr. Lundon to sign my name instead. Any he knew ought to claim a vote.

1049. Is that your signature, Mr. Williamson?—I believe this is my signature.

1050. Are you acquainted with this person, Hone Kingi?—Yes, I know him. He lives up in the Victoria Valley.

1051. Is that his signature?—I really could not say, it is so long ago. Sometimes the Natives get others to sign for them. I could not say positively it is his.

1052. You see I am in this position: I depend upon your name to know whether this man really signed or not. I know of no other way of discovering it?—A great number of the Natives could not write their names, and I know a great number of Natives who can write their names.

1053. Did you declare and attach your name to the declaration that they had signed, when they really had not?—If I was present when they signed, or saw one sign. I took it for granted they would authorize some one to sign for them.

1054. Will you compare these two signatures of claimants [Honi Haki and Hone Kingi], and let me know whether they are not signed by the same person—as a matter of opinion?—The handwriting appears to me to be alike.

1055. I call your attention to the unusual space between the "H" and "o" in both cases?—The writing is very much alike.

1856. Is that your signature to the latter name?—It is very much like it, and I should say it was my writing.

1057. Can you tell me whether it is yours, as a fact?—I know that Mr. Patrick Lundon signed a great number of the names for the Natives themselves. When they could not write they authorized him to do so. He signed for any Native who could not write his name.

1058. You will observe it is stated here, "Not signed by Patrick Lundon, but the claimant," and you verified that by your own signature. If you had stated it was signed by Patrick Lundon it would have been a different thing?—The same thing has been done for years.

1059. *The Commissioner.*] Two blacks do not make a white?—For nine or ten years the same thing has been done, and the names have been knocked off. This year I merely did it as a matter of form. At the time Mr. Lundon came round I was very busy and could not afford time to go round with him; and any he found had a right to vote he had a right to sign my name for me, as long as he knew he was right.

1060. So that some one might have signed for the claimant in the first place, and then some other person for you?—Yes.

1061. It is no use going through these forms. With the explanation the witness has given, it would be a perfect waste of time. These applications, under the explanation given by the witness, must be considered as absolutely informal: although I do not say that was the ground of objection made to them; probably it was not?

Mr. Lundon: Not the whole, surely?

1062. *The Commissioner.*] I will go over a number of the claims. Do you know Hone Kingi?—Yes.

1063. Do you know the nature of his qualification?—He is freehold.

1064. Will you describe it?—He holds it in common with several other Natives at Victoria Valley. If you will allow me I will go through the list. [Forms of claims to vote shown to witness.] There is one here, Nopera Mohi. He has a block at the Waimanoni; but there are several Natives in it. In fact, I do not know a piece that there are not a number of Natives in.

1065. He holds in common with others, under a Crown grant?—Yes. Here is Paraone Kaitoa. He has a block called Matarau, situate about two miles distant from the other.

1066. Do you know the contents of that block which he holds?—I do not. I know the place well enough, but not the contents.

1067. What is it worth per acre?—It is valued at £1 per acre.

1068. You know the position and size of it generally?—I know the position thoroughly.

1069. Is 147 acres likely to be the quantity?—I could not say the quantity. I would take it to be about that, but I could not say positively. I do not think it is quite so large.

1070. Do you know the number of grantees in that block?—I know four of them. Paraone Kaitoa is one, Hupata Te Kaka is another.

1071. Are you aware there are ten grantees?—I am not quite sure about the number. I believe there are ten. Ten is the largest number that can be allowed; but there are far more than ten, as far as that goes. If the ten sell any land they have to divide the money several times.

1072. Are you aware that there are ten on the grant?—Yes, I believe there are ten. Matenga Komene is another I know. He belongs to Kareponia: it adjoins my own property.

1073. That is a large block?—Yes; between 2,000 and 3,000 acres.

1074. Do you know the number of registered owners upon that Kareponia Block?—I really do not know.

1075. Is ten likely to be the number?—Yes; there would be fully that number, because it is a large block of land, and there is a large number of people living on it.

1075A. Do you know the number of people who have claimed to vote on the block?—I do not.

1076. Do you know that twenty people have claimed to vote on the block, although there are only ten grantees? Are you aware of that fact?—No; I am not aware of it. Here is another, Hore Kate.

1077. Are you acquainted with him?—I am acquainted with the Native.

1078. Do you know his signature?—No; I do not.

1079. Does not that signature bear a very strong resemblance to the other signatures I showed you, especially the first name?—There is a resemblance between the H's.

1080. Do you know that person—Hare Matenga?—I do.

1081. Is that signature yours?—No, it is not mine. I know Komene Matiu. Here is Hare Mikara. That is not his signature. He cannot write. I bought some land from him, and I know he cannot write his name. Here is Wiremu Paratene.

1082. Do you know him?—I know him. I believe that is his signature; he is a good writer. Here is Timoti Popata, Henare Popata, and Hemiona Popata. I believe this is Timoti's handwriting. I cannot say whether that is his writing or not.

1083. With respect to those three last signatures you have looked at, do they not appear to be in the same hand?—I would not take these two last-mentioned to be the same handwriting. I know Rata Pungareu; I do not know his qualification; he is living at Kareponia; his claim is at Kaitaia. I know Tauharu Neho; he lives at Kareponia. I know Haimona Marupo; his claim is at Kaitaia. I know this Native, Nopera Paerata; he is a Kareponia Native. I know Matenga Paerata. There are two Matenga's. I do not know the difference of their surname. I know Waipouri Wiripo.

1084. Is that his signature?—It looks like a lady's hand. I know this Native, Hone Haki. I do not know his qualification.

1085. Is that his signature?—I hardly think it is. I know this Native, Karena Heteraka, and I believe this is his signature; but I am not quite sure about his qualification.

1086. *Mr. Landon.*] How old is that person you have last named?—I should take him to be twenty-five. I have been at the Awanui seventeen years, and he was a lump of a boy then.

1087. *The Commissioner.*] Are you quite sure he is twenty-two?—I am quite sure of that. I know Hare Rewheti Hakatere.

1088. That man is on the roll; it is only a misprint in spelling his name?—I know Herona Aperahama; he belongs to Waimanoni.

1089. With regard to that last name, the signature is not Aperahama, but Aperaha. Do you observe there is a discrepancy between the name as signed, and the name filled in the body of the claim?—Yes, I observe the discrepancy.

1090. Then, in that case, can that be his signature?—Yes, I take this to be his signature, because we may be under a misapprehension about the pronouncing of his name. Hare Aperahama, the brother of Herora, spells his name differently.

1091. There is a cross underneath it. Do you recognize that as his cross?—Several of them who cannot write make crosses.

1092. You have turned over ninety-nine claims, Mr. Williamson, ostensibly bearing your signature. Do you say the whole of these men signed their name in your presence?—No, sir, I do not.

1093. How many did you see sign? Did you see ten of them sign?—No, I do not think so. As far as I remember, there were only a few at the place. I know all the Natives well—those that I pointed out—and their claims.

1094. This is a question of whether this statement, which purports to be yours, is true or not: "signed and declared by the claimant this 14th day of March, before me, Isaac Williamson, an elector of the district"?—I know they are not done by me, because I remember authorizing Patrick Landon to sign my name for me.

1095. *Mr. Landon.*] For what reason did you tell Patrick Landon to sign your name?—I was busy at the time, and could not afford to go round all the district with him. Knowing him for some years, I told him to sign for me; but he was not to sign any unless he knew they were right. That was my only reason. I was busy at the time, and could not leave home.

1096. Have you on previous occasions gone round and got their signatures?—Yes; year after year—the whole district myself. Last year I was careless, because I believed I was only doing it as a matter of form, and that they would not be put on. I have been trying to get them on for seven or eight years.

1097. Are you prepared to say you did not sign your name as attesting witness in previous years except where you saw them sign?—Yes, I am sure of that. This is the first year I authorized any man to sign for me.

1098. And on previous occasions they always signed in your presence?—Yes.

Mr. Williamson.

March 17, 1879

Mr. Williamson.

March 17, 1879.

1099. How did you manage in previous years for those who could not write?—They generally got some one to write for them, and put a cross between, and “his” and “mark” were written above and below.

1100. Are you valuator for the Highway Board?—No; I belong to the Board, but have not been valuator. I have been collector of the rates.

1101. Is Matarau valued at £1 per acre?—It is valued at £1 per acre; it is a fictitious value.

1102. The value on the assessment roll is £1 per acre?—Yes.

1103. Has one-half of Kareponia not got another name?—Yes, Waimaru; but that does not belong to the Kareponia Block—it is a separate piece. The Waimaru and Kareponia are two different blocks.

1104. *The Commissioner.*] Are you prepared to say there are not twenty grantees in the Kareponia Block?—There are ten for Kareponia, and ten for Waimaru.

Mr. Landon: That will account for the twenty in the Kareponia Block.

1106. You know Heteraka Taumataiti?—Yes; he is living at the Kau.

1107. Do you know how many sons he has got?—No; I do not know.

1108. Do you know his son Henare?—Yes; I know him well.

1109. How old do you think he is?—He is older than I am, and I am nearly forty—at least, I take him to be so. He has been living at Waimanoni a great number of years; seventeen years ago he appeared to be as old as he is now.

1110. *The Commissioner.*] You are quite sure he is twenty-two?—Yes.

1111. *Mr. Landon.*] Where Natives have not signed themselves, are you in a position to say that you have heard Natives ask men to write for them?—Yes; often.

1112. That is from experience of Natives?—Yes.

1113. That is the way it is generally done?—Yes.

Wiremu Kanara.

March 17, 1879.

WIREMU KANARA sworn and examined.

1114. Will you state your name and address?—Wiremu Kanara; I live at Awanui.

1115. Do you remember signing, as attesting witness, a number of claims of Natives to be placed on the electoral roll last year?—Yes.

1116. Is that your signature?—Yes.

1117. Did you see that person [Hare Mikara] sign?—Yes.

1118. Where did this person sign his name?—At Awanui.

1119. Did you attest it—that is, did you sign your name at the same time and place?—Yes.

1120. Was there more than one bottle of ink?—There was only one bottle of ink there.

1121. Is your signature and that of the claimant in the same ink?—I think so.

1122. Did you see Nopera Mohi sign his name?—Yes.

1123. Was that at the same place?—At Awanui.

1124. At what house?—At Simpson's house.

1125. Who were present when he signed his name?—They are not here.

1126. Tell me who they were?—Patrick Landon was one; Mr. Bates was another.

1127. Any others?—Simpson himself.

1128. Were there any Maoris present?—There were some Maoris there. There were many Natives there. Nopera Mohi himself was there. Hotararu was not.

1129. Did you see Wata Mohi sign his name?—I did not see him sign his name.

1130. How did it happen that you have stated that you did see him sign it?—I never said formerly that I did see him sign his name; but I said I saw Nopera Mohi sign.

1131. Do you know that Wata Mohi signed?—I do.

1132. I find in the form before me this statement: “Signed and declared by the claimant (Wata Mohi) this 14th day of March, 1878, before me, William Conrad, an elector of the district.” Is that correct or not?—It is correct.

1133. But you just stated previously that he had not signed?—I did not see him sign.

1134. Then how came you to attach your name?—

At this point the witness fainted, and had to be carried out of Court.

1135. *The Commissioner.*] Is the witness subject to fits?

Mr. John Landon: No, Sir; I have known him since he was a boy.

Hupata te Kaka.

March 17, 1879.

HUPATA TE KAKA sworn and examined.

1136. Do you know Wata Noho?—I do know him.

1137. Do you know Rapana Paengara?—I do know him.

1138. What sort of a dwelling does he live in?—An ordinary house.

1139. Do you know Henare Ngaru?—I am acquainted with him.

1140. Are you acquainted with his household?—I am.

1141. What sort of a house is it?—It is a common house.

1142. What size is it?—A little larger than this.

1143. What height?—The two side walls are about four feet, the two end ones are about nine feet high.

1144. Is it a well-constructed house?—Not very well constructed.

1145. What would be the value of it—£5?—No, I think about £3 would be the value of it.

1146. Do you know Hohepa Kaka, and his dwelling?—I am acquainted with him. I know nothing about his house; but my companion, Timote, knows about his house.

1147. What sort of a house does Wiremu Kanara live in?—It is an ordinary house.

1148. Of what value do you suppose—£5?—I think, from the appearance of his house, it is worth about £4.

1149. What sort of dwelling does Hopa Toamiia reside in?—It is a wooden house.

1150. Has it door, windows, and chimney?—Yes.

1151. What size is it?—It is a large house. I do not exactly know how many rooms there are in it. *Hupata te Kaka.*

The Commissioner: See, Mr. Brown, if his name is objected to.

Mr. Brown: It is objected to.

[Examination continued.]

1153. Was his name objected to by Mr. Williams?—Yes.

1154. Your answer will be this: It appears from that roll that his name was objected to by Mr. Williams?—I do not know whether Mr. Williams did object to his name.

1155. There is the list [list shown to witness]?—All I know is that he had no vote—his name was not on the roll. I wonder why his name was struck off the roll; because this man has a right to have a vote, as he has land—land for which he holds a Crown grant—and a wooden house; and yet he has no vote.

1155A. He has no vote in consequence of being objected to by Mr. Williams, as appears from that list?—Yes.

1156. Rengarehu Rata was objected to by Mr. Williams. Are you acquainted with his household qualification?—I am.

1157. What sort of a house is it?—It is an ordinary house. He is a man who is in the habit of making good houses, but he does not make very large ones; but they are well constructed, although they are small.

1158. What sort of a house did he reside in last March—a year ago?—It was larger than this room.

1159. A well-constructed house?—Yes.

1160. Any windows?—It had no windows; but he owns Crown-granted land.

1161. I have evidence of the freehold, and am just now on the household qualifications. Do you know Hori Kati?—I do.

1163. What sort of a household has he?—That man has a good house.

1164. Is it a wooden or a raupo house?—It is a wooden house. It is not built in the same way as this Courthouse is. It is a slab hut. The trees are cut down, split into pieces, and clubbed. The planks stand on end.

1165. What size is it?—It is larger than this room—longer and wider.

1166. Is it as large as two of these rooms would be?—No.

1167. And has it windows?—Yes.

1168. Chimney?—It has no chimney.

1169. Wooden floor?—No.

1170. What sort of a floor has it?—A ground floor.

1171. Any kind of covering on the floor?—Where the beds are there is covering; but in the centre it is clear, so that it may be swept.

1172. Do you know Wiremu Paratene?—I do know him.

1173. And his household, what about it?—I spoke of his house on Saturday.

1174. Do you know Timoti Popata?—I spoke of his house on Saturday, too. I spoke of their houses as being near each other.

1175. We appear to have gone through the list as far as possible. Have you any questions to put, Mr. Lndon.

Mr. Lndon: Do you want any evidence on freehold qualification?

The Commissioner: Not very much. I have sufficient evidence about that. I may tell you, Mr. Lndon, that I have official communication that on grants there are ten grantees; and I have counted in the list of applications twenty names of persons who applied in respect of that land. Now, if you can bring out any evidence to explain that away, you are at liberty to do so. I think you may accept the fact that there are ten on the grant in this case.

1178. *Mr. Lndon* (to witness).] Are you acquainted with a block of land called Kareponia?—I am.

1179. How many grantees are there in it?—I do not exactly know the people to whom that land belongs.

1180. Do you think it is likely that ten is the number?—Yes; I think there are more than ten in the Crown grant of that land.

1181. Do you think there are ten Natives on the grant belonging to Kareponia?—The people belonging to Kareponia number from twenty to thirty, and I suspect there are more than ten of them in the Crown grant.

1182. Are you in that Crown grant?—No.

1183. What is the name of the block of land opposite my house at Awanni, on the opposite side of the river?—The name of the Crown grant of the land on the opposite side to Mr. Lndon's is Maimaru. That is the name given in the Crown grant. I am in the Crown grant of that land.

1184. *The Commissioner.*] Yourself and others?—Yes.

1185. *Mr. Lndon.*] Is that not the same land as Kareponia (California)?—It is a continuation.

1186. *The Commissioner.*] Do you know whether any Natives have claimed in respect of this Maimaru?—Those who had claims to Maimaru did; and, of course, those who were interested in Kareponia made out their claims for it: but those who claimed in Maimaru made out their claims accordingly.

1187. *Mr. Lndon.*] Is there any division line between Maimaru and Kareponia?—When these two blocks were surveyed they were surveyed as one—there was one external boundary. Afterwards, they were divided—Kareponia had one half, and Maimaru the other.

1188. Was there a division line cut?—Yes; I and Campbell cut a dividing boundary.

1189. *The Commissioner.*] It was Crown-granted in separate blocks?—Yes; the Crown grant of Maimaru is lying in my possession.

- Hupata te Kaka.*
March 17, 1879. 1190. *Mr. Lundon.*] Is your name in more Crown grants than one?—My name is in the Crown grant of Matarau. There are two blocks of land for which Crown grants are issued, and in which my name is—namely, Maimaru and Matarau.
1191. Have you sold any of that Maimaru Block to Mr. Simpson?—I did sell a portion.
1192. What did you get an acre for it?—Ten pounds an acre.
1193. How much did you sell of that land?—Two acres.
1194. Could not you sell more if you liked at the same price?—If any one wanted to purchase at the same price I would let him have a piece.
1195. Did not Mr. Simpson want more?—No.
1196. Is Conrad's house a wooden or a raupo house?—It is a raupo house.
1197. Is he in occupation of my house?—He does live in your house.
1198. Do you not think he is on the roll for that house, instead of a raupo house?—I do not know.
1199. Have you not made several applications for the last ten or twelve years to be on the roll for Matarau and Maimaru? When did you first apply to be placed on the roll for these properties?—I think it was before the election of Mr. McLeod and Mr. Lundon, or it was about that time.
1200. Was it not the election between me and Mr. Carleton?—I have forgotten the date. I do not know when it was.
1201. *The Commissioner.*] Did you apply to be on the roll year after year?—Yes; because I was anxious to have my name inserted on the roll.
1202. When did your name first appear on the roll of voters?—I am not aware that my name is on the permanent roll.
1203. It is on the roll now?—At the commencement I did not know that.
1204. When you made your application last year had your name ever been on the electoral roll before that time?—I am speaking in the dark.
1205. *Mr. Lundon.*] Are you acquainted with Heteraka Taumataiti's family?—I am.
1206. How many sons has he got?—Two.
1207. What age are they?—I do not know their ages. All that I know is that they are grown up. Both of them are married.
1208. Do you think they are more than twenty-one years of age?—They are over twenty-one. I think one is thirty.
1209. How many children has he got?—My elder brother has five children.
1210. Then, if anybody said the two sons are minors that statement is incorrect?—It would be incorrect.
1211. And it is also incorrect if anybody said Heteraka had a numerous family?—That would be incorrect, if any one one said he had a large family. It is quite untrue that he has many children.
1212. Is Heteraka related to you?—Yes.
1213. Had Heteraka a wooden house in the Awanui?—He had.
1214. Was Mr. White ever in it?—He saw the house, and entered it.
1215. Did Mr. White store two casks of rum there for a long time that had been seized and put in that house?—Yes.
1216. *The Commissioner.*] Have you noticed the names of any minors upon the electoral roll?—I did not notice any minors.
1217. Have you carefully examined the names of all the people on that roll with whom you are acquainted?—I only looked at it the day before yesterday for the first time.
1218. Have you examined it sufficiently to be able to say that none of the names of your acquaintance upon it are minors?—There are none of them with whom I am acquainted under the age of twenty-one; for instance, there is a younger son of Heteraka: his age is not under twenty-one. He is a young man, and I do not think he is as low as twenty-one. He is more than twenty-one.
1219. *Mr. Lundon.*] Is he older than Nopera?—Yes; Heteraka's younger son is older than Nopera. Heteraka's younger son is stunted.
1220. Is it not usual for Natives to ask one to sign for the lot of them?—I do not think that is a Maori custom.
1221. *The Commissioner.*] Have you seen many Natives sign this electoral roll?—No; I have only seen these people belonging to my own place sign.
1222. Did they sign separately, or was one man put forward to sign for the lot?—Each man signed his own application; that is, those who came under my observation.
1223. *Mr. Lundon.*] Do you know whether William Bates has been frequently in this district?—Who is that man?
1224. The man who came with Patrick Lundon to get a petition signed?—I only saw him once at the Awanui.
- The Court adjourned until 2.30 p.m., at which time it resumed.
- Mr. Lundon* intimated that he would like to have Wiremu Kanara's evidence continued, and the witness was accordingly re-called.
- WIREMU KANARA recalled.
- Wiremu Kanara.*
March 17, 1879. *The Commissioner:* If you do not feel strong in health, I have no wish to continue your evidence. I do not attach any particular importance to it.
- Witness:* I wish to continue my statement.
1225. *The Commissioner.*] I will repeat my last question. You did not see Wata Mohi sign?—No, I did not.
1226. How came you to sign this statement that you had seen him sign?—Because we signed that name. The person himself was not there.
1227. Whom do you mean by "we"? Wata Mohi was not there? Who actually signed his name?—Ho Tararu; because we knew he had a proper qualification—a house and a Crown grant.

1228. You are quite sure that this is your signature, Mr. Kanara?—Yes.
1229. I find here on a claim attested by you the name of Wi Tiki?—Yes.
1230. Did he sign that?—Yes. He wrote his name himself.
1231. In your presence?—Yes, in my presence.
1232. Here is another—Henare Taumataiti?—Yes; I know him.
1233. Was he there?—He was there.
1234. Did he sign that in your presence?—Yes, he wrote his name in my presence.
1235. There is still another—Ihaka Taiawarua. Was he present?—Yes.
1236. And did he sign his name in your presence?—Yes.
1237. There is another—Hakaraia Hawarau?
1238. Was he present?—He was present, and wrote his own name.
1239. Did you attest his signature at the time?—Yes; at the time he signed his name.
1240. Do you observe the ink in which your name appears is paler than the ink in which the claimant has signed?—Perhaps it was on account of the pen, because there were many pens used when those names were signed.
1241. However, you feel perfectly sure you attested the signature at the time it was signed?—Yes.
1242. Do you know Matenga Paerata?—I know him.
1243. Did he sign at the time?—Yes.
1244. And you attested it at the time?—Yes, at the same time.
1245. You will observe, Mr. Kanara, that the colour of the ink appears to be the same in both the signatures in this claim?—They appear to be alike.
1246. Were you not aware that it was wrong to state that the claims had been signed in your presence when, in fact, the claimant was not there, and some one else signed for him?—It is correct; it is wrong.
1247. You admit that it is wrong?—Yes; I admit it is wrong.
1248. *Mr. Landon.*] Do you know Henare Taumataiti?—I do know him.
1249. Do you know his age?—I think he is about thirty years of age. I think he is much more than twenty-five, because he has many children—five.
1250. How long have you known him? Have you been boys together?—Yes.
1251. Which is the elder of the two?—I think he is the elder.
1252. What is the age of the younger brother?—He is more than twenty-one. He is about twenty-two or twenty-three. I think he is more than twenty-one.
1253. How many years are there between him and his brother, do you think?—I cannot say.
1254. Do you know how many children the parent of these two men in question had?—Only two.

TIMOTI POIHIPI (Busby) sworn and examined.

1255. Where do you reside?—At Pukepoto.
1256. Are you an elector of this district?—Yes.
1257. When did your name first get on the roll?—I think it was in 1870, when Mr. McLeod and the other were voted for.
1258. Was it subsequently removed from the roll?—I do not know.
1259. Did you at any time subsequently to 1870 make an application to be placed on the roll?—I do not think so. I have forgotten. I do not think my name has been struck off the roll, because I am in the habit of voting. My vote is always good at the election.
1260. Are you acquainted with the dwellings of the Natives in this district?—I am acquainted with some of them.
1261. Will you give me the names of Natives of your acquaintance who are living in good houses?—I am only acquainted with some of the houses. That was my answer to your question. When I say that I know some of the houses, I mean houses in my own settlement.
1262. Will you give me the name of one man who lives in a good house?—One man who has a good house in my district is Hohepa te Kaka.
1263. What size is it?—About the size of the room in which we are now, but not as high [14 feet by 11 feet].
1264. What materials is it composed of?—Mere raupo.
1265. Has it windows?—No.
1266. What sort of doors has it?—Not a door like this. The ordinary Maori house doors.
1267. Do you know of any other man living in a good house?—Ngata Nahire. His house is like Hohepa's.
1268. What would it cost to build a house of that kind?—I think a house like Hohepa's would have cost £4 10s.
1269. Do you know of any Maoris living in wooden houses?—I do know of some Natives living in wooden houses.
1270. Will you give me the name of one?—I could tell you the name, but I saw the house at a distance.
1271. Whom did it belong to?—Wharerau.
1272. Was that house his own?—It was his own. This house is at Victoria.
1273. Do you know of any other Maori living in a wooden house?—Hori Kati has a wooden house. He is an uncle of Wharerau's.
1274. Do you know of any other?—These are the only wooden houses in that district.
1275. Do you know whether the occupiers of these houses have made application to be placed on the roll?—I do not know.
1276. *Mr. Landon.*] Have you examined this electoral roll?—Yes.
1277. Have you written this list of names from it?—Yes.

Wiremu Kanara.

March 17, 1879.

Timoti Poihipi.

March 17, 1879.

Timoti Poihipi.
March 17, 1879.

1288. Have these Natives good houses in general?—Such as Maori houses are. They are not very solid houses. Some of them are very low, but they are well made. They are made according to ancient style. They are low, because they were not taught to build different houses. They built them as their ancestors did before them.

1279. Do you know Hopa Toamiia's house?—It is a wooden, weatherboard house.

1280. Do you know Hare Reweti's house?—He has a wooden house also. Their houses are built on lands for which they hold Crown grants.

1281. *The Commissioner.*] What lands?—These houses are at Hauturu.

1282. What is the size of this block of land?—I do not know.

1283. Would it be 151 acres?—I do not know.

1284. What would be the value per acre?—Some of it would be worth 5s. an acre. Perhaps, if one European sold it to another, he might get £1 an acre for it.

1185. *Mr. Lundon.*] Are you acquainted with the names of the people in that district?—I know some; there are others I do not know.

1286. *The Commissioner.*] When you examined the roll on Saturday did you observe the names of any minors?—There may have been some minors amongst them, but none of the names I wrote down are minors.

1287. As a matter of fact, did you observe the names of any minors?—No.

1288. *Mr. Lundon.*] Are you acquainted with Wiremu Kanara?—I am acquainted with him.

1289. What reputation does he bear?—He bears a good reputation.

1290. Has he ever been known to do anything wrong in the district?—No.

1291. Are you acquainted with Heteraka's two sons?—Yes.

1292. Could you state their ages?—No; I am unable to state their ages.

1293. Do you think they are over twenty-one?—Perhaps they are more than twenty-one.

1294. *The Commissioner.*] Do you think the elder of the two is as old as Wiremu Kanara?—I think they are much about the same age.

1295. *Mr. Lundon.*] Are you acquainted with William Bates, from Hokianga?—I know him.

1296. How often have you seen him in this district?—Once.

1297. Did you and your people sign the petition he brought round?—Yes.

1298. *The Commissioner.*] What business was Bates here upon at the time you saw him?—He came with some documents—petitions to the Parliament. He came to ask us to sign our names to a petition. It was in reference, I think, to persons whose names were struck off by Mr. Williams and others.

1299. Did you sign that petition?—Yes.

1300. And your people?—Yes.

1301. How was this petition signed—by each individual separately, or did one man act as scribe for them?—Some wrote their own names, and others had their names written for them by others. We held a meeting first about this petition. This was the reason Patrick Lundon and this pakeha, William Bates, came. They addressed me thus—they said, "Friend, we have come to get your signature—that is, the signature of the Natives—to a petition relative to the striking-off of certain names by Mr. Williams from the roll." Then we said, "Friends, it is right we should sign a petition, because why should our names be struck off the roll?" The whole tribe then assented. Then it was considered right for one person to sign the names of all, if he chose.

Mr. Kelly.

March 17, 1879.

GEORGE KELLY sworn and examined.

The Commissioner: I do not know what evidence Mr. Lundon is desirous of eliciting?

Mr. Lundon: It is the position that Timoti Poihipi, and Hupata, and Hare Reweti occupy. I think them the most influential Natives in this part of the country.

1302. *The Commissioner.*] Are you acquainted with the three names mentioned?—Yes; I have been acquainted with them from fifteen to eighteen years.

1303. What position do they occupy in the district?—They are all Native assessors, and men of high standing—influential chiefs amongst the Natives, and heads of various hapus. I do not exactly remember the names of the hapus. They are influential chiefs; so much so, that I have selected the three to go up to the King meeting.

1304. Do they bear a good reputation in the district in respect of honesty and integrity?—Yes; two of them in particular. The other one I cannot say quite so much in favour of; still I do not think there is much against him.

1305. Which two men stand highest?—Timoti Poihipi and Te Kaka. Harry Davis is also an assessor; but he is a man who has given us a good deal of trouble from time to time to keep him in order. I know nothing against his character, excepting that he has had a little more education than any of the others, and he thinks he knows more than the others. He is self-opinionated.

1306. You sent word to him to attend the Court?—Yes.

1307. And he sent you a note. [The following extract from Harry Davis's (Hare Reweti) letter was read: "Friend, I have received your letter of the 13th of this month asking me and Hupata to attend the Court about arranging for the roll. Friend, I shall not be there owing to my clothes being at a distance. They are still at Kaitaia, and my horse also. Its back is very bad. However, those people whom I sent to the roll, or applied to have on the roll, are right; that is, the persons in the Crown grants of Whiwhero, the persons in the Crown grant of Hauturu, and the people or owners of Pamo and Te Kenoti: added together, there are thirty; and I think those people have a right—are the proper persons, or number—to be placed on the roll."]

1308. Have you examined the electoral roll closely, Mr. Kelly?—I went over it a few days ago with Mr. Hewston, Chairman of the County Council.

1309. With any special object?—Only to assist him in striking off absentees and people who are dead.

1310. *Mr. Lundon.*] Have you seen the names of any people you believe to be minors on the roll?—Not that I am aware of; in fact, I did not see any Native on the roll that I could say was not

qualified to be upon the roll, from my knowledge of the Natives. There were some of them certainly whom I must say I do not know at all, from distant parts of the district. I objected to none in the Mongonui District. I have looked carefully to find if there were any who had not the qualification they represented to have.

1311. *The Commissioner.*] I imagine you do not express an opinion as to a sufficient qualification?—I give no opinion, but I would not say whether they held such a qualification or not. Any man I did know I examined the qualification to find whether it was correct, or the man living. I put one man out as dead.

1312. *Mr. Landon.*] That is after an experience of eighteen years as Native Interpreter?—Yes.

1313. You are now Native Interpreter, Clerk to the Court, and Collector of Customs?—Yes.

1314. Are you acquainted with Heteraka's two sons?—I know one of them. I cannot say that I am acquainted with the other. I know Kanara.

1315. What age would you suppose him to be?—Very close on thirty. I knew him fifteen years ago as a boy, and then he was thirteen or fourteen years of age.

1316. You are quite sure that he is more than twenty-two years of age?—He must be nearly thirty.

1317. *The Commissioner.*] We had a witness in here just now by the name of William Conrad. Mr. Landon has a special reason in asking you whether he bears a good reputation in the district. As Mr. Landon wishes that question put, I will put it?—He has always borne an excellent reputation. He has always been looked upon as a respectable Native.

1318 Do you think he would come into Court and swear that which is wrong?—I hardly think he would do such a thing.

WILLIAM BERTRAM WHITE re-examined.

1319. *The Commissioner.*] I understand, Mr. White, that you wish to make some explanation in reference to your evidence of Saturday?—I should like to do so, but I should like to hear the evidence read. At all events, what I say, if a repetition, can be left out.

1320. Everything you say will be taken down; but I daresay we might find the particular part you are going to refer to. [That part of Mr. White's previous evidence relating to household qualification was read by the Commissioner.]—I wished to refer to that case you put to me. I did not know whether I explained my views on that point clearly, but what you have just read really explains my view. I was anxious there should not be any misunderstanding. After so many years' service amongst the Natives, endeavouring to benefit the race as much as I possibly could by what I conceived to be good advice, I should be the last man to wish to exclude the Natives from the electoral roll if putting their names on could be done according to law; but I do not want to see the law forced, to enable Natives to be put on the roll. I think it will not be charged against me that I had any wish to keep the Natives off because they were Natives, but simply on principle: if they registered according to what I believe to be law, I have no objection to their being on the roll.

The Commissioner: I perfectly understand what you mean.

Witness: And the household franchise I would also explain, if I have not done so clearly before. A Native who lives in a house—that is, a proper building for a man to live in; not one of those Maori huts, but a house with doors and windows—I should not object to, but it is living in a state of communism in those low huts, which are injurious to health, that I object to; and I think that by no law of ours ought we to countenance or sanction such a habit among the people. I wish to see the Natives raised, not lowered.

1321. What you say now is more directed towards showing what the law should be, than to what it is. It is a question of annual value at present. I have a question to put to you in connection with evidence we have taken since your examination. You stated, if my memory serves me correctly, that two men, whose names you gave, were minors—under the age of twenty-one years. We have had very full evidence on that point, and it is all in the opposite direction?—Of course there is no registry of these men's birth, and it is a question of opinion and memory, as far as I am concerned. Of course the evidence you may have had is another thing. I know nothing at all about that. I have no other guidance than my memory, therefore I would not positively assert their ages. I think I must be guided in my evidence by saying that I believe their ages to be so and so.

1322. You said there was no registry?—Not amongst the Natives at that time.

1323. If you saw a hoary grey-headed man you would have no doubt as to whether he was over or under twenty-one?—Certainly.

1324. In this case the evidence has tended to show that the youngest of these men can scarcely be much under thirty years of age?—I have only been here thirty years. I remember Heteraka as a very young man, and I could not say, at this date, whether he was married or not; but, if married, he had not long been married. I remember him perfectly well living at Mr. Southey's farm, Awanui. Heteraka and three other brothers were an example to the young men of their time, because all of them were good farming men. I landed here on the 26th of August, 1848, and that was some time before I saw them. They were not all married then, but I am not quite sure whether Heteraka was married.

1325. *Mr. Landon.*] Are you aware that the father of these men was twice married?—It is not a point that occupied very much of my attention.

1326. You said there are no properties individualized in this district?—I said there were two.

1327. Is not all the block individualized along the Victoria, from Hare Reweti's place right up?—I cannot remember that it is. I do not say that these two are the only ones. These two are the only ones I am aware of. If so, it exonerates the owners from exemption. I did not say that the land which you refer to is not individualized, but I do not remember that it is. As to the household qualification, there are several Natives I know residing in very good substantial houses. I do not know whether they are on the list objected to by Mr. Williams, or on the electoral roll. If you wish, I could mention several of them I remember.

Mr. Kelly.
March 17, 1879.

Mr. White.
March 17, 1879.

Mr. White.
—
March 17, 1879.

1328. Are you acquainted with any Natives in or about this district residing in good houses?—Yes; there are Billy Wright, Wi Hake, Kaitaia, Rakena Kapo. These men are an honor to Natives.

1329. Do you know whether they were objected to by Mr. Williams?—I am not aware. I do not know whether they were or not. Then there are Hare Reweti, Hopa Toumia, Hemi Taitimu, and Topi Taranui. I do not remember any other Natives who have really good houses. I do not know that Henare Heteraka was living in a wooden house. Three or four years ago the Natives at Awanui were very desirous to have a publichouse, and they built a house for a publichouse; and I think it is very likely that is the house Mr. Lundon questioned me about. Perhaps he has made a residence of it since, not having carried out his original purpose of a publichouse. There are one or two Natives living in European houses at Okato. Conrad lives in Mr. Lundon's house, Awanui. Others are so exceedingly bad that it is impossible to fix on one that is properly habitable.

1330. *Mr. Lundon.*] Conrad gave evidence to-day that I am ashamed of. Are you acquainted with Conrad?—I know him as rather a wild young fellow in the district. I have only heard that he is a wild harem-scarem young fellow, not what I would call a bad fellow. Henare Heteraka, Conrad, and these young men bear really bad characters: they settle down into good fellows afterwards, like Europeans.

1331. Have you ever heard Conrad's name mentioned in connection with anything bad?—I do not want to give him a bad character, except that he has been associated with young men who are wild at times. He has never been brought before me for any offence. Conrad and Henare Heteraka are very wild. I have had some trouble with them.

1332. Do you mean to tell me that you have had any trouble with Conrad?—No; he is not bad, but he is a wild young fellow.

The Commissioner: There being no further evidence forthcoming here, this Court will now adjourn, and it will meet again at Hokianga on Saturday next, at 3 p.m.

HOKIANGA, SATURDAY, 22ND MARCH, 1879.

The Court, pursuant to adjournment, was opened at Hokianga at 3 p.m. to-day.

The Commissioner said: This Court is held under the authority of a Commission issued to me by His Excellency the Governor of New Zealand. It was opened at Russell in terms of an advertisement which has been circulated in this district. From Russell it was adjourned to Whangaroa, and afterwards to Mongonui. From the latter place it was adjourned here. I intended to go on with the evidence to-day, but am unable to do so in consequence of the steamer "Iona" having been delayed by bad weather; and therefore, not being in receipt of the necessary documents, this Court will be adjourned till Monday next, 24th March, at 11 o'clock a.m., at which time I intend to take the evidence of Mr. von Stürmer. The Court is adjourned accordingly.

HOKIANGA, MONDAY, 24TH MARCH, 1879.

MR. VON STÜRMER SWORN and examined.

Mr. von Stürmer.
—
March 24, 1879.

The Commission resumed its sitting at 11 a.m.

1333. What is your name?—Spencer William von Stürmer.

1334. You reside at Hokianga?—Yes.

1334A. What official position do you hold here?—Officer in charge of Customs, Resident Magistrate, and two or three other minor offices.

1335. Have you ever held any position here in connection with electoral matters?—I have; at an election some years ago I was Deputy Returning Officer.

1336. What year was that in?—I cannot name the year. It was during the election when the contesting parties were Messrs. McLeod and Carleton.

1337. Have you observed that for some years past a considerable number of applications have been made by persons of the Native race to have their names placed upon the roll?—I have.

1338. Have you had any official or semi-official communication made to you upon the subject?—I have had private communication.

1339. No official communication?—No.

1340. Have you had any applications from the Registration Officer, Mr. Williams, to supply him with information on the subject of these claims?—I have.

1341. When did Mr. Williams first apply to you?—I think three years since.

1342. And what was the nature of the application he made?—Asking me if I could tell him about the different claims—whether they were good or not.

1343. And what was the nature of the reply you made?—In some cases I believe I said the applications were very good, and in others I said they were not so.

1344. Did you specify the cases one by one, or make a general statement?—With regard to the former cases there were so few that I believe I specified them name by name; but during the last year, after specifying a good many names, I stated that, taking the judgment of the Revising Officer, Mr. Lawlor, as a basis to go on, there was not a single claimant legally entitled to vote.

1345. Then you have given Mr. Williams information of that kind three years in succession?—Two or three years.

1346. Have you kept any memorandum of the information you gave him?—No, for I did it in a private manner. They were simply suggestions, and Mr. Williams would act on them as he thought fit.

1347. Are you aware whether or not Mr. Williams did act upon them the first year?—I believe he acted on some of them, but I am not certain whether he acted upon all. I took very little interest in the matter of the roll.

1348. Do you know whether he ignored any of your suggestions?—I do not.

1349. Did he also act upon your suggestions the second year?—Well, I presume he acted upon some; I do not know whether he acted upon all.

1350. But you do not know that he ignored any?—I do not.

1351. Is your recollection most vivid in reference to the list of last year?—Yes; because it has been called up so often in question.

1352. Did he take your suggestions altogether in the last year?—Not altogether; as a whole he did, but not all of them.

1353. Can you give me any names which you suggested should be objected to and which he, nevertheless, did not object to?—No; I cannot give the names that should be objected to.

1354. You gave him, I understand, a list of names, by way of a general statement, which you thought should be objected to?—Yes; on the grounds of the decision given by Mr. Lawlor, not on any other. I did not pretend to have any legal opinion about it myself.

1355. Do you know of any cases in which he did not accept your suggestions and make objections in terms of those suggestions?—No; I do not.

1356. You say that you made objection on the ground of Mr. Lawlor's decision—was that the sole ground?—That ground, and the household qualification. There were raupo houses not worth £5 a year. There were a few householders who, I believe, were entitled to vote.

1357. I presume that you gave Mr. Williams this information with some degree of care?—I did.

1358. Were you not aware that practically, from the experience of former years, your suggestions would have the effect of removing persons from the roll, or, rather, of preventing their appearing on the roll?—Not altogether; Mr. Williams has a great local knowledge of this place. He is perhaps the oldest or best Maori speaker—better than any other European in the North—and knows the people well. I thought he might revise my suggestions.

1359. Do you remember, in 1875, the case of Honi Mohi being taken as a test case, to test the validity of a claim in respect of a property held in common?—That is the one I have alluded to.

1360. Yes, I thought so. What property did he claim on?—I believe on property at Whakatere.

1361. That is a large block, is it not?—Eleven thousand acres.

1362. Might it not have been on a block of land called One?—It might have been; I cannot say.

1363. Was that block subsequently sold to the Government?—It was.

1364. Then, if it were asserted positively in evidence that it was really on that block he claimed, you would not be prepared to deny it?—Certainly not.

1365. You have stated that the objections you suggested to Mr. Williams were on the freehold and household. Did you not suggest objections in respect of claimants being minors?—I think I did in two cases, but I will not be positive.

1366. Do you remember the names?—The name of one of them was Pereniki Raniera; the name of the other was Piripi Rakena. If I did not object to them, I meant to object.

1367. Do you know a Native called Hapete Hare, No. 254 on the roll?—If I knew what he claimed for, I might recollect him.

1367A. [Qualification read from roll.] Are you acquainted with that man?—No, I do not know him by name.

1368. Are you acquainted with Hohepa Wata, No. 311 on the roll?—I am acquainted with him by name.

1369. Have you seen him?—I have.

1370. How old is he?—It is very difficult to say—I could not tell.

1371. I merely ask as a matter of opinion?—He is quite a young man.

1372. Under or over twenty-one?—I could not say.

1373. Is he under or over sixteen?—He is over sixteen.

1374. Over eighteen?—He might be.

1375. Do you know Hone Toia, No. 924 on the roll?—I know the man very well.

1376. What age is he?—I dare say fifty years of age. I cannot say positively. He is over forty, or fifty; he might be either.

1377. You feel sure he is over twenty-five or thirty?—Yes; if it is the man I mean. He has a young son.

1378. Are you acquainted with Hone Takerei Tawhai, No. 882 on the roll?—If he is the son of Hone Mohi Tawhai, I am.

1379. What age is he?—I suppose about twenty. It is difficult to say to a year.

1380. Certainly under twenty-one?—I fancy he is.

1381. Do you know Wiremu Pehikuru?—No; I do not. He may be one of the young men about Waima. I know the name of Pehikuru very well.

1382. Do you know Wharerau Pereniki, No. 989 on the roll?—Yes.

1383. What is his age?—I believe he is now twenty or twenty-one. The reason I say that is that he was a scholar at the Waima in 1875, and was then put down between fifteen and sixteen.

1384. Do you know Mane te Wheeki, No. 998 on the roll?—No.

1385. Do you know Mohi te Rahiri?—No, sir; not by that name. The Natives sometimes have two or three names.

1386. Have you ever taken part in any election in this district as an elector?—I have.

1387. I am not going to ask you how you voted.—I am quite prepared to tell you.

1388. I would rather not hear it. Have you taken any part at elections in this district beyond exercising your vote?—Never.

1389. Have you ever canvassed for anybody in this district?—Never.

1390. Have you ever, for instance, told any Native that it would be right to vote for Mr. Williams, or wrong to vote for Mr. Lundon?—No; I never did.

1391. In the information which you supplied to Mr. Williams, did you make any suggestion whatever as to the political proclivities of the Natives you objected to?—Not at all.

1392. I have some reason for putting these questions, because I find in information from another person that an allusion of the kind was made. Are you acquainted with a person named Frank Harris?—I am.

Mr. von Stürmer.
March 24, 1879.

1393. Are you aware whether he was objected to?—I believe he was objected to. The information I gave Mr. Williams in reference to him was that himself and his brothers (one or two of them) were all claiming for the same piece of land—for some fifty-four acres, for which I think the father's name was registered as well. I believe I might have given Mr. Williams further information; but I was not aware at the time that they had a separate title.

1394. Then if you supplied Mr. Williams with the information, you are under the impression that you were in error in what you supplied him with?—I believe I was in error.

1395. Do you know Hemi Hare?—He is one of the same family. They were all wishing to claim for the one piece of land, for which the father was already registered.

1396. You were in error in that case also?—I believe I was.

1397. Are you acquainted with Tamati Hare?—Yes; he is on the same piece of land.

1398. Are you acquainted with Hori Hare, No. 260 on the roll?—He is not on the same piece of land. He has a qualification—a very good one.

1399. What is the nature of his qualification, Mr. von Stürmer?—As far as freehold is concerned, I did not go into the matter, because the house was sufficient—worth £200 or £300.

1400. Are you aware whether he was objected to?—He was objected to.

1401. On information supplied by you?—No.

1402. Are you acquainted with Raniera Wharerau?—Yes.

1403. Was he objected to on information supplied by you?—No; he was not. He has a good house; also a Crown grant.

1404. Do you know Mohi Wikitahi, No. 1,032 on the roll?—I know him.

1405. Was he objected to?—I believe not by myself.

1406. Was he objected to?—I cannot say whether he was or was not objected to without looking at the list. [List of objections produced.] He was objected to.

1407. Do I understand you distinctly that you did not supply the information on which he was objected to?—What was his qualification.

1408. Freehold and household—Te Totara, 110 acres; Whakatere, 11,828 acres?—I should have objected in general terms to all those in Whakatere, as there are upwards of a hundred names on the roll as on the memorial of ownership. The judgment of the Native Lands Court was that the land should be the property of the Mahurihuri, and on the freehold qualification I certainly should have objected to him; but not on the household, because he has a house.

1409. Then he was objected to by Mr. Williams, and you distinctly say that you did not supply the information upon which he was objected to?—No.

1410. Do you know Whero Peiru, No. 999 on the roll?—Yes, I am acquainted with him.

1411. Was he objected to? When I say objected to, I allude to the actual objections?—I cannot say without referring to the list whether he was objected to or not.

1412. Did you supply the information on which he was objected to?—If he claimed for Whakatere I should have objected to him. I cannot say that I objected to him. I may have done so.

1413. What is the nature of his house?—It is a raupo house.

1414. Of what character?—An ordinary Maori house.

1415. Do you know Hohaia Whata, No. 994 on the roll?—Yes.

1416. Was he objected to?—Yes.

1417. On information supplied by you?—I cannot say unless I know the qualification.

1418. The qualification is Whakatere?—He would be objected to most probably on information supplied by me.

1419. What sort of a house has he?—A raupo house.

1420. Do you know Heremaia te Wake?—Yes.

1421. Was he objected to?—Yes.

1422. On information supplied by you?—No.

1423. Are you acquainted with his qualification?—I am.

1424. What sort of a house has he?—A weatherboard house.

1425. Which you consider would be sufficient?—Quite worth £5 a year. His freehold is simply an undivided share.

1426. Do you know Pipo te Wairakau Pakau?—I cannot recollect that I know him.

1427. Was he objected to?—I should have objected to him if he claimed for Whakatere on Mr. Lawlor's decision.

1428. What about his household?—He has not a weatherboard house, I believe.

1429. What sort of a house has he?—An ordinary Maori house, I presume. I know his house is not worth £5 a year, because I know every house in the district which is worth £5, and his, I believe, is not one of them.

1430. Have you seen that house?—I cannot say I have. I may have seen it many times.

1431. Do I understand you to say that if it was a house worth £5 a year you would have noticed it?—I think so. I am constantly travelling through the settlement. I do not say it is not worth more than £5—£5 a year.

1432. Do you know Rameka Waikerepuru, No. 959 on the roll?—Yes.

1433. Was he objected to?—I cannot say until I hear the qualification.

1434. Freehold and household, Whakatere; place of residence, Taheke, Waima. Are you acquainted with his household?—I cannot say I am.

1435. I may tell you that I have had this list handed to me with a statement that the person who handed it to me is prepared to prove the household qualification. Do you know Tata te Waikarahu, No. 958 on the roll?—No.

1436. Do you know Peepe te Tuauru, No. 945 on the roll?—I know the name, I fancy. I have some recollection of the name, but cannot positively swear to it.

1437. Was he objected to on information supplied by you?—If he was claiming with other Natives for the same piece of land, he certainly would be.

1438. Are you acquainted with his household?—Not personally; but I know pretty well the *Mr. von Stürmer*.
houses in the neighbourhood.

March 24, 1879.

1439. Do you know Herewini te Toki?—Yes.

1439A. Was he objected to on information supplied by you?—It depends on the claim. [Qualification read from roll.] I objected to his freehold qualification, and I believe I generally stated that his household qualification was not good. I cannot say that I saw his house exactly. Amongst them I could pick out every house worth £5 a year, and his is not one of them. His house I believe to be a raupo whare. I was in his house two or three years ago. It certainly was not worth £5 a year, according to my opinion.

1440. Do you know Kaipara Tamohitu, No. 875 on the roll?—Yes.

1441. Was he objected to on information supplied by you?—I have no doubt I did object to him.

1442. If you objected to him, would that objection be made in error?—If so, it would be made in error.

1443. You are not prepared to say distinctly whether you did or did not object to him?—Possibly I did. As the name is written there it does not appear to be the same. Kaipara Hiri is the person I said had a household qualification.

1444. Do you know Hapeta Pouroto, No. 678 on the roll?—Yes.

1445. Do you know anything about his household?—I do not know it. I have very likely been in it.

1446. Do I understand you to say, then, that you suggested objections to Mr. Williams in all cases where you were not acquainted with the houses?—No. I objected generally that only so many people had houses of that value in that settlement, and the balance had no household qualification.

1447. Do you know Tawio Pou?—Yes. As freehold he claimed with others. His household I believe to be a good one. I cannot say whether I objected to him or not.

1448. Did you know that his household qualification was a good one at the time the objection was made?—I knew he had a good house at that time.

1449. And, notwithstanding that knowledge you possessed, you are not aware whether you objected to him or not?—I think I did object to him—I fancy in reference to his house. It was done in error.

1450. Do you know Rakena Pou, No. 676 on the roll?—Yes. In both the freehold qualifications he claims with other Natives. In respect of his household, I believe it is not sufficient.

1451. You are acquainted with his house?—I have seen it.

1452. What sort of house is it?—The house that was pointed out to me was a tumble-down-looking place.

1453. What size?—Half the size of this room perhaps.

1454. Shingle roof?—Yes.

1455. Any windows in it?—Yes.

1456. And doors?—The usual European doors. I think it had a slab chimney.

1457. Are you acquainted with Ruma Porohata, No. 673 on the roll?—I am.

1458. Was he objected to on information supplied by you?—Certainly, if he claimed for Whakatere.

1459. I understand that to be your general answer—you objected to all who held in common?—Yes; I suggested the objection.

1460. What sort of a house had this man?—He had not a house worth £5 a year.

1461. What sort of house?—I cannot say. An old slab or raupo house.

1462. Have you seen it?—I must have seen it, because I have seen all the houses in the settlement at different times.

1463. Have you seen, for instance, the houses in that village after coming over Maungataniwha?—Yes, a great many of them. I have not seen the whole of them.

1464. Do you know Tikapu Popata, No. 668 on the roll?—I do.

1465. Did you suggest to Mr. Williams an objection to that man?—I believe so, if others claimed with him.

1466. What sort of house has he?—If he is at the Lower Waiho, his household would not be sufficient. Some old, broken-down wooden house, not worth £5 a year.

1467. Do you know Arama Karaka Pi, No. 659 on the roll?—Yes.

1468. What sort of house has he?—I believe he has a very fair wooden house. I am not sure whether I suggested an objection to him.

1469. Are you sure you did not?—I am not positive.

1470. Had he this house at the time?—It was an old house. If I objected to him, I did so in error.

1471. Do you know Reweti Piti, No. 655 on the roll?—I know the party. There is no house there with the exception of one worth £5 a year. There are other Natives claiming with him in that block. Pakinga is a block in which there are other Natives besides himself. He has a slab house not worth more than £5 a year.

1472. Do you know Hone Parihi, No. 632 on the roll?—Yes.

1473. What kind of house has he?—*Nikau* and grass. I believe the house is burnt down now.

1474. You are sure it had not a shingle roof?—Yes.

1475. Do you know Aporo Pangari, No. 623 on the roll?—Yes. It is a piece of land in this case, containing 23 acres, with, I suppose, ten people in it. The land is worth from 10s. to 16s. an acre.

1476. Do you know Eruera Paiha, No. 619 on the roll?—Yes. His house is a raupo house, unless he is living with his father in a weatherboard house.

1477. Would this man be likely to have an interest in this house?—I cannot say.

1478. If you objected to him you ought to know?—I objected to him as a young man, and the father, an old man, having held the house for years. I do not know whether the father registered. There are no houses there worth £5 a year.

1479. Do you know Kapana Nuku, No. 594 on the roll?—I should have objected to his freehold on the general ground; and as to household, I know the principal houses at Waima, and his is not one of them.

Mr. von Stürmer.

March 24, 1879.

1480. Do you know Mihaka Waipapa, No. 527 on the roll?—Yes.
1481. Did you object to him?—I do not think I objected to him.
1482. Are you acquainted with his household?—No. I did not object to him, knowing he had a Crown grant. He owns a piece of land with Raniera.
1483. You did not object to him?—I did not.
1484. But he holds in common with some one else?—A piece of land they had purchased from other Natives.
1485. Holds it under a Crown grant?—I think so.
1486. Will you explain the distinction between the two cases?—The one is holding it under a Crown grant according to English custom; the other under a Crown grant issued from the Native Lands Court. I presume if two Europeans hold land under Crown grant, their shares are equal. That was simply my opinion. Therefore I gave the suggestion to the Returning Officer. I did not mention Waipapa's name.
1487. May I ask you what the political proclivities of this Waipapa are?—I believe he is a very staunch friend of Mr. Lundon.
1488. Do you know Hone Ihaka Maunga, No. 518 on the roll?—Yes. His freehold would be the same as the rest. His household, I believe, is very inferior—not equal to £5 a year.
1489. Do you know his house?—I do not recollect it; I may have been in it.
1490. Is it a wooden house?—I presume it is a raupo, because I know the principal houses in the neighbourhood, and set a value on them in my own mind.
1491. Do you know Hare Maika, No. 486 on the roll?—I have been in his house; it is an ordinary raupo house, but I do not think it is worth £5 a year.
1492. What size would it be?—The size of this room altogether, or not quite as large. It is an ordinary Maori house.
1493. Finished in a superior manner?—I did not notice that it was finished in a superior manner.
1494. Do you know John Cassidy (Hone Katete), No. 391 on the roll?—Yes. I have seen his house; it is weatherboard, very much broken down, and not worth £5 a year.
1495. What size is it?—A large, rambling place, very old. It looks a very shaky, half-finished building.
1496. With doors, windows, and chimney?—I do not think it had any doors when I saw it.
1497. Do you know Te Para Karaitiana, No. 388 on the roll?—I know him by sight. He holds in common.
1498. Do you know Peri te Huhu?—Yes.
1499. What sort of house has he?—His house, I presume, is the same as the other Maori houses. It is a raupo house. I do not think it is worth £5 a year.
1500. Do you know Waipapa Hetoro, No. 286 on the roll?—Yes; he is the same man as Hetera te Waipapa. He appears twice on the roll.
1501. Do you know John Hardiman?—Yes.
- 1501A. Do you know his household qualification?—Yes; it is a good one.
1502. Did you suggest an objection?—I suggested an objection to Hone, his Maori name. He was twice on the roll.
1503. Do you know George Hardiman, No. 256 on the roll?—Yes.
1504. Did you object to him?—The same statement was made by me with reference to him. He appears twice on the roll—once as George and once as Hori.
1505. Do you know Peri te Huhu, No. 336 on the roll?—I do, very well.
1506. What is his qualification?—His qualification is an ordinary Maori house, not worth £5 a year.
1507. Were you summoned at any time to any Revision Court to give evidence in support of the information you supplied to the Registration Officer?—No, sir.
1508. Are you aware how it was that the objections were held to be good without your evidence?—I have no knowledge.
1509. Was it not a matter of surprise to you to find that the whole of your objections had been found to be valid, although you were not there to give evidence in support of them?—I was not aware that they were allowed by the Court to be valid. I believe all those names are on the roll.
1510. Yes; in reference to last year. I am speaking of the first year—in the first year you supplied objections to Mr. Williams. I understood you to say that you were not present as a witness in support of them?—No.
1511. Was it not a matter of surprise to you to find that your objections were found to be valid in that year, notwithstanding that you were not present to support them?—No, sir.
1512. Why?—Because I believe Mr. Williams knew as much of the district as myself. He was formerly Resident Magistrate, and knows all the people from a child up, and he would be simply reminded by me, and would be able to sustain them himself. I may state, in reference to that question you have asked me, that in former years in no case have I objected except to those who have left the district, are dead, or sold the qualification—an unanswerable matter.
1513. Not even in the year subsequent to the decision of Mr. Lawlor?—I think only on the last occasion, and then I simply took Mr. Lawlor's decision as a ground of objection.
1514. I may tell you that Mr. Williams has stated in evidence that he relied not on his personal knowledge with respect to this district and another district on the other coast, but almost exclusively on the Resident Magistrates of those two districts—yourself being one of them. Can you see any means of reconciling that statement with your statement just now that you merely made suggestions to Mr. Williams which would only have the effect of reminding him of what he knew already?—I presume he would act on his own knowledge, too; because he had a knowledge of the district. Still, the suggestions would be as near the truth as I could possibly arrive at. If I was not satisfied I was right I would not give him the information.
1515. Are you aware that anything by which an elector is deprived of the franchise is rather a serious matter?—I believe it is.

1516. Yet you have stated in your evidence that you made a number of suggestions which virtually removed persons from the roll, or prevented them getting on it, and that you made them in error. Does not that indicate a want of care on your part?—The only case is that of the Harris family, and then they only held fifty-four acres, and no one knew it belonged to any but the father. A deed was made by the father dividing this land amongst his sons, but the public could not possibly know that. I knew Harris purchased this land in his own name, but subsequently he divided it, and I was not aware of it at the time. I should be very sorry to deprive any one of a vote if legally entitled. I have witnessed many Natives' names, and would be glad to do it where I thought they had a right to vote.

Mr. von Stürmer.

March 24, 1879.

1517. If you want to make any general statement you can now do so?—I have no general statement to make further than that I have already said.

In reply to the Commissioner, Mr. E. M. Williams said he had no questions to ask.

1518. *Mr. Landon* (through the Commissioner.) Was Mr. Harris, sen., ever on any roll in respect of that block of land?—I believe he was.

1519. Did you know at the time Frank Harris was objected to that he was entitled to the franchise for any freehold property?—Certainly not; or I should have recommended his name to be put on, instead of being taken off.

1520. Did you not know he had a household qualification?—I believe he lived with his father in his father's house.

1521. Do you know that Tommy Harris had a freehold qualification?—Tommy Harris is not the person alluded to by me. I believe he has a house, and that I informed Mr. Williams he had a household qualification.

1522. *The Commissioner.*] As a matter of fact, had he two qualifications—freehold and household?—I am not even aware now that he had at that time.

1523. But you were aware at that time that he had the household qualification?—Yes; and told Mr. Williams of it.

1524. *Mr. Landon.*] Are you aware that Jimmy Harris has a household qualification?—No.

1525. Are you aware whether he had a house on the other side for years?—No.

1526. You were aware George Harris had a household qualification?—Certainly.

1527. Were Mr. Williams and yourself not in Heremaia te Wake's house?—We were not there for the last two years, that I am aware of. I do not think that Mr. E. M. Williams has been in Hokianga for the last two years.

1528. Are you prepared to say that John or George Hardiman have been on the roll for the last three years?—To the best of my belief they only got upon the roll last year; but I could not say for certain.

1529. Their qualification has been, to your knowledge, for years a good one?—I cannot say that even. I think it is only lately they got their qualification.

1530. Are you aware that Mr. Williams objected to a hundred and fifty names attested to by Patrick Landon in 1875?—I am aware that Mr. Williams objected to a large number of names attested by many people. The exact numbers I cannot give.

1531. Are you aware that a large number were attested by Mr. Williams's friends, and were not objected to?—I did not take any notice; it was not my business. I took very little interest in it beyond my own people, the Hokianga Natives.

1532. Do you know that the same people whose names were attested the previous year by Patrick Landon were objected to in 1876?—I cannot say; I did not take much interest in the matter.

1533. Do you know that the same men were attested next year, 1877, by some one else, and put on the roll for the same qualification?—I cannot say that.

1534. You are not in a position to prove it?—I have not looked it over.

1535. You say you raised these objections in consequence of a decision given by Mr. Lawlor as Revising Officer?—Yes.

1536. Do you know who raised the objection?—Mr. Carleton.

1537. Do you think Hone Mohi was in a position to argue with Mr. Carleton?—I think him one of the cleverest Natives in the North.

1538. Do you think it was a fair test, and that he could argue law with Mr. Carleton?—It was Mr. Lawlor's decision I went by.

1539. Was Hone Mohi represented by counsel?—I believe not.

1540. Do you think that in an argument before Mr. Lawlor he was a match for Mr. Carleton?—I should not say he was a match for him; but it was for the Judge who gave his decision. I do not pretend to question the Judge's decision.

1541. *The Commissioner.*] Is Mr. Lawlor a person of the legal profession?—He has had large practice as a magistrate.

1542. Does he belong to the legal profession?—I am not aware.

1543. Do you know of any reason why his decision should be treated with special respect?—Simply, he was selected by the Judge of the Supreme Court, and took that office.

1544. It is in view of that I ask you?—That is a reason why it should be treated with general respect.

1545. I ask you now whether you have any reason for supposing that it was entitled to special respect, as in the case of a Judge coming specially from England to determine the matter? Do you know of any reason why his decision should be treated with special respect?—None, beyond his being the Judge of that Court.

1546. *Mr. Landon.*] Do you know that he has been Resident Magistrate at Coromandel?—I do.

1547. Do you know that he was removed?—He has retired on pension.

1548. You do not know that he was removed?—Gentlemen removed do not get their pensions, I believe.

1549. Do you know that it was for illegal decisions he was removed?—This is the first time I have heard of it.

Mr. von Stürmer.

March 24, 1878.

1550. Did you and the Resident Magistrate of the Bay of Islands sit on a case of Offord's?—
[The Commissioner ruled that the question had no relevancy to the investigation.]
1551. Do you recollect going with Mr. John Williams to Mr. Cochrane, sen., to induce him to vote for Mr. Williams?—No. I never went with that view. We went to Mr. Cochrane's, and when Mr. Williams began to talk about the election I immediately walked to the door. Mr. John Williams is in Court, and will be able to support my statement.
1552. Did you go together to Hardiman's?—We were going round to have a glass of beer, and Hardiman was standing at the door. We had a glass of beer. I believe Mr. Williams did speak to Hardiman about the voting, but I did not.
1553. Was any one else present?—I cannot recollect. We had our glass of brandy or beer, and went away.
1554. Was Mrs. Hardiman present?—I cannot say.
1555. You say that Hone Toia is fifty years of age?—Yes.
1556. If any person has sworn in another place that he was a minor, he would be swearing what was not true?—Yes, if he deliberately swore it.
1557. If the Resident Magistrate at the Bay of Islands swore it, would that be wrong?—If he had made a statement that he saw him and that he was under twenty-one, and he was over twenty-one, it would be perjury.
1558. *The Commissioner.*] That is not a proper way to put it. If it were stated in Court that that man was a minor by the Resident Magistrate, would that be correct or incorrect?—It would be incorrect; but Mr. Lundon was putting it in another way altogether.
1559. *Mr. Lundon.*] Are you acquainted with Hapeta Wi Whangaroa, No. 252 on the roll?—I know the name very well. I would not say I know the man.
1560. Would you say he is a minor?—If he is the man I imagine, he is not a minor.
1561. Have you seen the list of objections for last year?—That is the list we have been speaking of all the time.
1562. Is there any person at Waimate or Pakaraka objected to?—I have not gone into that matter. I have kept within my own district.
1563. You are aware of a large number of objections for the Mongonui County?—Yes.
1564. Does it not appear strange that objections have been made for Mongonui and Hokianga, and not for Waimate and Pakaraka? Did you notice that the Waimate appears to be somewhat free from objections?—I did not; but I noticed it was rather free from the list of people put on the roll. There were not so many put on for those districts as for others.
1565. *The Commissioner.*] Are you aware that there are people on the roll for Waimate without any title?—No, I am not.
1566. *Mr. Lundon.*] Have I repeatedly told you that there were over a hundred on the roll for that district holding in common?—Within the last few months I have heard you make many statements. I have heard them, and simply heard them, and taken no notice of them. It is possible you may have said this. I have heard you say so many things that I am sorry to say I cannot recollect them. I have heard you make very bitter complaints.
1567. Do you know the schoolmaster at the Kohukohu?—Yes.
1568. Is he on the roll?—Yes.
1569. What is the nature of his qualification?—I do not know his house; it is in the bush. It was formerly a weatherboard house.
1570. Do you know old John Wright?—Yes.
1571. Are you not aware he is on the roll?—I am not aware. He was formerly on the roll.
1572. What was the nature of his qualification?—He had a large house.
1573. *The Commissioner.*] How did he come to be removed from the roll?—His house fell into disrepair, and he left the district.
1574. *Mr. Lundon.*] Are you aware the Clerk of the Court was removed from his position for voting for me?—He was not.
1575. Are you not aware that Mr. Carleton made an objection to his voting for me?—I am aware that he had notice four months before the election took place.
1576. And he was not removed in consequence of an objection lodged by Mr. Carleton?—He had this notice four months before the election; that is an answer.
1577. *The Commissioner.*] Did Mr. Carleton lodge an information against him?—He did—for betting, and interesting himself in the election.
1578. Is that contrary to the Civil Service Regulations?—I presume that to interest yourself in an election would be contrary to the Civil Service Regulations.
1579. *Mr. Lundon.*] Did not the nephew of the sitting member make an application for the situation?—Yes; he applied for the appointment before the election, and he was refused.
1580. Do you know Wiremu Titore?—I do.
1581. Do you know whom he voted for last election?—I do not.
1582. Do you know that his name was objected to?—I do not know whether it was or not. If he held in common I should have objected to him.
1583. Are you aware he is on the roll?—I believe he is.
1584. *The Commissioner.*] Do you know when he got on the roll?—No.
1585. *Mr. Lundon.*] You are aware he voted last election?—He was on the Point (Herd's) last election; but I do not know whether he voted or not.
1586. Are you aware that some of the Omanaia Natives voted for Mr. Williams?—I cannot say how they voted.
1587. Are you aware that some of them voted for me?—I am not aware how they voted.
1588. Have you heard that those who voted for me were objected to and put off the roll?—I have heard you say so.
1589. No one else?—No.

1590. *The Commissioner.*] Did you hear any Natives say how they voted?—I may have heard, *Mr. von Stürmer.* but I do not think they came and told me how they voted.

1591. *Mr. Lndon.*] Do you recollect the Parliamentary inquiry last session?—I remember *March 24, 1879.* reading of it in the Blue Books.

1592. Do you recollect coming to me and saying that Mr. Williams wrote for permission to produce a letter?—I do.

1593. And did you send a letter?—I wrote to Mr. Williams.

1594. Have you any objection it should be produced?—It is a private letter, and it mentions many subjects outside election matters, and I do not think it should be produced.

1595. Then you admit writing a letter, and object to its being produced?—Yes.

1596. *Mr. Williams.*] Have we at any time had any conversation whatever as to the manner in which any elector has voted, one way or the other?—No.

1597. Have I ever asked you a question as to the sides the Omanaia or any Natives took in any election?—No.

1598. *The Commissioner.*] If you wish to make any explanatory statement, Mr. von Stürmer, you can do so?—I do not see that I can make any statement. The freehold qualification I objected to on the ground that they were holding land in common; and I stated in my letter to Mr. Williams that that was the reason I objected, taking Mr. Lawlor's decision as decisive. With reference to household qualification, I objected to raupo and the ordinary run of Maori huts as not being worth £5 a year. A few I knew—I was only too glad to put them on the roll.

The Commission adjourned until 2 p.m., at which time it resumed.

PATRICK LUNDON sworn and examined.

Mr. Lndon.

1599. Your residence is in Hokianga?—Yes.

1600. Have you been long here?—I have been twelve months this last visit. I was here before.

March 24, 1879.

1601. How long is it since first you came into this district?—Three and a-half years, I think.

1602. Have you, on any occasion, taken round electoral forms to get Natives' signatures to the same?—Yes.

1603. What year did you first do that in?—I think 1875 was the first.

1604. How many claims did you get filled up for that year?—A great number—150 perhaps.

1605. Will you be kind enough to describe the process by which it was done. Did the Natives come to you, or did you call a meeting?—I called a meeting generally where the Natives were numerous, and if I did not get all I knew were in the district I went to their houses and places.

1606. Where was the place of first meeting you called?—Awanui.

1607. How many Natives attended that meeting?—Fifty, perhaps.

1608. And did you explain to them what was the nature of the thing you wished them to do?—I did, sir.

1609. And they stated their qualifications at the time, did they?—Yes.

1610. How was the form filled up—did they fill up their forms, or you for them?—I filled up for them everywhere, excepting their signatures.

1611. Were the forms filled up at the same time as they attached their signatures?—Generally after. Sometimes it was done in the open air, outside, when it was blowing and raining. I got the signature, and filled it up myself. All the English part of it was done either before or after.

1612. Do I understand you to say that in the first instance they signed blank forms, and you afterwards filled up the body of the forms?—Yes.

1613. How did you manage in the case of people who could not write?—I or some one else able to write did it.

1614. Was that signature attested in the usual way, by a mark and a witness to the mark?—Not in every case.

1615. In any case?—Yes, I think in some.

1616. Do you remember any particular case in which it was so attested?—I could not tell now unless I saw them.

1617. That having been done—having got to that stage—how did you attest it as an attesting witness? Did you do it there and then, or wait for some more convenient period?—Some I did at the time; some, perhaps, before I went to the Natives; because I was on the roll, and I thought that was quite enough.

1618. So that in some cases you signed your name before the claimant signed?—Yes.

1619. And before the body of the claim was filled up?—Yes; I generally did that at the same time—filled up the English part.

1620. Do I understand you to say distinctly that in some cases you signed the forms and got the claimants to sign afterwards?—Yes.

1621. Do you know a person by the name of Isaac Williamson?—I do.

1622. Do you remember having any communication with him on the subject of these forms last year—say in March last?—Yes, I do.

1623. Did you call at his place?—Yes, I did.

1624. To ask him to go round with you?—Yes.

1625. Did he do so?—He did not.

1626. Did you last year attest signatures yourself?—I did not.

1627. Did he give you any particular instructions at that time as to attesting signatures?—He said, of course, I was going round, and he could not devote his time to it—that it would take a long time to go round; but he said, "You may write my name as an elector to each, if the thing is done right and proper."

1628. Did you do so?—I did not.

1629. In any case?—I did not, in any case.

1630. Upon that occasion when you went round did you call a meeting of the Maoris at Awanui?—I did.

Mr. Landon.
March 24, 1879.

1631. And did they sign the papers in the open air, as you describe?—They did.
1632. Were there any of them blank forms on that occasion?—Yes.
1633. You have already said you did not attest the names on that occasion. How were they witnessed?—Mr. Williamson signed some of the blanks with his own name—a good many—before I met these Maoris at all.
1634. Did you take these forms which had Williamson's name to the meeting and get the Maoris to sign the claims?—Yes.
1635. And the body was either then filled up or afterwards?—When there was plenty of time, and the weather permitted it; it was all completed at that time.
1636. You were an elector of the district at that time?—I was not.
1637. Were there any other electors of the district near the place at which you held the meeting? Was there no other elector present?—I do not think so.
1638. What particular place was the meeting held at? I mean to say, at what house; if there was a house near?—At several places in the Awanui: one evening at my brother's; another evening at the house of Jupiter (Hupata); and another evening at another house.
1639. Was Jupiter not an elector of the district?—Not at that time.
1640. I suppose, Mr. Landon, you have frequently read the attesting declaration on one of these forms—"Signed and declared by the said claimant this 12th day of March, in the year 1875, before me, an elector of the district." Now that was the declaration which Mr. Williamson signed?—Yes.
1641. And how was it possible that could have been a truthful declaration? He did not see the man sign, according to your statement. Mr. Landon, that declaration must necessarily have been false; is that not so?—According to that, of course it was; and how could it be signed in the presence of an elector of the district if he did not go to see it done? I could not take an elector or J.P. round the country, without being paid.
1642. And you state that as a justification?—That is all I can do in the matter. There would be a lie, in the face of it, when a man was not present when he signed it.
1643. Were you not aware it was improper to make yourself a party to that kind of thing?—I did not attach any great importance to that.
1643. I will now ask you whether you have on any occasion carried round petitions to the House of Representatives?—I have.
1645. Will you describe the manner in which they were signed? Were they signed by the people whose names purport to be on the petitions, or by friends on their behalf?—Sometimes by themselves and sometimes by their friends.
1646. Had you a meeting at the Awanui for the purpose of getting signatures to a petition?—Yes.
1647. What was the process adopted? Did the people come forward one by one and sign, or did one particular man come forward?—Sometimes those signed who could, and sometimes one man signed for half-a-dozen.
1648. Do you remember Hepe's place at Waiho?—I do.
1649. Do you remember being present on any occasion with Mr. Bates and a number of Maoris at that place?—I do.
1650. Was your brother present?—Yes.
1651. Do you remember the names of any of the Maoris who were present?—Yes; there was Heremaia te Ara.
1652. Did he take any part in the proceedings as to signing these forms on that occasion?—He seemed to be the principal man.
1653. What did he do?—He signed for several of his people.
1654. Those people being present or absent?—Some of them were present; I do not know how many.
1655. How many names do you suppose he signed upon that occasion? I am not asking you to give an absolutely correct answer, but how many names do you think?—I could not tell how many. I think he called some young person to write away for him according to dictation.
1656. Do you think he signed as many as a dozen claims?—I do not know. He might have signed more.
1657. Did he sign his own name?—I think so.
1658. You understood at the time he was signing the names of people who were absent in some cases?—Yes, I think so.
1659. Did you consider that a proper mode of getting signatures?—According to the letter, I do not consider it made any difference whether he was present or a hundred miles away, putting his name on the electoral roll.
1660. No, not if he signed his own name. Do you remember any conversation taking place on that occasion between Heremaia te Ara and any other person as to his salary as an assessor?—I have no recollection of that, not the slightest.
- In reply to the Commissioner, Mr. Williams said he had no questions to ask.
1661. *Mr. Landon.*] Have you been in the Awanui District longer than three years?—Yes; when I gave my former answer I meant the Hokianga County.
1662. *The Commissioner.*] How long have you been in the Awanui District?—Off and on, ten years.
1663. *Mr. Landon.*] You were on the roll when these names were attested [list of claims for 1875 exhibited]?—Yes.
1664. Were all those attested properly, the papers filled up in the recognized form of law?—Yes; I did according to the letter of the law, because I was then an elector myself, and could do everything in the proper style; but could not take an elector with me unless he chose to go.
1665. *The Commissioner.*] When you say "according to the law" do you mean to say that in the first place the whole of the claimants signed their names?—I might say so, but would not like to say so positively; but any who did not sign I signed for them in their presence, allowing them to make their cross.

1666. You cannot say that all the men signed in your presence?—Yes.
1667. And thereupon you attested the names?—Yes.
1668. *Mr. Lundon.*] Were the names which you thus witnessed objected to by the Returning Officer?—Every one of them, I think.
1669. Were any other names objected to?—Not that I am aware of.
1670. Did not I give you instructions after that not to witness any more voting-papers?—Yes.
1671. *The Commissioner.*] What was the reason given for that advice?—My brother said I had better get other parties to attest, as, if I attested them, they would be thrown out by Mr. Williams.
1672. Did that imply that a political prejudice existed against your brother?—Yes.
1673. [List of claims, 1876, handed to witness by Mr. Lundon.] Did you attest any of those claims?—No.
1674. You were then on the roll?—Yes.
1675. *The Commissioner.*] With respect to this list of claims for 1876: you really got those claims filled up, and got some one else to attest them.
1676. And you did that in consequence of your fear that the political prejudice of the Registration Officer would operate against the people whose claims you attested?—Yes.
1677. [List of objections for 1877 shown to witness by Mr. Lundon.] Did these claims all appear on the roll of 1876?—They did.
1678. Are not those the same people who made application last year?—Yes.
1679. And the same qualification?—Yes, the same, quite; unless they have additional Crown grants since.
1680. *The Commissioner.*] Did any of these names appear on the roll in 1876 by virtue of a household qualification?—I do not think they did.
1681. In regard to these names, the qualification is substantially the same so far as regards freehold qualification?—Yes.
1682. But not as regards household?—Not as regards household.
1683. *Mr. Lundon.*] Did not all the names objected to belong to this portion of the county? Did you see any names of Waimate Natives in that list of objections?—Here is one—Waitangi, Waimate.
1684. What is the cause of objection?—Not a freehold within the meaning of the electoral law.
1685. Where do most of those Natives live who were objected to?—North—down in the Awanui District.
1686. If those names were retained on the roll who would they vote for?—For you, of course.
1687. *The Commissioner.*] Why do you say “of course”?—Because I consider them my own and my brother's friends, and they would do what we wished them to do so far as voting went.
1688. *Mr. Lundon.*] Did not a number of those people vote for me previously?—Always.
1689. And their qualifications were the same then as now?—Yes.
1690. They have not changed their qualifications?—No.
1691. *The Commissioner.*] How did you ascertain the way they voted?—I could tell by the numbers. I knew my friends, and could tell almost to one or two how they voted. Besides one would tell the other.
1692. How many votes were recorded at that place at the last election?—I think seventy.
1693. How many voted for your brother?—All the Natives, very nearly. Twenty or twenty-two were Europeans.
1694. Did you take a petition to Heremaia te Ara with Mr. Bates?—Yes.
1695. Did Heremaia te Ara sign it?—Yes.
1696. Did you see him sign it?—Yes.
1697. If he made a statement that he did not sign, that statement would not be correct?—It would not.
1698. *Mr. Lundon.*] Were you never at Whangaora before?—Never.
1699. Can you supply the qualifications for Whangaroa?—No.
1700. Who supplied the qualifications? Who furnished you with information to enable you to fill up these forms?—Heremaia te Ara did.
1701. Did you fill up forms in that district?—I did not.
1702. *Mr. Williams.*] In putting in this paper, Mr. Lundon, I understand you to state it was the list for 1875?—Yes.
1703. You will observe that there is no date to it. It is a copy from the list sent in, dated 1874. Would you say whether this is the list of objections or a list of the total claims sent in that year?—I am not certain whether it was the list of the claims sent in or the objections.
1704. Do you know what became of the names on this list—how it is they do not appear on the roll?—I do not.
1705. *The Commissioner.*] Were they objected to by the Registration Officer?—Yes.
1706. What was the result of the objections before the Revision Court?—They were not registered.
1707. The objections were maintained—the claims were disallowed?—Yes.
1708. *Mr. Williams.*] And all objected to were not placed on the roll in that year? Did you never hear there was no Revision Court held in 1874?—I am not aware.
1709. Will you say what number of names were objected to on this list for 1875?—Every one that bears my signature as attesting witness.
1710. Would you name me one or two?—I do not know anything about that.
1711. Were you present when Heremaia te Ara signed a letter purporting to ignore the petition which he had forwarded to the House of Assembly?—Yes.
1712. Did he sign that?—Yes.
1713. In your presence?—Yes.
1714. Was it at the same time that the petition to the House of Assembly was being carried round by yourself?—Yes.

Mr. Lundon.

March 24, 1879.

Mr. Lundon.
—
{March 24, 1879.

1715. On the same occasion? At the same time?—Yes.
1716. You are certain he signed that petition himself?—Yes.
1717. You remember the purport of it?—Yes, I do.
1718. Will you be good enough to state it? It was a counter-petition relative to the one you had sent before?—Yes.
1719. *The Commissioner.*] At the time that petition was signed did Heremaia te Ara make any special statement to you as to not having signed the former petition to the House?—I think he did.
1720. Do you know the purport of the declaration he made?—He told me some friends of Mr. Williams had come and got him to sign something for them, or somebody signed his name for him for Mr. Williams.
1721. Was that statement of Heremaia te Ara written in English or Maori?—English, I think.
1722. Was it duly translated to him?—Yes.
1723. By whom?—By me.
1724. Is what I am about to read the statement which Heremaia te Ara signed: “I, Heremaia te Ara, hereby certify that I did not sign or authorize any one to affix my signature or any of my tribe to a petition circulated through the district by Wiremu Katene, and forwarded, I understand, to Wellington. An aged man here, without any authority, but on his own responsibility, did, I hear, sign my name with others.—NA HEREMAIO TE ARA.” As a matter of recollection, is that the statement which was drawn up for his signature?—Yes.
1725. And did you duly interpret that for him?—I did.
1726. Did he sign with his own hand, or instruct some one else to sign?—There were two documents—one was signed by himself, and the other, I think, was signed for him.
1727. Which did he sign?—Without seeing them I could not tell which he signed.
1728. Did you believe him when he made that statement?—I did.
1729. Are you acquainted with Heremaia te Ara’s signature?—Yes, I could tell it.
1730. [Declaration by Heremaia te Ara shown to witness.] Is that his signature?—I should like to see the two together, and then I could judge best.
1731. I should like your answer as to that signature?—I do not think that is his.
1732. There is the other one. [Heremaia te Ara’s statement embodied in a petition shown to witness.] Mr. Lundon, is that his signature?—That is it, sir.
1733. [Heremaia te Ara’s signature, written before the Commissioner on a slip of paper at Whangaroa, shown to witness.] Is that his signature?—I would not swear to this; it may be his signature. This to the petition I am positive about. It is not often you will find them to sign their names twice the same. That I positively and distinctly saw him do (referring to signature in petition.)
1734. What do you judge by. By the signature, or piece of paper?—Both, and having written a portion at the top of the paper.
1735. It has been suggested, and indeed admitted by Heremaia te Ara, that on that occasion some conversation did take place with reference to his salary. Can you tax your memory and say whether that is so?—I do not remember a word about salary.
1736. Do you not remember a suggestion being made that he was getting too little, and it ought to be increased, on that occasion?—I think there was something about that.
1737. Do you remember who said so?—Himself, I think.
1738. How did the subject arise? Did any one ask him what his salary was?—I could not say. Now that you remind me, I do remember a grumble about his salary being too little.
1739. Are you prepared to say positively it was not suggested to him that if he signed that paper he would get his salary increased?—Nothing of the kind. If there was any talk of that, it was before or after. We slept there that night, and the Maoris talked a lot.
1740. *Mr. Williams.*] Can you write Maori?—Yes.
1741. Is the wording of the petition your handwriting?—No.
1742. If you can write Maori, why was this not written in Maori, that Heremaia might read it himself?—I had no reason at all, only that English could be more quickly written. And as I understood it was going before the Assembly, I would not care about my Maori going before them, and I wrote in English.
1743. Why not ask Heremaia to write himself?—He was a bad writer, and it would take too long, and it would have had to be done at my dictation, and I would then have had to explain it to him.
1744. Would it not have been better to have got him to write it himself?—I dare say it would have been better if I had got him to write it all himself in Maori, but it would take too long.
- 1744A. These three first lines in Maori relate to something else?—Yes.
- Mr. Patrick Lundon’s evidence here closed.
- The following letter was handed in:—

“KIA HONE WEPHIA ME O NA HOA PAKEHA,—

“Rawene, Maehi 1, 1879.

Katoa tenei taka rupa kia rongo mai koutou. E haere ana ahau kope whai rangi koti koti i reira. Kote whakaatu i nga wahi teka o te haina roru ate ranana ratou ko na hoa Maori kai whakawa iki hohi ratou he pono rawa ta ratou. Mahi kite mahi i nga roru ki taku whakaaro e mahi ta ratou kahore ita ta kite ture pakeha engari ta ratou tare e mahi nei he ture Maori roi ahau i mea ai me haere hohi ahau kite whakaatu ie taki o nga teka i matau ai ahau. Maku e mau kia wha tangata wiki niha moku koia taku whakaaro me kahi mai koutou ite tahi moni miamatou koku hoe haere hei rapu ora mo matou hoi ano enei korero na to koutou oha aroha pono.

NA HEREMAIA TE WAKE.

(Translation.)

Herd’s Point, 1st March, 1879.

TO MR. JOHN WEBSTER AND ALL HIS PAKEHA FRIENDS,—

This is my word. Do you listen. I am going to the Bay of Islands to attend the Court there to point out the fictitious parts of the proceedings of Lundon and his Maori coadjutors—assessors

in signing (or obtaining signatures) to claims to vote—for they have stated that their proceedings were quite correct—getting applications to have names placed on the roll. In my opinion their work did not come near the pakeha law; but the law under which they are now working is Maori law. Therefore I have decided to go, too, and make known some of the fictitious proceedings that I am acquainted with. I will take with me four persons as witnesses in my own behalf. I think, however, that you (plural) should subscribe some money for myself and companions, who are going to endeavour to obtain justice for ourselves. This talk ends.—From your affectionate and faithful friend,

HEREMAIA TE WAKE.

1745. *The Commissioner.*] May I ask you, Mr. Webster, what your object was in handing in this letter?—The Native is here himself to give evidence. You may call him, and he will give his evidence.

HEREMAIA TE WAKE sworn and examined.

1745A. Where is your place of residence?—I formerly lived at the Motukaraka; but I am at present living at Waihou, down the river.

1746. How long is it since you left the Motukaraka?—It is going on for two years now.

1747. You wrote a letter to Mr. John Webster, stating that the proceedings of Lundon and his friends were fictitious?—Yes; some of them were.

1748. Will you explain what you mean—wherein they were fictitious?—The falseness that I am aware of is, that I did not sign my own name.

1749. [Form shown to witness.] Did you authorize any one to sign your name to an electoral claim?—I know nothing of that writing.

1750. Do you know who did sign it?—I never saw it signed. I know nothing about it.

1751. Were you asked to sign an electoral claim?—No; if I had been asked, I should have mentioned the proper lands.

1752. Will you be good enough to sign your name on a piece of paper?—[Witness signs his name.]

1753. [Form of claim to vote produced.] Is that your signature?—That is not my writing.

1754. You allude in your letter to four persons who are able to give evidence?—Those persons were not present at the place where the documents or papers were signed. I am aware that these people remained away—that they did not go to the place where these applications were signed.

1755. Will you give the names of those people?—Pereka is one, Henare Puhirere is another—I am not certain it is Henare Puhirere, or his younger brother—Takarawa, and Te Ihe Tiapekeke. Perhaps his name is not on the roll. I have heard his name was on the roll.

1756. Where are these people?—They were here on Saturday, and have gone back a short way down the river.

1757. *Mr. Williams.*] Would you state the number of your party put down as applicants who are on the roll, and never signed an application?—A great number. There are some at Kaipara, but their names are here. If you will give the names, I will tell you where they were.

1758. What do you mean by the expression “tetahi tini”?—If there is one, there is one; if ten, that would be many.

1759. Do you suppose there would be twenty or thirty?—I think there were more than ten.

1760. *The Commissioner.*] How do you know that these men did not sign?—Because I know when Patrick Lundon came down to our place the people were absent at Kaipara.

1761. And do you know that their names were written down at that time during their absence?—I am of opinion they were written, because I have seen their names on the roll.

1762. During what month were these Natives absent in Kaipara?—They have been there many years. They come back occasionally, once in I do not know how many years.

1763. Did they happen to be at this place in the month of March?—I do not know that they came over in March. All I know is that the people are at Kaipara.

1764. Have you any further statement to make?—If you question me I will state what I know.

1765. *Mr. Lundon.*] Why did you send this letter to Mr. Webster?—Because I sent it to him.

1766. *The Commissioner.*] Had you any particular reason for sending it to him?—I had a reason.

1767. *Mr. Lundon.*] What was the reason?—My object was to get some money for myself, so that I might have sustenance-money on the road, for the purpose of paying the expenses of myself and friends.

1768. When you use the expression “Lundon’s Maori friends,” do you mean John or Pat Lundon?—I mean John Lundon.

1769. Are you aware that I knew of these people not signing these papers?—I suspect that you were aware of all these proceedings.

1770. *The Commissioner.*] Why did you suspect that he was aware of it?—Because he was the person who instructed us in the making out of rolls or applications to have names placed upon the roll. He never ceased talking about that thing every day.

1771. *Mr. Lundon.*] Did I ever ask you to sign?—No.

1772. Did I ever go to your place and ask you to sign?—No, you did not come; but I heard a report that your younger brother came.

1773. Has not my brother gone round year after year on a similar mission?—I do not know of that.

1774. You have said that Patrick Lundon came once round to your place?—Yes, the year when the many names were got.

1775. Did he come on any occasion before that?—I know of no other visits.

1776. Did you last year go to the Bay of Islands to attend the Revision Court?—I did go.

1777. *The Commissioner.*] What was your object in going there?—I was told by Mr. Lundon. He said, “You had better go over there, as your names will be struck off like dogs.”

1778. Did you go there for the purpose of sustaining your claim?—I went there to listen and inquire about that matter, because he used to tell us that our names would be struck off.

*Heremaia te
Wake.*

March 24, 1879.

1779. And you did not want yourself struck off?—I went there to see whether it was right to have my name on the roll, and, if it was right, well and good; but, if not, there would have been an end to it.

1780. *Mr. Lndon.*] Did you go there for the purpose of stating that you had a qualification—a good house?—Yes, that is true.

1781. And would you also have stated that Mr. Williams and Mr. von Stürmer were aware of that?—I would have stated that.

1782. And would you also have stated that you wished to be on the roll in respect of this house?—That was not my qualification at that time. I claimed in respect of land.

1783. What was it you meant to say to the Revising Officer in order to sustain your claim?—I should have told him that I would not have stated an untruth. I should have said, “What is the reason my name is struck off?” I should have spoken in regard to myself only.

1784. *The Commissioner.*] But if the Revising Officer had put that claim before you and asked whether it was your claim, what would you have said then?

1785. *Mr. Lndon.*] Who went with you on that occasion to Kororaraka?—Peri te Huhu was one, Hori Hare another, Nui Hare was another, Heremaia te Ara, of Whangaroa, and myself. Mr. Lndon and Mr. Patrick Lndon were there. Hone Mohi Tawhai and others went from Waima. Rei te Tai was another of our party.

1786. Did not you say you were willing to pay Mr. Tole £5 for his attendance there?—That is where we suffered through you.

1787. Did you promise to pay Mr. Tole? Did you tell Mr. Tole you would pay him?—It was because we were not aware we would have to pay the lawyer; because we were ashamed when we were asked to pay. Therefore we promised to subscribe. The money was promised; it has not yet been paid.

1788. Had you a contract recently from the County Council?—Yes.

1789. When were you to draw the money?—I received the money about two months ago.

1790. Did you tell the Chairman you would pay £2 10s. out of that to Mr. Tole?—I did say that the money would be subscribed from this money. The amount promised was on behalf of the whole hapu.

1791. Do you bear me any ill-will on account of this demand for money?—When I saw that you were doing wrong I would say that that was wrong—that you were doing wrong; but in this matter I could not say it was wrong, because we were ashamed of the lawyer.

1792. *The Commissioner.*] Was it in consequence of this demand of Mr. Lndon's that you wrote this letter to Mr. John Webster?—No, because I have been in the habit of writing to those people for money; because whenever I have done any work for them I have always written and asked them for money.

1793. Are your feelings friendly towards Mr. John Lndon, or the reverse?—I voted for him when he was elected to the Council.

1794. Have your feelings changed since that time?—If he were to turn round and quarrel with me about some wrong thing, I should quarrel with him.

1795. *Mr. Lndon.*] Have you uttered threats against me, to the effect that you would do me what harm you could, within the last few weeks?—I have made or uttered some threats, and so has he.

1796. *Mr. Williams.*] You state that signature to the claim to vote produced is not yours. Can you state whose hand it is in? Is it in the same hand as the attesting signature?—No; I cannot guess whose hand it is in.

1797. *The Commissioner.*] You have received the money you requested in this letter?—I did not get the money, because I did not go to the Bay of Islands.

The Court adjourned until the next day at 11 a.m.

HOKIANGA, TUESDAY, 25TH MARCH, 1879.

Mr. JAMES McLEOD sworn and examined.

Mr. McLeod.

March 25, 1879.

1798. What is the nature of the evidence you wish to give, Mr. McLeod?—The nature of it is that I, in 1877, applied to have my name placed on the roll, and it has not been put on. In 1878 I did the very same, and I cannot see myself on the roll.

1799. Was your application received by the Registration Officer?—In 1877 I did not write it. Joseph Harrison wrote it, and I saw him shut the envelope with my own and his application in it. He is on the roll; I am not.

1800. Did you sign it?—I did sign it.

1801. Do you know whether your name was objected to, because that would be proof that it had been received?—I could not find it on the objections, and I was led to believe it was accepted.

1802. There is another James McLeod?—Yes; I have known him for thirty-six years.

1803. Last year—1878—did you make another application?—Yes.

1804. How was that sent?—Mr. Yarborough wrote that; and I told him at the time that if I was not put on I was going to walk in to Mr. Williams “spicey.” He said, “Very well; go it, Mac.”

1805. Do you know whether that was received by Mr Williams last year?—I could not say; but I will swear I posted it.

1806. You see, Mr. McLeod, the mistake may have arisen in this way—I speak from knowledge, because I have known the mistake arise: Two people of the same name applying are supposed by the Registration Officer to be the same, and they would appear in duplicate on the roll: therefore one is thrown out?—But Mr. Williams knows the other James McLeod, and me also. I have been six years on the affair, and been on the roll before, and “shoved” off. I was on the roll for Kawakawa in 1874. A year afterwards I was knocked off, and he did right, simply because I had left the Kawakawa, and came to Russell; and he knew I was within fifty yards of the Resident Magistrate's Office.

1807. *Mr. Williams.*] Mr. McLeod, this is the list for 1877 of all new claims sent in in that year. If you look under the manuscript you will not find your name there?—I do not know anything about that.

Mr. McLeod.
March 25, 1879.

1808. I wish you to examine this paper. Every application received is included in this list, and your name does not appear in that list. You cannot find your name there?—I know nothing of that paper.

1809. This is the list for the present year, 1878-79?—I have only the same answer to give with respect to that paper. I never saw it before.

1810. *Mr. Williams:* What I wish to show you is that your claim was received this last year. It is here on the list which was hung up for inspection.

1811. *The Commissioner* (to witness).] Was it objected to?—I never saw the objection list.

1812. [Objection list 1878-79 put in.] Does this list truly describe your qualification?—No. The one was a householder at the Kohukohu, and the other a ratepayer at the Bay of Islands.

1813. Do you know whether I objected to your name?—I could not say; I never saw the objection.

1814. *The Commissioner.*] It is evident, Mr. McLeod, that your claim was received. It is evident, also, from the list of objections, that it was not objected to. Why it is not on the roll remains to be explained?—That is not my fault.

Mr. Williams: I can only refer you to my successor. I had nothing to do with the printing of the roll. Here your name appears on the list of claimants published for public information. I had nothing to do with the printing of the roll on which your name does not appear.

RANIERA WHARERAU sworn and examined.

Raniera Wharerau.

1815. I find, Mr. Wharerau, your signature, as attesting witness, to a considerable number of electoral claims. Do you remember attesting a number of electoral claims last year?—Yes.

March 25, 1879.

1816. Will you describe the way in which those claims were filled up and signed by the claimants?—The forms were given to me by Patrick Lundo; the names were filled in by Patrick.

1817. When Patrick gave them to you were they filled up in respect of having the names of the claimants attached?—The names of the people had been signed, and they were given to me to sign myself as attesting witness.

1818. Do I understand you then to say that you did not see the claimants sign their names?—No; I did not see them sign their names. I asked Patrick, when a claim was given to me, "Is it true this man signed his name." He would say "Yes;" and I would write mine.

1819. Did you not see one of them sign?—I saw some sign.

1820. How many?—I saw Nui Hare. I have forgotten the names of others.

1820A. Did you see as many as ten sign?—Yes.

1821. Did you see twenty sign?—I saw ten. I am not exactly certain.

1822. And how many claims do you suppose you signed your name to as attesting witness altogether?—Very many.

1823. One hundred? two hundred?—I attested a great number.

1824. Would 203 be the number?—Yes.

1825. And out of that number you only actually saw ten sign their names?—Yes.

1826. I can scarcely believe you have ever read before what you have signed your name to—"Signed and declared by the claimant this 22nd day of March, in the year 1878, before me, Raniera Wharerau, an elector of the district." How came you to put your name so many times to a statement which is not correct?—I did not quite understand the contents of the document or the attesting clause. I merely knew the place where I was to sign my name.

1827. Do you know whether you signed your name to claims made out for people who were out of the district altogether?—I was not told that the people were absent.

1828. In reply to the Commissioner, Mr. Williams and Mr. Luodon each replied that he had no questions to ask the witness.

1829. *The Commissioner* (to witness).] Have you any statement to make in explanation of this extraordinary thing you have done; if so, you can now make it?—The nature of my statement is in reference to the making out of these claims. This is the first time I have signed as attesting witness. I was under the impression that the Crown grants of the persons whose claims I attested were right.

1830. *The Commissioner.*] That is not the point. It is quite right to attest claims when you think the person has a good qualification, and signs his name in your presence; but it can never be right to sign your name to that which is not true. You have stated here in these declarations that the men signed in your presence. You told me just now that they did not do so. That cannot be right. You stated you saw about ten people sign their names?—Yes.

1831. Was Heremaia te Wake one of them?—No.

1832. Are you acquainted with his signature?—I do not know it.

1833. Do you know that he wrote his name there [form produced.]?—I do not know whose handwriting that is.

1834. Is it not your own?—No.

WIREMU KATENE sworn and examined.

Wiremu Katene.

1835. *The Commissioner.*] Mr. Williams, did you show Mr. Katene a list of names ticked off by Mr. Brown from the list of objections?—No, I have not shown him the list. I have mentioned it to him.

March 25, 1879.

Marked list of objections produced.

1836. What I wish to know, Mr. Katene, is the residence of those men whose names are ticked off. Mr. Brown will show it to you, and I want you to state how far their residences may be considered from the Waimate, and the position of the Natives. Whether they are not considered as Waimate Natives in speaking of them [Mr. Brown pointed out the names referred to]?—No. 1 (Paora Ngaio), lives about ten miles from Waimate; a man of note—a chief. The place he lived at when his name was placed on the roll was Pakaraka. He used to live with Mr. John Williams.

Wiremu Katene.

March 25, 1879.

1837. Is he friendly to Mr. Williams yet?—Yes, though living at a distance.
1838. No. 2 (Pene Tau): Where does he live? How far from Waimate?—Three or four miles.
1839. Is he a man of note?—Yes; he is a chief.
1840. Is he friendly to Mr. Williams?—Yes, a friend of Mr. Williams.
1841. Is he a friend of Mr. Lundon's?—At the time Sir George Grey sent a letter to Heta te Hara they were not friendly towards Mr. Williams, because this man belonged to Heta te Hara's people.
1842. No. 3 (Eru Waikeri): How far does he live from Waimate?—Perhaps six miles.
1843. Is he a friend of Mr. Williams?—Yes, he is a friend of Mr. Williams.
1844. And Mr. Lundon's also?—I do not know his feelings towards Mr. Lundon.
1845. How do you think he would vote if it came between Mr. Williams and Mr. Lundon?—I do not know. They are all confused now. Confusion has been caused among them.
1846. No. 4 (Kahi Tau): How far is his place from Waimate?—Three or four miles.
1847. What are his feelings towards Mr. Williams and Mr. Lundon?—I cannot say, because this letter of Sir George Grey's has interfered. Both these people belong to Heta te Hara's people.
1848. *Mr. Williams.*] Do you know Wiremu Kemara?—I do know him.
1849. How far does he live from the Waimate?—It may be about twelve miles.
1850. Is he a man of note in the district?—Yes.
1851. How are his feelings towards Mr. Williams and Mr. Lundon?—He is a staunch friend of Mr. Williams, because when Mr. Williams, sen., was living Kemara, his father, was living, and a friend of his also.
1852. Do you know Henare Piri?—Yes, I know him.
1853. Is he a man of any influence in the district?—Yes.
1854. How far does he live from Waimate?—It may be nine or twelve miles.
1855. How far does he live from Pakaraka?—Perhaps about three miles.
1856. Has he not always been an intimate friend of our family?—He has been a staunch friend of yours: a father or parent to the Williams family.
1857. Do you know Timati Pukututu?—Yes.
1858. Are he and his father friends of the family?—Yes.
1859. Do you know Piri Hongo?—Yes.
1860. Is he a man of any influence in the district?—He is the mouthpiece of Ngapuhi in that district.
1861. Is he a friend of the family, and how many years has he been so?—He was one of their principal friends after Hone Heke's war. He was Hone Heke's companion during the war.
1862. Do you know Kopeka?—Yes.
1863. Is he the son of a chief?—Yes; he is the son of one of the chiefs.
1864. Do you know where he lives?—Yes.
1865. Where?—He lives at Pakaraka. His employment is that of a shepherd for Mr. Williams.
1866. Do you know Horoe Morunga?—Yes; he is an uncle of Rihari Hangarau.
1867. Is he a friend of the family?—Yes.
1868. How long has he been known to the family?—A very long time. When I was a boy Horoe Morunga lived with them. He is a very old man now.
1869. *The Commissioner.*] Were these names which Mr. Williams has gone over objected to by Mr. Williams as Registration Officer?—Yes; they were all thrown out or struck off the roll. Henare Piri's name is the only one placed on the roll again, as a ratepayer in connection with the County Council.
1870. Have they got land under Crown grant?—Yes; they have Crown grants.
1871. *Mr. Lundon.*] How many miles is Ohacawai from Waimate?—I think it is three or four.
1872. How many is it from Ohacawai to Kaikohe?—It may be three or four.
1873. If I said that Kaikohe was eight miles from Waimate, would that be true?—It may be true.
1874. Is Heta te Hara not a big chief at Ohacawai?—He is one of the principal chiefs at Ohacawai.
1875. Do you know that he is objected to on that list of objections?—Yes.
1876. Has he got a Crown grant?—Yes. I am not certain he has been objected to; I have merely heard he was objected to.
1877. Has he not a number of Crown grants?—Yes.
1878. And has he not as big a right to be on the roll as yourself?—Yes.
1879. You were not objected to?—I do not know whether my name was objected to or not.
1880. Which would you sooner vote for—Mr. Williams or Mr. John Lundon?—If the ballot papers were shown—if I were to vote for any one, I should not show who I voted for.
1881. What political feeling has Heta te Hara?—His feelings are known, because he made them known openly to Mr. Sheehan when he came to Ohacawai, that he disliked having anything to do with missionaries.
1882. *The Commissioner.*] But in respect to his politics, not of religion?—His feelings are the same way.
1883. When he said he disliked missionaries, you understood him to mean that he would vote against them?—Yes.
1884. *Mr. Lundon.* Do you know for what reason Heta te Hara is objected to, and yourself left on the roll?—I do not know the reason.
1885. Do you know the reason why other Natives at Waimate were not objected to?—I do not.
1886. Do you know Hirini Taiwhanga?—Yes.
1887. Whom is he likely to vote for, do you think?—He would not vote for Mr. Lundon.
1888. Would he vote for Mr. Williams?—I do not know. Perhaps he might not vote at all.
1889. Do you know why he is objected to?—It is for you to judge. Perhaps he has a Crown grant.

1890. Do you know Pene Tauī?—Yes.
1891. Is he a chief?—He is a chief; the son of a chief of the Ngapuhi tribe.
1892. Whom do you think he would vote for?—I cannot say anything about that; but Hirini Taiwhanga himself told me he would not vote for Mr. Ludson.
1893. Has Pene Tauī a freehold?—Yes.
1894. Do you know the reason why he is objected to?—
The Commissioner: Mr. Katene cannot possibly know. He might take that list and answer you in the way it is stated there opposite each name.
1896. Is it because Pene Tauī is a freeholder that he is knocked off?—I do not know.
1897. Do you think it fair that one man in the same Crown grant should be left on the roll and Heta te Hara struck off?—I heard that one rule of the Government was that only one of five or ten grantees should have his name inserted on the roll.
1898. Were you not a minister and member of the Government?—Yes.
1899. Do you think it right to leave one man on and strike another off although he is in the same Crown grant?—I do not know the reason for doing so. I do not know whether it is right or not.
1900. Are both men on the same Crown grant?—Pene Tauī has other Crown grants.
1901. *The Commissioner*.] Are you acquainted with a piece of land containing 492 acres, Crown grant, near Ohaeawai?—I believe it is the land that I am acquainted with. It has been leased to Busby.
1902. *Mr. Ludson*.] Is this man, Iwai Puru, on that grant?—He is.
1903. What is the name of the other person?—Pene Tauī.
1904. Is he on the same grant?—Yes.
1905. Did he claim to vote in respect of the same qualification?—I do not know whether it was that or other land.
1906. Does this other man who is not upon the roll claim in respect of the same land?—I cannot say.
1907. Assuming he did claim in respect of the same land, do you know of any reason why the one claim should be taken and the other not?—I do not know of any reason.
1908. If the Returning Officer objected to one and left the other on the roll would the Returning Officer be doing right?—I do not know; I cannot answer that question.
1909. I should like to have a distinct answer?—
1910. *The Commissioner*.] Mr. Ludson is anxious you should answer the question distinctly whether, supposing these two men to apply on exactly the same qualification, it is right that the one should be objected to and the other not objected to?—If I were certain that this was their only land, I should be able to give a fair reply to his question, or a proper reply. Perhaps he may have other land. Pene Tauī may have other Crown grants.
1911. *Mr. Ludson*.] Would not that strengthen his claim in your mind?—This is the only large block of land these people have about there. I did not see the plan of it. I do not think it right that Mr. Ludson should insist upon my answering his question, because I am not certain whether that was the only land he had, or whether he had other lands.
1912. Is Heta te Hara's qualification as good as yours?—Yes.
1913. Do you think it right to object to him and leave yourself on?—That has nothing to do with me. I am not one of those who take much interest in the roll.
1914. Have you not come here voluntarily to give evidence on behalf of Mr. Williams in regard to these Natives at Waimate?—I am well acquainted with them. I am not ignorant on that point.
1915. Is it your opinion Heta te Hara ought to be on the roll?—If his name were on the roll I think it would be right; because he has Crown grants in which his name only appears.
1916. Was the objection made to his name a correct objection?—I do not know why his name was objected to.
1917. What sort of a house does George Harris live in?—It is a wooden, weatherboard house.
1918. Wooden floor to it?—Yes.
1919. Windows?—Yes.
- 1919A. Doors?—Yes.
1920. Chimney?—Yes.
1921. Wooden chimney?—A brick chimney.
1922. What size is the house?—Six rooms.
1923. What is the value of the house; £200?—Perhaps £200.
1924. *Mr. Williams*.] Are you not aware that Heta te Hara was objected to as a freeholder, and subsequently admitted on to the roll as a householder?—I do not know.
1925. Would you not suppose, by Mr. Ludson's question, that Heta te Hara was not on the roll? Is Heta te Hara on the roll?—I know that they all went to vote.
[The roll of 1877 was shown to witness with Heta te Hara's name upon it. The roll for 1878-79 was also produced, with Heta te Hara's name upon it.]
1926. *The Commissioner*.] Do you know whether he was objected to last year?—I heard that all our names were objected to.
1927. Was Heta te Hara's name objected to?—I do not know whether it was objected to. All that I know is that Hirini Taiwhanga said all our names had been objected to, and I concluded all our names had been objected to. I have just heard that my name is still on the roll.
[Last year's list of objections was produced. Search was made, and the name Heta te Hara not found upon it.]

The Commission adjourned.

HOKIANGA, WEDNESDAY, 26TH MARCH, 1879.

The Commission resumed its sitting at 10 a.m.

The Commissioner: What is the nature of the evidence, Mr. Williams, you are desirous of eliciting from the witness now about to be sworn?

Mr. Williams: With regard to his application paper—to ask whether he signed or not.

Hone Mete.

HONE METE sworn and examined.

March 26, 1879.

1928. *The Commissioner.*] Did you make an application to be placed on the electoral roll last year?—No; I made an application some time ago—about two years ago.

1930. Is your name on the roll now?—I think my name has appeared on the roll since I made the application formerly.

1931. Will you please sign your name to this piece of paper. [Witness writes his name.] Is that your usual signature?—Yes; that is my usual signature.

1932. Is that your signature to the form produced?—It is not.

1933. Do you authorize any one to sign your name last year to the electoral claim?—No. I went to Raniera Wharerau, and asked him whether I should make out an application. He said “No,” as my name was then on the roll.

1934. If Hone Mohi said you signed that name in his presence would he be saying what was correct or incorrect?—It would be a misstatement.

1935. *Mr. Lundon.*] Is that the only way in which you sign your name? Do not you sign your name in another way than that?—Yes. I write in a different way sometimes. I can write in a different way sometimes.

[Witness again wrote his name, and the signature was compared with that on the claim to vote.]

Witness: One you will see is a capital “H,” and the other is a small “h.” That is the difference.

1936. What is your qualification as an elector?—Land.

1937. What is the name of it?—Moungapupu; 890 acres.

1938. Do you know any person of the name of Hone Mete besides yourself here?—I am the only one of that name here that I am aware of.

1939. There is no other Native of that name in the grant for that piece of land?—No; I am the only one.

Hone Mohi.

HONE MOHI re-examined.

March 26, 1879.

1940. *The Commissioner.*] Did you hear the evidence given by Hone Mete this morning?—No.

1941. His name appeared on a claim as having been attested by you. He absolutely denied having signed it. Have you any explanation or evidence to give in reference to that statement directly impugning the veracity of your evidence?—Yes.

1942. Hone Mete's name appears on a form purporting to be attested by you. He has absolutely denied on oath that he signed his name. Do you wish to make any statement in connection with that?—I do. When I got the people to sign applications in 1877 or 1878, some of the the Ngatitua people assembled at Waima. A number of those people signed their names to applications. I am unable to state their names. I have forgotten who the persons were who signed. The people belonged to the Ngatitua. Perhaps Hone Mete's name is amongst those who signed. I do not remember whether he signed. I got some of the people to sign their names in Mr. Lundon's store. Some of the people who signed at that time were Europeans. I attested their signatures.

1943. Are you personally acquainted with Hone Mete?—I do know him.

1944. Did he sign his name there, as you declare he did?—I think—I believe—he signed his own name, because each person signed his own name.

1945. He signed these names in my presence this morning. Is there any resemblance between the signatures?—No; they are not alike—they are nothing like. I know that this is not my writing. I believe it is Hone Mete's, because each person signed his own name.

1946. Was Hone Mete there?—I have forgotten, because there was such a number of people at the meeting to cry over a dead person. I stated that some signed there, and some signed here. All the Ngatitua were there at the time.

1947. I am only concerned about this particular name now?—Owing to there being so many of the Ngatitua there I have forgotten.

1948. If another man signed for him, the chairman not being present, would you have attested your name as attesting witness?—I could not have attested it.

1949. In point of fact, what you say is that you think that must be Hone Mete's signature, notwithstanding that what he has signed there is very different?—Yes. He was at the Three King's school. All I have to say is, I believe he signed that.

The Commissioner: If there is no other witness present, I will adjourn the Court until 2 o'clock.

Mr. Lundon: Perhaps now would be a fitting time for me to put a few questions respecting the roll of last year, and the objections made by Mr. Williams.

The Commissioner: Have you any objection, Mr. Williams?

Mr. Williams: None.

MISS LUNDON sworn and examined.

Miss Lundon.

March 26, 1879.

1953. *The Commissioner:* What is the nature of the evidence you wish to elicit from your daughter?

Mr. Lundon: To show that she was my agent at Kaikohe, and that she filled up these papers.

Witness: I canvassed for my father, and took notice of what occurred, as far as possible.

1954. Did you on any occasion fill up claims to vote for claimants to sign?—Yes; I filled them up, and saw a number of Natives sign their names.

1955. How were those names witnessed?—I do not know how. I think a few witnessed them in my presence.

1956. When?—I think it was about three years ago; it might be four.

1957. When you filled up these claims were they witnessed by an attesting witness?—A few were witnessed at once, and a few were taken away and witnessed by my father.

1958. How many were witnessed by your father?—Ten, or more.

1959. How many did you fill up?—Between thirty and forty. The Natives procured for me a board, and I wrote their qualifications on this board.

1960. Did you ever see them after the claims had received the signature of the attesting witness? —To the best of my belief those witnessed at the time I did not see after I gave them to my father. I do not know who witnessed them. *Miss Landon.*
March 26, 1879.

1961. *Mr. Landon.*] Do you know how many Natives voted for me at Kaikohe?—The Natives did not make any secret as to whom they voted for. The principal portion of them, between thirty and forty, voted for my father. Between five and nine of the voters voted for the other candidate. The principal part of them were residents about Pakaraka, or connections of Mr. John Williams.

1962. And do I understand you to imply that they voted for Mr. John Williams?—I was given to understand that they did; I was led to believe that.

1963. Have you been looking over the electoral roll for 1877?—I have been looking over it. I only find one name of a voter who voted for my father—Timoti Poihipi. He is the only name of a Native on the roll of 1877.

1964. What year was that in?—1876 or 1877.

1965. And none of those Natives who voted for me, with the exception of Timoti Poihipi, appears on the roll for that year?—I see but one name. Some of the surnames I am acquainted with; but three or four I am not acquainted with.

1966. *The Commissioner.*] Do you wish me to understand that the whole of the claimants, with one exception, were removed from the roll?—Not the whole of the Natives. I only see the names of two Natives in that part of the district, and two in the North.

1967. Then I understand you to say that the remainder were objected to, and removed from the roll?—Yes.

HENARE ERUIRA sworn and examined.

Henare Eruirā.

1968. *The Commissioner.*] Did you sign an application last year to be placed on the electoral roll?—I know nothing about it. *March 26, 1879.*

1969. Would you know if you had signed it?—I did not sign any.

1970. Will you sign your name on that piece of paper?—I do not know how to write.

1971. [Claim to vote produced.] Do you know enough of writing to have written that? Is that your writing?—No.

1972. Did you authorize any one to sign your name for you last year?—No.

1973. Have you any idea who could have written your name there?—I do not know.

1974. *Mr. Landon.*] Your qualification is stated to be a household one at Waihou?—I know nothing about it.

1975. Have you a house at Waihou?—I have a house.

1976. What sort of a house?—A weatherboard house.

1977. Have you not authorized your brother-in-law, Nakete, to have your name placed on the roll in respect of this qualification?—I did not ask him.

Mr. Von Stürmer : Before you swear Mr. Landon, might I ask you if you will allow me to rectify an error I made yesterday? On page 18 of my evidence I find it stated that I objected to the claim of Hohaia Whata, and that he had a raupo house. I may say that in making this statement I meant Te Whatu; the surnames are alike. As to this man Hohaia Whata, his name was not suggested as an objection by me; and he has a wooden house, I believe, of sufficient value. At the time of giving my evidence I made that mistake, which, I trust, you will allow me to rectify. Mr. Landon may have an opportunity of questioning me again, should you think it desirable.

JOHN LUNDON sworn and examined.

Mr. J. Landon.

1978. State your name and place of abode.—John Landon; place of abode, Hokianga. *March 26, 1879.*

1979. Have you been long resident in this district?—About three years, sir.

1980. Continuously?—Yes, in Hokianga; but I have been, in previous years, in the Whangaroa-Mongonui country.

1981. How did you first become politically connected with this district? Perhaps I might ask you to make a consecutive statement; it would be better, perhaps, because your knowledge is very full of this matter, and it might save the time of the Court?—I prefer you to put questions, and then to make a statement. I first became connected with a portion of the district (Mongonui), which had an independent representation of its own.

1982. In what way?—It sent a member to the General Assembly as well as to the Provincial Council.

1983. In what way did you become connected with it?—I stood as a candidate for Mongonui against Mr. Gillies.

1984. What was the result?—Mr. Gillies, now Mr. Justice Gillies, beat me by four votes.

1985. What was your next connection with the district?—In getting Mr. Maxwell returned. I got him to stand, and got him returned.

1986. What was the date of the contest with Mr. Gillies?—Ten years ago. Mr. Ball resigned to let Mr. Gillies in when he was elected Superintendent against Mr. Williamson.

1987. Your next connection was?—In bringing out Mr. William Maxwell and getting him returned.

1988. What part did you take in that?—I got all my friends to vote for him, and used my influence to get him to stand.

1989. What was your next connection with the district?—My next was to get Mr. Carleton out of the district.

1990. He represented the district in the General Assembly?—Yes, for seventeen years; and it was thought impossible to put him out of it, on account of his great family connection. I left the Provincial Council, and came down with Mr. McLeod, to put Mr. Carleton, if possible, out of the district. I felt this district was neglected, and I resolved to do what I could for it. I had a larger interest in it then than now.

Mr. J. Lundon.

March 26, 1879.

1991. When did Mr. McLeod contest with Mr. Carleton?—About eight years ago—in 1871. It was the contest before the last one.

1992. What was the result of that?—Mr. McLeod beat Mr. Carleton; and Mr. Carleton said at the hustings that it was not Mr. McLeod who beat him, but my influence—that he was beaten by John Lundon. Mr. McLeod resigned in 1874. He sat two sessions. There was pressure brought on him, and he had to resign. Then Mr. White sent in his resignation as Resident Magistrate at Mongonui, and was going to contest the seat, and I was going to help him, as he was a man who had a great deal to do with the Natives, and up to that time had been a friend of the Natives. Mr. White gave way for Mr. J. S. Macfarlane. He wanted to get floated his Timber Bill, and I was determined to support Mr. White against him. Mr. Stevenson, at the Bay of Islands, also wished to see Mr. White returned. But Mr. White gave way, and I felt that Mr. Macfarlane would be no good for the district, and I made up my mind to contest the election. The candidates then, as I thought, were Mr. Carleton, Mr. Macfarlane, and myself. If I had thought that Mr. Williams, who, I considered, had a claim on the district, intended to come forward, I would not have stood as a candidate.

1993. And what was the result of the election?—I think Mr. Williams beat me by thirty-one votes.

1994. Did political feeling run high at that election?—No, Sir. I was as well pleased with the people who voted against me as with those who voted for me, because they voted in a kindly manner. I resolved, therefore, to do all I could for the district. When Mr. Gillies' term expired, Mongonui became connected with the Bay of Islands.

1995. Did you take any political electioneering action in view of that contest?—Yes. I found that a great many Europeans and half-castes in the district could read and write, and had good holdings, and yet were not upon the roll. The Natives in the North had Crown grants given to them when Mr. Dillon Bell was Commissioner. The land had been sold by Noble, a Maori Chief, and Mr. Dillon Bell found that they had no land, and he gave them Crown grants. Knowing that these people ought to be on the roll, I sent my brother Patrick to get them placed on the roll.

1996. Then Patrick was your servant?—Certainly. I paid all his expenses. I think in that year I got attested about 150 names.

1997. Did you give Patrick Lundon any special instructions as to how he should get the applications filled up?—He was on the electoral roll himself. I showed him the legal way to fill them up, and told him to be sure to have no errors, and I believe he did as I directed him. There was no objection raised to the legality of them.

1998. And these claims were duly handed in in proper time?—Yes; and every name he attested was objected to by Mr. Williams.

1999. Who was the Returning Officer at that time?—He was.

2000. And he objected to the whole of the names attested by Patrick Lundon?—Yes. I cannot produce the newspaper now.

2001. Can you say from memory how many names attested by your brother were objected to?—I believe 155 were objected to out of 156. I fancy there was one left by mistake.

2002. How many claims were made in addition to those attested by your brother?—A hundred and fifty.

2003. How many of these were objected to?—I should say, not twenty. All those claims lapsed. The Revising Officer did not attend that year, so that the ones objected to and those that were not suffered the same fate.

2004. It was just, then, as if no claims had been sent in?—Just so; we were all in the same boat. The following year I sent Patrick round again to get papers filled up, and to get the Natives to induce their friends to send in claims also; and this, I think, is an exact copy of the list, furnished by the late Clerk of this Court, Mr. Fraser. [List of claims produced.]

2005. Did you give your brother special instructions as to how they were to be filled up?—I think I was in the district getting railway-sleepers, and I looked after it that year.

2006. Who attested the names?—I asked Robert Cochrane to attest them, knowing he acted as check-clerk for Mr. Williams at the previous election, and I thought that any claims attested by him would pass. I asked Hone Mohi also to attest names, and he went round. He had voted for Mr. Williams up to that, and I thought the names he attested would pass.

2007. Did Mr. Cochrane go round with you?—I am not sure. He was in his store, and most of the people would come in and sign there.

2008. May I ask you if you did it in this way: first get the signatures of the claimants, and then give the claims to Mr. Cochrane for his signature?—I did not do that under any circumstances.

2009. How many claims were made in that year by your friends?—I think there were about 250 Native claims.

2010. Substantially the same names as those previously objected to?—Yes. Patrick Lundon would be down North and I would be here. I cautioned him not to attest any of them, as I considered they would be objected to if attested by my brother.

2011. Did he get any one to attest them?—He brought them filled up.

2012. Do you know how he procured them?—I do not know. I believe he procured them fairly.

2013. What became of them?—They were attested by the friends of the Williams family, and put on the roll.

2014. No objections were raised?—I believe not.

2015. What was the next step?—The next step was, that they found these were not all their friends—that a great many of them were my friends—and, consequently, they were objected to afterwards—the very same identical people.

2016. There was an interval of one year?—There was an interval, I think, of three years—two years at any rate—because there was no election.

2017. And when were the objections made?—In 1877. I find that in that year there were 266

objections made to old claimants—people who were on the roll with the same qualifications they had previously when they voted for Mr. Williamson and Mr. Carleton, for Mr. McLeod, Mr. Maxwell, and Mr. Hunt—and they have the same qualification to-day.

Mr. J. Landon.

March 26, 1879.

2018. Had Hone Mohi been objected to?—He was objected to by Mr. Carleton as a claimant in the One Block, as a test case.

2019. When was that?—I believe in 1875; I am not quite sure as to the year.

2020. What was his qualification?—Freehold in One—he and seven others. The block contained 2,600 or 2,700 acres. They sold to Brissenden at 5s. an acre. The land was given away, not sold.

2021. Might it be 1,348 acres?—It might be.

2022. And what was it sold for?—Five shillings an acre.

2023. It was held by Hone Mohi and seven others?—Yes.

2024. When was the Crown grant issued?—I do not know.

2025. Might it have been issued on the 1st of January, 1870?—It might; I do not know.

2026. Who appeared in Court to argue the point of law?—Mr. Swanson in Auckland, Mr. Holdship in Auckland, and Mr. Revell at Ohacawai, offered to send down counsel; but it was not thought worth while, as there was only one case. Believing Hone Mohi had no knowledge of the legal bearing of the case, and would not be able to succeed against Mr. Carleton, no one came down.

2027. As a matter of fact no one was sent down to argue the case?—Mr. Swanson offered a marked cheque for £50 to show that Hone Mohi had a qualification.

2028. Who, then, argued the case before the Revising Officer?—I believe Mr. Carleton and Hone Mohi. There was no argument; it was only a scolding match. There was no argument in law. I have spoken to Mr. Whitaker on the matter, and to others. Mr. Whitaker raised his shoulders and said it required a cooler and older head to argue that law. He promised he would look to it in the Assembly, and try to carry a clause to alter it, if it required alteration. Mr. Earle, Mr. Swanson, and myself went and took different opinions in Auckland upon the question, and several of the profession in Auckland were willing to take £30 to come down and argue it out.

2029. What was the decision of the Revising Officer?—He said he was very sorry to have to strike them off the roll.

2030. And he held the objections to be good?—I should think so.

2031. Was any action taken by the Registration Officer or any person consequent on that decision?—Yes, Sir. I took action in connection with it, and offered to go round and collect counsel's fees in halfpence. The law only gave forty-eight hours to appeal. We waited on Mr. Lawlor as a matter of courtesy, and asked for an extension of time to appeal, in order that the legal question might be tried in the Supreme Court in Auckland, and he would not give permission.

2032. Was there any action taken in reference to electoral claims in consequence of that decision?—I believe there was; but I may state that the legal bearing was tried in Napier the same year. Mr. Sheehan appeared for the Natives, and sustained the names of all the Natives—over a thousand.

2033. Whom was that tried before?—The Revising Officer at Napier.

2034. Who was he?—I do not know. The next local action was that the Returning Officer objected to all the Natives on the electoral roll north of the Hokianga River, with the exception of eleven. He left over a hundred on in his own district, and they are on to this hour.

2035. What was the ground of objection he made?—Not a freeholder within the meaning of the electoral laws in New Zealand.

2036. You have heard Mr. Williams's evidence. What did Mr. Williams profess to base that ground of objection upon? Was it upon Mr. Lawlor's decision?—Yes—which he called an argument before Mr. Lawlor, in his Court at Russell. No man could call it an argument when it was between Mr. Carleton and a Native.

2037. What did you do after that? Had you more claims filled up?—Last year my brother went round and the same claims were sent in. We meant then to fight it, and paid counsel to come to Russell. The whole of the claims were objected to, but I took the precaution myself to add the household qualification, so as to give them two chances of being represented, feeling they had a better right than those objecting to them.

2038. You gave instructions to add the household qualification wherever they possibly could?—In every case, whether proper or not. It was a try. Desperate cases want desperate remedies, and it was done for that purpose.

2039. How many claims were sent in?—I never counted them; I believe about four hundred.

2040. Were there many Europeans?—Very few Europeans. Most of the Europeans were on before.

2041. What happened to those claims?—The Returning Officer objected to the whole of them.

2042. Europeans and Maoris?—I believe so. I do not think there were many European claimants.

2043. Might the total number of claims be 437?—They might.

2044. Might there have been as many as 64 European claims?—There might, sir.

2045. Then in that case the total number of Native claims would be 373?—Between 300 and 400; and every European we knew had a right to be on.

2046. How many of the total number (437) were objected to?—I believe about 400.

2047. And the remainder of the names were perhaps Europeans?—Very likely, sir.

2048. You got counsel on that occasion, Mr. Landon?—Yes.

2049. What did you do?—Before counsel was retained I went to the Minister of Justice, and I appealed to him, and gave him some facts, and asked him to get the Returning Officer to resign.

2050. When was this?—About a couple of months before the Revising Court.

2051. Was it before the objections were made?—No, sir; I believe not.

2052. What did the Minister of Justice say?—He said he believed that was fair; and that he would do it. I looked upon him as being overworked, and I asked him to do it now. He said he could not do it now; it was in Colonel Whitmore's department. I said, "Are you not Minister of Justice?" He said he was; but that it was in Colonel Whitmore's department. He said he would

Mr. J. Lundon.
March 26, 1879.

telegraph to Colonel Whitmore, and ask him to do it. I asked Mr. Grace to make a note of it, and to keep Mr. Sheehan's memory up to it. He said he would do so; but it was not done. I retained counsel, and the voting-papers were sent to the Bay of Islands. Previous to that, I caused a paragraph to be put in the *Herald*, saying that the Minister of Justice was going to get the Returning Officer to resign that portion of his duties while a member of his family represented the district. The newspaper was circulated all over the district.

2053. Did the Minister of Justice fulfil that promise?—He did not. We were put to the expense of going to the registry office day after day for five days, and then of bringing people to the Bay of Islands, a distance of ninety miles. We brought Piri Tamahou, Te Wake, George Harris (an assessor from Upper Waihou, to give information as to the Crown grants and household qualification), Hone Mohi, Raniera Wharerau, Heremaia te Ara, and Nui Harris.

2054. What occurred at the Revising Court?—We crossed at daylight from Goffe's, and met Mr. Williams. On seeing Mr. Williams, the Maoris said, "We are too late; yesterday was the Revising Court." I said, "No; he has resigned." He had resigned. We were ready to prove that the names should be placed on the roll, and were disappointed at not having to fight. I am quite certain his objections were illegal. He has objected to all these people as a whole; and the law requires that he should object individually, which he did not do.

2055. Being absent, you cannot state what took place at the Revision Court, but it must have been a matter of notoriety?—I was there when Mr. Lawlor sat, and when the case of Mr. Carleton and Hone Mohi came on.

2056. What actually took place?—Mr. Lawlor appeared as Revising Officer, and Mr. Tole in support of the claimants. Captain Baker was there as Returning Officer for the district, newly appointed. Mr. Tole took up a book, and read something bearing on the case to Mr. Lawlor, as an objection to what Mr. Williams had set up. Mr. Lawlor said that Mr. Williams and every elector of the district had a legal standing to object to whomsoever they pleased; but as Mr. Williams had left, Mr. Baker could not sustain the claims. He did not object to them individually, as the law required, and as every other officer in the colony had done for previous years. We had all the copies with us. The Revising Officer said the point Mr. Tole raised was enough to satisfy him, and he would admit all the claims.

2057. Then at that Court they did not go into the merits of the various qualifications, but the Revising Officer decided it on a technical objection, to use Mr. Tole's own words?—They did not. Mr. J. B. Russell, Mr. Armstrong, and others were willing to come down for the same fee; but we preferred Mr. Tole, as he could carry that knowledge to the Assembly.

2058. When did you first ascertain, Mr. Lundon, that Mr. Williams had been called upon to resign, and had done so?—On going to the Revision Court, about 9 o'clock.

2059. Officially, a telegram has been put into my hands from yourself to the Native Minister. I will read it, and see whether you recognize it. It is dated 3rd of June. The Revision Court was held on the 5th of June. The telegram is as follows:—"Hokianga, 3rd June, 1878.—The Hon. the Native Minister, Wellington.—Thomas Bates, Telegraph Officer, Mongonui, would answer all purposes well as Returning Officer. You know his brother at the North Shore. The district is named Mongonui and Bay of Islands. The former is the most central. Just started with witnesses for Revising Court.—JOHN LUNDON."—I sent that. Mr. Sheehan, in Auckland, promised that Mr. Williams should be removed.

2060. When you came across you expected to find him removed?—When we met Mr. Williams on our way to the Revision Court, the Natives with me said they were too late, as Mr. Williams was going back; but I said No, that he had been removed. I said, "No; he will have been removed, and he is clearing out."

2061. Does not that telegram of yours convey the idea that you possessed the knowledge that he had been removed?—I could not have possessed it. I had the promise from Mr. Sheehan. If I had known he had been removed I would not have gone to the expense of bringing a lawyer from Auckland.

2062. Who is this Thomas Bates?—He was at that time a telegraphist at Mongonui.

2063. What do you mean by the expression, "He will answer all purposes well"? Does it or does it not apply to any arrangement between yourself and the Native Minister for the purpose of allowing the claims to slip in without discussion on their merits?—No; I would rather than £50 they were discussed on their merits. I did not want to go to the expense for nothing. I could ill afford it.

2064. There is a telegram here from Colonel Whitmore addressed to Mr. Williams, as follows:—"Wellington, 3rd June, 1878.—E. M. Williams, Esq., R.M., Russell.—From many persons complaints have been made that you, being the brother of sitting member, should not act as Registration and Returning Officer. Government are desirous that person holding appointment should be in such a position that such an objection cannot be made against him. Will you therefore please to resign these appointments by telegraph.—(Signed) G. S. WHITMORE." Do you know of any person having complained to the Government against Mr. Williams?—Yes; I did so myself.

2065. Do you know of any others?—Mr. Swanson and Mr. Holdship. There was a general complaint.

2066. Did a deputation wait upon the Native Minister?—I believe not; Mr. Sheehan was not long in office at the time. I petitioned the House the previous year, and an inquiry was made at the Bay of Islands.

2067. You state that you did not regard it as an important matter at the time this particular decision was given?—I would £100 sooner have had the cases argued out on their merits.

2068. Mr. Tole, two days before the Revision Court, wired to this effect:—"Auckland, 3rd June, 1878.—Hon. John Sheehan, Wellington.—Wired you Friday if Williams officially intimated to resign. No answer. Please reply me Russell to-morrow. Very important.—Jos. A. TOLE." Why should he have considered that very important?—I fancy he would think it important this way: I told him that Mr. Sheehan had promised to call on Mr. Williams to resign before the Revision Court. If so, his fees

would not have to be paid. If not, and he came down, his fees would have to be paid. If Mr. Tole had known that Mr. Williams had resigned he would not have come, and his fees would be saved.

2069. I may tell you that Mr. Tole's explanation of it is, that he wished that information because he intended to found his argument upon it; that, inasmuch as Mr. Williams had been requested to resign, therefore he was virtually dismissed, and he could urge the same argument he ultimately urged? Speaking for yourself, you never instructed Mr. Tole that it was very important that Mr. Williams should be removed?—Never, Sir; I had no knowledge that he was removed.

2070. By whom was Mr. Tole paid on that occasion?—I paid him a portion, and am answerable for the whole. He was employed by me for the Natives. The Natives have promised him payment; but some of them have not paid.

The Commissioner: Mr. Williams, I intend to give Mr. Lundon an opportunity of making a general statement, and I will now give you an opportunity of putting questions.

Mr. Williams: I would rather wait until Mr. Lundon has concluded.

2072. *The Commissioner.*] Mr. Lundon, will you please give a consecutive statement, and confine yourself as much as possible to circumstances?—I will commence by taking exception to Mr. Williams's acts in regard to objecting to people on the electoral roll. I sent voting-papers to the Harrises, the Flavells, and the Snowdens, and claims were sent in to Mr. Williams, and he objected to them. I then thought that Mr. Williams saw I had a growing strength in the far north, from seeing those claims which I got renewed from year to year. I drew the attention of the late Government to the fact that they were objected to, and they took no notice of it. I then petitioned the House of Assembly, and the House of Assembly reported that my facts were true, and recommended a person to hold an inquiry in the district—not a resident in the district or a Government official. Mr. Whitaker was then Resident Minister in Auckland. I waited on Mr. Whitaker and asked him if he was going to appoint a gentleman. He said that if I wrote a letter to him asking him to do so, he would do so. He was Attorney-General as well as Resident Minister at the time. I looked upon it as being within his functions, Mr. Williams being an officer of his Court. I forwarded a letter, and I believe that Dr. Pollen forwarded it to the Native Department; and Mr. Kemp, Civil Commissioner, appointed Major Clair. I did not know that until I went to the Bay of Islands. I should not have done so, as I looked upon the Native Department as the most rotten department in the Government service; and I thought it was no part of their duty to recommend a gentleman or appoint one to conduct such an inquiry. I did not like coming away without giving the evidence bearing on the case. I could not get a regular reporter at the Bay of Islands to copy the evidence, and I got Mr. Williams there (a member of the County Council at the Bay of Islands); and this is the evidence which he took, which I should like to put in. [Exhibit A in Mr. Lundon's evidence.] Major Clair made that report hot for me—he did not report according to facts. I felt it was a sham from beginning to end, and that he was sent there for that purpose. I knew him for many years before as a farmer, before he became a Government employé, at Papakura; and he never stood high in my opinion for ability or anything else. I then came down to reside in this district, and got hold of the roll of last year—1877–1878—and in going over this roll I find that there were a hundred odd Natives in the Bay of Islands County on the roll, and that there were only eleven Natives north of the Hokianga River, which comprises the whole of the Mongonui County and half of the Hokianga County. I said if these objections were good in law, it ought to be equally good in law that the Natives at Waimate should be objected to, because their interests were identical. I said to myself, "How is it he leaves these Waimate Natives on the roll, and objects to those who voted for me?" And I could come to no other conclusion than that he wished to keep the seat in his family interest. I said, further, that these people have assisted me in many ways, and I would not allow them to be put off the roll without a fight. I have no doubt they have a better claim than many who are on the roll. I find that at Waipoua, on the west side of this river, there are Natives on the roll. I find that at Waimamaku, at Waima, at Ohaewai, at Pakaraka, and at Waimate there are Natives on the roll whose qualifications are no better than those who were objected to. But those are all missionary settlements. There is a Catholic settlement, Mohu Karaka, where they have got good houses, and yet there is no one on the roll. At Waihou there is a Catholic settlement, and yet not one on the roll. At Whangape there is a Catholic settlement, and yet not one on the roll. When I saw that I said nothing would stop me from having an inquiry in the Supreme Court or this one. This is a perfect and searching inquiry, and I am perfectly willing to abide the consequences. I felt there was a distinction made. I felt I was a Catholic, and, though being a bad one, I did not want to be objected to. I felt that their claim and mine were better than many of those placed on the roll.

2073. You ought to mention whether these people at the Catholic settlements had a claim in the same way as others?—They had. I took special care about their claims. They had always voted for me. There are over eight hundred Catholics in the mission book, and not one of them on this electoral roll. I went through it carefully this morning, and in the County of Mongonui and half of Hokianga, there are only eleven on the roll of 1877–1878—last year's roll. I may state, sir, further, that I look upon the Natives as a generous, good-hearted people; and I feel that the electoral laws are published in English, and that all the advantages are on our side, and not on their side. I felt that we had a voice from almost every district in the province, while the Natives held their all in one locality; and the law, as it is given down by Parliament, does not allow of sufficient time for outside districts to get notice of objections, and to attend the Revision Court. For instance, if a person is so inclined, he can get an objection published in Auckland on a Tuesday, the day after the steamer leaves; it cannot then get to the Bay of Islands for eight days; to Mongonui for two days after that; to the North Cape for three days after that; and then if you get a race-horse you would not be in time for the Revision Court. Besides, Natives, as a rule, do not get the newspapers, and they know nothing of it until afterwards. I see in this paper [produced] that Heta te Ara is objected to for Ohaewai. There are others objected to there, and I believe they are friends of mine. Heta te Ara says that he is. Raniera Wharerau was going to Auckland to take his son to be educated, and he stopped that night at Heta te Ara's house, and he asked Heta te Ara to write to Sir George Grey, stating why his people had not voted for me. He stated

Mr. J. Lundon.
March 26, 1879.

Mr. J. Landon.
 —
 March 26, 1879.

that they were objected to. Sir George Grey laid that letter on the table of the House, and the Government of that day wrote, I believe, to the Returning Officer. An inquiry was held at Waimate. Mr. Carleton was present. I got no intimation of it. Mr. John Williams, Mr. Edward Marsh Williams, the check-clerk of Mr. Williams, a brother of his (Mr. Marsden Williams), who was a relative of Mr. Williams; there were two ministers of the Church of England also present; and Heta te Ara was by himself, without any support or advice. They asked him about this letter, and I believe he told them that he had given it to me.

2074. Did that letter of Sir George Grey come up in the course of evidence?—The Natives told me they would be put in gaol, and get seven years for it. They gave Heta te Ara two hours to get Sir George Grey's letter. He gave it to them, and they sent it on to Wellington.

2075. I am now giving you a degree of latitude I would not give any one else, except Mr. Williams?—I feel that. You asked me about this letter, and I am telling you all I know about it. The letter was produced, and I have seen it since quoted in the papers at Wellington, and read in the Legislative Council by Dr. Pollen. That is how it was obtained.

2076. That is the letter to the effect that he wished the recipient of the letter to be kind to you, inasmuch as he wished you for a companion?—That is the purport of the letter. I believe it was sent at the request of Mr. Swanson, to encourage the Natives to support me in Mr. Williams' district. They did not require encouragement anywhere else. I felt, then, satisfied of the Natives all being on the roll. There are a great number on the roll twice. A great number of Europeans are on the roll twice for 1877–1878. There are a great many dead for years. My brother is dead for three years. There is no doubt Mr. Williams knew I was living, and yet he objected to me. I do not think it is an honest thing to bring a man from Hokianga to the Bay of Islands, where expenses are not allowed. There are people on the roll who have left the district for years—people I have been well acquainted with in the Mongonui district. There are a great number who ought to be on the roll, and yet are not.

2077. If that is so for that roll, it must be so with regard to the present roll? It must require purging in at least an equal degree to the others?—Yes. At Mongonui, the other day, Mr. Kelly and the Chairman of the County Council were going over the roll and striking out absent and dead men; and the Clerk and Chairman here are, I believe, doing the same thing. I believe the roll will be thoroughly purged, because they will have knowledge of the districts. With regard to the evidence given by Mr. Williams at the Bay of Islands, you were kind enough to give me to read what was taken before I arrived, and I heard the remainder. I did not know what position I stood in. I put no questions to him, but there was some of his evidence there not at all correct. He gave strong evidence with regard to minors, and I made inquiries, and I only know one single minor in the lot. He said that Hone Mohi held in common with others in a block of 11,000 acres at Whakatere—with a hundred others. That was not so. He held in common at One.

2078. Is he not an interested party for that large block?—He was never registered for it. With regard to these papers of Hirini Taiwhanga, I called at the Courthouse in Russell, and I asked Mr. Greenway if there were many applications coming in, and he told me that Hirini Taiwhanga sent eight or ten, which were informal. I was passing his place in Hokianga, and I told him to send in another lot. He told me afterwards that he did so. I believe those were the papers produced by Mr. Williams to rebut Hirini Taiwhanga's statement.

2079. In what year did you tell him to do this?—I believe in 1875. He has been since down here, and I had a conversation with him with regard to certain petitions sent to Wellington, and he read to me the clause in the Treaty of Waitangi wherein the Natives were to have the same privileges as Europeans. He told me he afterwards went to Mr. Williams, and that Mr. Williams refused to accept the papers. He told the same thing to Mr. Tole in my hearing, not knowing that this inquiry would ever be held. He is a man I have not much respect for, but I say this in the interests of truth. With regard to Heremaia te Ara's evidence, it is a wilful misstatement of truth, to put it in a mild way.

2080. Hepe's children owed me some money. Hepe sent for me and asked me not to press the family, and I promised him I would not. Heremaia te Ara was there, and my brother Patrick, and the question of the electoral roll came up, and I told Heremaia te Ara that he was on the roll. He asked me why he was on the roll, and I said because he was sitting on the bench with Mr. Williams, and would vote as Mr. Williams wanted him to do. I told him that as a joke. He signed his own and the most of the papers himself, and gave all the descriptions of the property. I had no knowledge of Whangaroa; my brother was never there, and could have no knowledge of the district. When the Revising Court was called for, I wrote to Heremaia te Ara to meet me at Pikiwahine. He did meet me, and went to the Revising Court to sustain his and his people's claims.

2081. You were there?—Yes.

2082. This was so far your business that you had been in the habit of getting up these claims, and paying people to go round. How came you to let Heremaia te Ara sign for absent men?—He was a Justice of the Peace, and a respectable man.

2083. Do you mean to say you would respect a man for it, and that if the objection were raised that he had signed for absent men you would not have resisted it?—Certainly not; I could not. I see worse things than that done every day by Justices of the Peace. I am on rolls myself, and do not know how I got there. I have known ten Europeans living in one house, being all on the roll. Mr. Rowe said in the House that he knew a man who voted for himself thirteen times, and yet he was shocked at the stuffing of the roll at the Bay of Islands. There are circulars going round now signed by people objecting in the Assembly to persons having a right to vote.

2084. Can you name?—J. S. Macfarlane. He is shocked at Natives being on the roll; and he gave a township away at Riverhead for the purpose of putting Europeans on the roll. Their names were personated, and the papers filled at his request. The man who did so was sent out of the road, and when the thing was all over, Mr. Macfarlane brought him back and got him a Government appointment. Evidence was given that the Europeans put on the roll at Riverhead had no knowledge of the fact. I produce this circular in evidence.

The following circular was produced by Mr. Lndon, and read out in English and then in Maori:—

Mr. J. Lndon.

March 26, 1879.

“Circular.

“Auckland, 6th March, 1879.—Dear Sir,—It is desirable every elector should be on the electoral roll who is in any way connected with the timber, grain, or shipping interests. Enclosed please find blank forms to be filled in for every person in the district, both European and Native, who has the necessary qualification—viz., a householder of any description, lodger, and the owner of lease or freehold to the value of £10. Please fill in and have forms properly attested and deposited in the hands of the Registration Officer of the district on or before the 31st of March, 1879, and oblige.—I have, &c.,

“G. HOLDSHIP.

“Mr. J. D. Hayes.”

2085. I suppose you give this part of your evidence by way of showing that, politically, Europeans may have as black skins as Maoris, or may do as black things as Maoris?—A thousand times worse. My experience of the Maoris is, that they are thoroughly honest. They do not know how to be otherwise. They are ignorant of the law.

2086. Do you wish to add anything further?—About Mr. Hare's evidence in Whangaroa, I know that he has been objected to twice, and I believe that the claim is as good as any of those now on the roll. The same with the Flavell family, and the same with the Snowden family. I may state that I was invited by Mr. Williams to a meeting at Kawakawa, and I there made the same statement. Men with beards on their faces were called minors, and were not allowed to be put on the roll. The evidence of Mr. White at Mongonui, and his letter, astonished me. I understand the purport and meaning very well; but all the rest of this about “Lndon's friends” was a hint to Mr. Williams to object to all. That is the way I take it.

2087. I would not comment on that if I were you, Mr. Lndon. You had an opportunity of cross-examining Mr. White.—I thought I could go over the evidence.

2088. Yes, where you intend to give rebutting evidence in support of your statement.—I have seen some of the houses, and say there are some of them better than the one Mr. White lived in for the last twenty years. I have seen some good raupo houses, and especially the one owned by Timoti Nopera. The Maoris generally have their houses apart—they have sleeping-places and eating-places away from each other; whereas Europeans build them all under one roof. The evidence of Mr. Von Stürmer I regard as a whole fairly, with the exception of that with regard to the Harris family. I have taken a deal of trouble to place these people on the roll. There is one place in Victoria Valley where the title was individualized. One thousand eight hundred acres was individualized by the Natives themselves in that locality, and yet their names were objected to.

2089. How many individualized?—I cannot say, but you will find out in Percy Smith's office. Mr. White said there was no case on record in his county of Maoris having individualized. This was not the fact. Mr. Von Stürmer said the reason the Harrises were objected to was because their father was returned for Motukaraka. He is not returned as a freeholder, but as a householder.

2090. Was his father at the time the owner of the property?—He was not. The deeds were made to the whole family twelve months before. And Jimmy Harris has a three-roomed wooden house; Nui Harris had a good raupo house; and Anson has a family of seven or eight children by a half-caste wife. He has two or three houses—places for himself and wife, places for his family, and places for cooking—all within a yard or so of each other. Tawhio has had a good wooden house for years, and two good raupo houses as well. He is objected to. Tommy Harris's house is on the roadside at Taheke, and I look upon his as a house within the meaning of the Act. With regard to the evidence of Te Wake, he has boasted here lately to the Chairman of the County Council and the Natives that he will do me all the harm he can. His dislike has arisen this way: I hold a seat in the County Council for Hokianga; and he and others had a contract to make a road for their own accommodation. The half of the money was paid by the Government, and the other half by the County Council. The Government refunded £150 of the money. The land which the road has gone through is Native land, and I advised the Chairman to get five reputed owners to sign a paper to the effect that the road was for the use of the public before the money was paid. That advice was followed. The money was withheld, and Te Wake threatened to do for the County Council or me. He headed a party to Motukaraka, with arms in their hands. That is the only provocation I have ever given him. I am quite certain he will come to trouble, and bring trouble on the district.

2091. You suggested another reason yesterday about the payment of money to Mr. Tole?—He said he would collect the money when he got back, and pay it to me for Mr. Tole. There were other Natives present at the time, and they agreed to subscribe. Hone Mohi has paid £5. I do not know that I have anything further to add.

2092. *Cross-examined by Mr. Williams.*] You stated, Mr. Lndon, in the early part of your evidence that in one year you asked Mr. Cochrane to sign a number of those papers for you?—I asked him to get them signed.

2093. Will you state what year that was?—After Patrick Lndon's were objected to. I think it would be 1875.

2094. And this plan of yours succeeded?—Yes.

2095. That is to say, the names were not objected to?—They were not.

2096. Do you know why?—I believe because the friends of Mr. Williams attested them.

2097. That is your supposition?—Yes.

2098. I should suppose so, for you have imputed motives to almost every transaction I have done?—I had good reason for it.

2099. Do you know of any objections that were made in 1875?—I do not know that there were any at all. There may have been. There was not an election going on, or I would have known more about it. I would have paid more attention to it.

2100. Did you ever hear that I was taken seriously ill about the month of April, 1875?—I might have.

Mr. J. Lundon.

March 26, 1879.

2101. Do you know whether I was at the Revision Court in 1875?—I do not.
2102. Do you know whether I took any action about the roll in 1875?—I do not.
2103. Were there any objections made to the roll the following year, 1876?—There may have been. I have no doubt there were.
2104. When was the objection raised by Mr. Carleton to Hone Mohi?—I could not say the year, but I believe about 1875. I could find the time out.
2105. Do you know whether I was present?—I believe you were. I was not there.
2106. You do not know whether it was not in 1876 that Hone Mohi was objected to by Mr. Carleton?—It might be.
2107. Did he appear on the roll the following year?—I believe he went on the following year as a householder.
2108. You think he was on the roll the following year?—I believe he was. I advised him to send in his claim as a householder.
2109. Was it objected to?—It was not. He was told at the Revision Court that it would do no harm if his name were knocked off, as there would be no election.
2110. Did Mr. Lawlor tell you he stated that in Court?—He stated that to me in the street in Auckland. I believe he did the man an injustice in knocking him off.
2111. Were there any objections raised in 1877-78?—Yes—281.
2112. You stated that in that list of objections there were eleven objected to within the vicinity of Waimate?—No; I wish they were. There were only two. I find only two objections for Waimate. I have got the 1st before me now, and I will give you the reasons why you objected to those two.
2113. Do you recognize any of those names?—I have got the printed document before me, and cannot see more than two Waimate names objected to.
- Mr. Williams here ticked off a considerable number of names which he contended lived within the district of Waimate.
2114. *The Commissioner* (to Mr. Lundon).] You stated just now that in the year 1877 there were only two objections made to Maoris residing in the Waimate?—I have gone over the list of objections carefully this morning, and only see two.
2115. Will you look over this list of objections since marks have been made upon it by Mr. Brown from Mr. Williams's list, and tell me whether you do not recognize any of those men so marked as living at Waimate?—After going over the list there are only two or three others which might be added.
2116. Do not most of those men whose names you have read out reside so near to the Waimate that Mr. Williams's influence might be supposed to extend to them?—There is no doubt it did.
2117. *Mr. Williams.*] Do you know any of these men as being leading men?—There is one, a man who went to the Bay of Islands—Pene Tau. He went to the Revision Court.
2118. [Mr. Williams read over a number of names from his list of objections, and put the following question to Mr. Lundon:] You are aware now that all these names were objected to in 1877?—They are in that list of objections.
2119. If you will tot the number up you will find there are forty-four?—Yes, forty-four out of 281; but some of them live twenty miles away.
2120. You do not put in your distance as correct?—I do. Some of them live ten and twenty miles away from the Waimate.
2121. The Kawakawa and that river at the back of the Bay of Islands—what distance do you call that from Waimate?—I do not know where it is. I know there is a polling-place at the Kawakawa.
2122. I think you have stated the number of Native claims that were objected to last year as being between two hundred and three hundred. Did you discover any names of Maoris in the manuscript list of claims produced and left here at Hokianga? Did you see a single Maori name?—If any there could not be many.
2123. Do you think there was one?—There might be. I was aware we sent in over three hundred.
2124. Did you ever hear that there was one claim sent in from any of these places mentioned on this paper?—I did not.
2125. Can you give the reason why there were no Native claims sent in within twenty miles of Waimate?—The reason I think there were none sent in is that they were not aware they were objected to, unless Hirini Taiwhanga's people.
2126. Do you mean to say this—that Natives who were personal friends of my brother's would not know that their names were objected to on the list?—I do not think some of those people are personal friends of Mr. Williams or his family. I believe the influence of the Williams family is on the wane.
2127. Do you suppose that any Natives who might be personal friends of my brother's would be objected to without their knowing that they were objected to?—Yes.
- The Court here adjourned until 2 p.m.
- On resuming at 2 p.m., Mr. Williams's cross-examination of Mr. Lundon was continued.
2128. Do you remember calling on me at my house in the beginning of the year 1875?—I recollect calling there some years ago.
2129. Do you remember the object for which you called on me on that occasion?—Yes; I do. I think it was to let the votes that lapsed in 1874 be fought out in 1875.
2130. What did you propose to me on that occasion?—To alter the date. You would like to do it yourself, you said; and I saw no way of doing it except by altering the date from 1874 to 1875.
2131. Did you ask me to alter the date of the application papers I had received in 1874, and advertise them as having been received in 1875?—I suggested that in your parlour.
2132. Was it not more than a suggestion? Did you not ask me?—It was a suggestion. I would not ask you.

2133. Did I not on that occasion tell you that it would be an act on my part which the law would not allow me to do?—No. You said you would consult the Attorney-General, and you read a letter from a Government officer in Wellington named Cooper; and you told me you had written to the Attorney-General for advice, and were refused advice; and you read a letter from Mr. Secretary Cooper declining to give you a legal opinion.

2134. Did you not continue to press me to alter the date?—I may have suggested it. I would not attempt to press you. I said it was the only way of getting out of the difficulty, and fighting it out on its merits.

2135. Did not you say it was very easily done—a mere alteration of the figure?—Yes.

2136. It was to alter the figure on all those papers—to tamper with them, and advertise them as being received in that year?—I told you I was willing to fight out these names on their merits.

2137. Did you ask me to alter the dates on those papers?—I may have suggested it, but I did not ask you. I did not go there for that purpose. I went to deliver a letter of Mr. Jarborough's; and then we had a conversation with regard to the objections.

2138. Did you not say it was easily done—the mere alteration of a figure?—So it was.

2139. Did I not call your attention to the provisions of the Act, which distinctly forbade me doing anything of the kind—tampering with those papers?—No.

2140. Did I not call your attention to it?—You did not. I did not think you knew anything of the matter yourself. Whatever you know you have learned it since. I believe your clerk knew about it; you did not.

2141. And I did not tell you it was impossible for me to do it?—You did not. I have no doubt I suggested it as a way of testing it at the next Revision Court. I would do so again to-morrow.

Mr. Williams had no further questions to put.

2142. *The Commissioner.*] I find I have omitted to put a question or two on two different points. First, as to the value of the land. You stated at Russell—I forget whether in open Court or personally—that you would be prepared to give evidence on the value of the various blocks, of which I have a list here. Mr. Brown will read out the list; and if you state the acreage value of the blocks as he goes on, I shall be obliged to you.

The list was read out as follows, and the witness's answer in regard to each is also given:—Whakatere, 11,825 acres: I do not know it. Maungawhero, 1,402 acres: I do not know it. Pupua, 576 acres: I hear that big block is a good one. I may have ridden over it, but I do not know it. Kareponi or Kareponia, 2,614 acres: 10s. an acre. Putoetoe, 400 acres: I believe Mr. Webster's value was a fair one—10s. an acre. Awaroa (No. 1), 19,809 acres: £1 per acre. Awaroa (No. 2), 3,804 acres: I believe, as a whole, the value of it would be a great deal more than Mr. Webster put on it. It is all kauri land. I consider kauri land worth, at the very least, £1 an acre. Roto Rakahi, 7,831 acres: As a whole, it would be worth 10s. an acre. Kauriputete, 2,786 acres: I am not acquainted with that. Okakewai, 1,514 acres: I think that is sold to the Auckland Saw-mill Company. I believe it is worth £1 an acre. I hear it is very good land, and that there is a good deal of timber on it. Motukaraka, 494 acres: I do not know it. Tautahere, 693 acres: I do not know land of that acreage. Hauturu, at Hokianga, 585 acres: I do not know it. Hauturu, at Awanui, 151 acres: I am not acquainted with that. Te Riha, 500 acres: I am not acquainted with that. Waimanoni, 185 acres: I do not know it. Mangapupu, 890 acres: I believe it is worth £2 an acre. Mangaiti (No. 1), 52 acres: Do not know it. Mangaiti (No. 2), 16 acres: Do not know it. Kouoti, 4,674 acres: Do not know it. Matarau, 147 acres: If it is the land I know, I consider it cheap at £1 an acre. Whakarawerua, 600 acres: I would be glad to get that at £2 an acre. It is rated, I believe, at £1. Perubia, 203 acres: I do not know it by the name. Herehino (Rawhitiroa's), 1,680 acres: Do not know it. Poutouto, 300 acres: I have ridden over the land. Perhaps it would be worth 10s. an acre. Ngahutihuti, 50 acres: Do not know it. Upokorau, 250 acres: Do not know it. Te Aute, 760 acres: Do not know it.

2143. The other point on which I wished to put a question to you was with regard to something you stated in your evidence. You stated that in the year 1875 you were here yourself and got claims signed yourself?—Yes, sir; I recollect. I omitted in my evidence Hehu Ngawaka and Piri te Huhu; and I had a great desire for those two Natives to be placed on the roll, so that they could attest the names of other Natives. Robert Cochrane filled up voting-papers, and they were sent to Mr. Von Stürmer to attest their signatures. I thought any he would attest would be likely to go through. Hehu Ngawaka was put on the roll, and Piri te Huhu was not. I believe his claim was rejected, but I could not swear that it was; but his name was not put on the roll.

2144. I want to know the process adopted in that year?—Hone Mohi went round with myself in Hokianga, and when we got a good penman we got them filled up.

2145. Not necessarily by the claimants?—There is not a Native claimant I know can do it.

2146. How were the signatures of the claimants got?—The Natives in most cases signed themselves, and where they could not they got friends to sign for them, and I afterwards got them to put a cross.

2147. Did you there and then attest those you attested? Did the claimant first sign in your presence, and did you then sign as attesting witness?—I only did very few.

2148. As a rule, they were not so done? When you got the description of the land and the signature you brought the paper away with you, and filled it up at your leisure?—The signature to the document—the voting-paper—and the description of qualification were put in at the time in a great many cases—perhaps half of them.

2149. Did the attesting witness see the claimant sign or not?—Honi Mohi and I were present.

2150. Did you attest it at the time?—I may have done so; I do not recollect.

2151. Do you know a Maori named Hemi te Ruhi; place of abode, Motukaraka?—Yes.

2152. Do you remember getting his claim filled up?—Several times.

2153. In 1875?—Very likely.

2154. Would you have signed that claim at the time he signed?—Very likely not. I know all the parties well. I might have taken it to a table at the house where I was stopping and attested it.

Mr. J. Landon.

March 26, 1879.

Mr. J. Lundon. 2155. The two signatures are in different inks?—Very likely; one did not like to go down on his knees on a Maori mat to write the name.
 March 26, 1879. 2156. Is that your signature to the claim produced?—Yes.

IHU NGAWAKA SWORN and examined.

Ihu Ngawaka.
 March 26, 1879. 2157. *The Commissioner.*] What is your name, and place of residence?—My name is Ihu Ngawaka, and I reside at Whangape.
 2158. Are you on the list of voters for this district?—Yes.
 2159. When was your name first placed on the roll?—Some years ago.
 2160. Who filled up your claim?—George Kelly did.
 2161. Is he the clerk of the Resident Magistrate's Court at Mongonui?—Yes.
 2161A. And who witnessed it?—Mr. White himself.
 2162. *Mr. Lundon.*] Did you five or six years ago sign a voting-paper here?—I do not remember whether I came here to vote or not.
 2163. Or did you come to fill up a voting-paper like the one produced?—I have forgotten.
 2164. Did I not give you a paper like that, with directions to take it to Mr. von Stürmer to be witnessed by him?—I am not certain whether I did sign one or not. I may have done so. At a future time, if I were to talk with some other people or friends, I might remember it.
 2165. Do you remember a person named Pera te Huhu going to the Returning Officer?—He is a younger cousin, or brother, of mine.
 2166. Do you remember him coming to Mr. von Stürmer to get him to witness your name?—I think I do remember that.
 2167. Whom did you get that voting-paper from?—I am not quite certain. It may have been given to me by Mr. von Stürmer.
 2168. Do you know whether Pera te Huhu is on the roll?—I do know that his name is on the roll.
 2169. Was his name put on the roll at that time, or this year?—I do not exactly know when his name was placed on the roll. His name may have been placed on the roll two years ago.
 2170. Did you ever hear that he was objected to by Mr. Williams?—I did hear that his name had been objected to by Mr. Williams.
 2171. Had Pera and Billy te Huhu as much right to be on the roll as you had?—There were three people in Pera te Huhu's Crown grant. It was Crown-granted land.
 2172. Did Billy Te Huhu and you claim on the same piece of land?—The qualifications were in the same district; but these were separate blocks.
 2173. What was the size of the block of land that Wiremu te Huhu claimed on?—There were a number of grants. I do not know how many. I do not know the name of each.
 2174. How many names were on the grants?—Three.
 2175. What were the names of the people who were on the Crown grants?—Parahi was one, and there was a woman.
 2176. Has Billy te Huhu a wooden house?—Yes, a wooden house.
 2177. Weatherboarded?—Yes.
 2178. Has it a shingle roof?—Yes.
 2179. Windows, doors, chimney?—It has wooden windows.
 2180. Has it a door, or doors, and a chimney?—Yes.
 2181. What size is it?—It is a small house—not a large one.
 2182. As big as this room?—This room is much larger.
 2183. About half the size of this room?—Yes. I have two larger houses—both wooden houses. It is a house in which Mr. Williams used to stay.
 2184. Is your elder brother not dead?—He has been dead some time.
 2185. This house, then, cannot belong to a dead man? Whom does it belong to now?—It belongs to myself and his daughter.
 2186. How long has the man been dead?—Four or five years.
 2187. Has not Brassey got a house?—He has a house.
 2188. Is it a good house?—It is a Maori house.
 2189. Please describe the size of it?—It is three and a-half fathoms long and three fathoms wide.
 2190. About the size of this room?—It is longer than this room.
 2191. Do you think Brassey had as good a right to be on the roll as yourself?—Yes.
 2192. Has Brassey more than one freehold qualification at Whangape?—He holds other land in common with others.
 2193. Is Brassey a Native assessor?—He is a Native assessor.
 2194. What is his religion?—He belongs to the Catholic religion.
 2195. And Billy te Huhu?—He belongs to the same religion.
 2196. And both of those are influential men in the district?—Yes.
 2197. *The Commissioner.*] Have you any statement to make in connection with this subject? *Mr. Lundon* has suggested that you possibly have a statement to make in connection with this matter?—Yes; I shall not have much to say. I shall not speak about my own roll, but of the roll or votes of all the people. This is what I have to say: There are many people in these districts who have votes—that is, at Whangape, Ahipara, Kaitahi, Awanui, &c., and the only difficulty is that there are no polling-places in those districts. If polling-places were established in these districts it would be found that many votes would be recorded there. If the people are asked to go such distances to vote they will not go. That is all I have to say.
 2198. If a polling-place were established at Whangape how many do you think would have votes and would exercise them there?—A great many—more than ten. I think there ought to be a polling-place at Ahipara.

2199. Supposing one were established there how many voters would go to vote there?—All the people in our district would go there, and all the people north of Ahipara would go there.

In Ngawaka.

2200. How many do you suppose?—I should think there would be one hundred.

March 26, 1879.

The Commissioner : Does any other witness wish to give evidence ?

Wiremu Katene : I wish to give some explanation in reference to the evidence which I gave at Whangaroa about the persons I mentioned there. One of the persons is here.

2201. In reference to the signing of the petition do you mean?—I stated there that I had been told by certain people belonging to Waipou that they did not sign their names to applications. What I stated there was that those people told me they did not sign their names to the rolls or applications. At Whangaroa I was shown the applications to vote, and I found Hetaraka's name. I stated there that it was not his signature.

2202. Raniera te Wharerau has admitted that he only saw about 10 out of 203 sign.—I thought it was desirable that you required to ascertain the truth of my statement.

2203. Your statement is sufficiently corroborated. I do not require any further evidence on the point.—That was my only object in coming here in reference to those people.

The Commissioner : If there is one witness present I will take his evidence on the point as to whether he signed his name or not.

EDWARD MARSH WILLIAMS re-sworn.

Mr. Williams.

2206. *Mr. Lundon.*] What was the ground of your objection to me in 1877?—As stated on the paper: "Qualification sold."

March 26, 1879.

2207. Were you satisfied that my qualification was sold?—It was represented to me on inquiry that the qualification was sold.

2208. And you objected to me on representations?—Yes; it was represented to me that the qualification was sold. The Revising Officer received a letter from Mr. Lundon, and asked me a question, and I withdrew the objection.

2209. Was there any objection to William Lundon?—I never saw him in the district.

2210. Does it not look queer objecting to me, and leaving a brother on the roll?—I had no cause to find fault with his qualification.

2211. Why were not the Natives you objected to left on the roll? Are not those left on the roll holding in common the same as the others objected to?—Many of them have been left on.

2212. Do you think you were justified in objecting to people at the North Cape?—I consider I was quite justified in the acts I have done in regard to the roll.

2213. Were you acquainted with the people you objected to who voted for me?—Very few of them did.

2214. Were you acquainted with any of them?—Yes; with Timoti Poihipi.

2215. Has Timoti Poihipi as good a right to be on the roll as anybody else?—That I could not say without going into the merits of the case. I had a perfect right to object to those names, if I had any right whatever.

2216. Do you maintain that you had a right to leave eighty or ninety Natives on the roll in your own immediate district?—I decline to answer that question.

2217. Did you leave as many as eighty names on the roll in your own neighbourhood or near it holding in common?—No.

2218. Can you say how many you did leave on?—I would not like to answer the question, unless I had time to go into the roll.

2219. Do you think there are any Natives on the roll with a qualification of that description?—There are.

2220. Where residing?—Some in the neighbourhood.

2221. Did you object to neighbours—to Natives—purporting to claim and holding in common?—Yes.

2222. Why make a distinction?—Because I was not in possession of knowledge I have gained since—knowledge acquired since. I believe there were very many that I omitted that I ought to have objected to on all sides.

2223. As a rule, were those you have omitted friends of your family—of yourself and your brother?—Some of them are.

2224. The bulk of them are, think you?—Decidedly not. As I pointed out yesterday, I objected all that I thought I had good reason to object to—all personal friends of my brother. I never omitted one of these names because they happened to be his friends, and not one of those Natives ever renewed the claim last year.

2225. What were the objections you raised to the friends of your family yesterday?—I acted on information give me.

2226. That they were friends of Mr. Lundon's?—Decidedly not.

2227. Was Hupata te Kaka's qualification as good as Timothy Busby's (Timoti Poihipi)?—I cannot say.

2228. Has Timothy Busby a freehold?—I believe in common with others.

2229. Had he an individual title?—I cannot say. I am not supposed to know the claim of every resident.

2230. Have you objected to Timothy Busby more than three times?—Perhaps.

2231. If willing to swear that it was three times would that be correct?—Possibly; I cannot say how many times I have objected to him.

2232. You have objected to Frank Harris?—I stated in my evidence at Russell that I gained my information principally from Mr. von Stürmer.

2233. And you acted on his information wholly?—No such thing.

2234. Did he give it to you in writing?—Yes.

2235. Which you object to produce?—I do not produce private letters.

2236. Do you think you were justified in having a polling-place at Haruru?—[The witness replied that all these matters were gone into when Major Clair held his investigation at Russell.]

Mr. Williams.
March 26, 1879.

The Commissioner: I may say, Mr. Williams, that I have never seen Major Clair's report. I have avoided it for the reason that I thought that I had better not be influenced by any such thing. The only allusion the question can have is that you, for political reasons, suggested polling-places where they would suit your brother's card, if I may so speak.

2237. Was the polling-place removed from Kaeo down to the harbour at Whangaroa?—It was not so removed. Representations were made that a polling-place was required in the Harbour of Whangaroa. My brother took up the question in the House. No communication took place between us on the subject; but it was not, as I learned afterwards, my brother's intention that the polling-station at Kaeo should be abolished, but that a second should be established. But, through a mistake made by the Government, when they established a telegraph station at Whangaroa they abolished the polling-station down the harbour.

2238. As a matter of fact, it was removed?—No; my brother was under the impression that he was adding an additional place at Whangaroa.

2239. Where there twenty Natives, as required by law, at Kaeo?—Yes.

2240. You heard the evidence of Hone Mohi. You stated he was on a large block of land, for which there was a large number of claimants?—If I stated he was a claimant for Whakatere I committed an error, because I believe he put in his claim for One; but he had a considerable interest in Whakatere.

2242. Was it One upon which his case was decided?—I cannot be certain.

2242. Was it Whakatere?—I will not be certain. I do not think it was. It was a block of land which he claimed with six or seven others, holding under Crown grant.

2243. You heard Mr. von Stürmer's statements with regard to the households?—I should have been prepared to have withdrawn some of the objections in that list, from information I heard afterwards, but which I had not in my possession at the time the objections were made. We are all liable to mistakes; but I deny ever taking any steps in a partial manner. Throughout the discharge of my duties I have maintained a neutral ground.

2244. *Mr. Landon.*] You objected to all except two for the County of Mongonui in 1877-78?—I objected that year to all I thought I had a right to object to.

2245. You think, then, that you acted impartially in knocking all the Natives of Mongonui off except two?—I consider that I acted impartially in regard to the roll of 1878.

2246. Do you think you acted impartially in objecting to over one hundred in Mongonui County and leaving over one hundred on the roll in Waimate?—I did act impartially. I maintain that whatever I did with the electoral roll in 1877-78 I did in a perfectly impartial manner.

2247. You recollect Patrick Landon taking a lot of voting-papers to Russell in 1874. Do you think you acted impartially in objecting to those names and not objecting to the others?—Whatever I did I did impartially. I cannot carry in my mind whatever motives or inducements I had to object. They would all have been discussed had the Court sat in 1874.

2248. Was it possible for a man living at the extreme end of the North to attend the Court at Kororareka within the time specified?—I do not think so; the Revising Officer has power to summon witnesses and adjourn Courts.

2249. *The Commissioner.*] Has sufficient time been allowed, within your knowledge, for the claimants to have attended?—Yes; otherwise representatives from those districts would not have been at the last Revision Court.

2250. *Mr. Landon.*] Do you think there ought to be a polling-place at Whangape?—I have been dismissed from the office, and have no longer anything to do with electoral matters.

2251. You decline giving an opinion of that kind?—Yes. If you asked me whether I considered it necessary during the time I held the office, I will answer it.

2252. *The Commissioner.*] Do you remember the year in which Hone Mohi's case was decided?—In 1876. In 1874 the Revision Court fell through; in 1875 there was little or nothing done. I was dangerously ill at the time. Mr. Greenway brought in the papers. In 1876 the test case was tried; and in 1877-78 I took up Mr. Lawlor's ruling and objected to the names on that paper.

On the application of Mr. Williams, the Commissioner allowed that gentleman to put in a letter from the Under Secretary—Colonial Secretary's Office, dated "2nd September, 1873," and reply thereto dated "10th October, 1873"—as to what transpired respecting the polling-stations. At that time (says Mr. Williams) I was called upon by the Government to recommend any alterations, and I did so. You will find in that letter that I fully explained the position in which the matter stood, and that law required that the polling-places should be fixed at such places as were most convenient for voters to record their votes.

The Commissioner: The Court will now adjourn until 2 o'clock, but I wish to say that I intend adjourning the Court this afternoon to Auckland, for the purpose of taking Mr. Lawlor's evidence.

The Court adjourned accordingly until 2 p.m.

The Court resumed at 2 p.m.

In reply to the Commissioner, Mr. Landon stated that a witness who had been summoned at his request was not yet in attendance.

The Commissioner: This Court will now adjourn to the Civil Commissioner's Office, Auckland, where it will meet on the 31st day of the present month, at 11 a.m. I do not expect to receive any more than Mr. Lawlor's evidence. The inquiry will then, I expect, be concluded. The Court is adjourned accordingly.

AUCKLAND, 31ST MARCH, 1879.

The Commission met at the Civil Commissioner's office at 11 a.m.

The Commissioner: This Court is held under the authority of a Commission addressed to me by the Governor of New Zealand. It was held at Russell pursuant to the terms of an advertisement which has been circulated in this district. From Russell it was adjourned from time to time and from place to place until it meets here now. I wish to take the evidence of Mr. Lawlor to-day.

Mr. LAWLOR sworn and examined.

Mr. Lawlor.

March 31, 1879.

2253. What is your name?—Henry Charles Lawlor.

2254. Have you lately held the position of Revision Officer for the Auckland Provincial District?—Yes.

2255. Do you remember that of late years an unusual number of claims to be placed on the electoral roll have been preferred by persons of the Native race, especially about the Bay of Islands?—Yes.

2256. Do you remember any test case being tried before you?—Yes, the year before last—1876; one case was then tested by Mr. Carleton.

2257. What claimant was concerned?—I forget his name now, but he was one of a number; and Mr. Carleton simply brought this case on in order to establish it as a precedent.

2258. Might his name have been Hone Mohi Tawhai?—Upon my word I am ashamed to say I forget his name; but I remember this circumstance connected with it: that Mr. Carleton informed me he was instrumental in putting him on the roll originally, but when he did he was in a much more legal position, but had since altered his qualification in some way, and put himself in an illegal position. That was the explanation Mr. Carleton gave.

2259. Do you know how he altered his legal position?—I have not the slightest idea.

2260. What was the nature of his claim at the time you gave your decision?—It was a collective title—that is to say, he held a title in conjunction with other Natives.

2261. What sort of a title was it—a Crown grant, or land merely certified to him and others?—I am ashamed to say I cannot tell you that.

2262. There is a distinction in titles under which the Natives hold the land up there. Some hold under Crown grant; others hold under a certificate of title under the Native Lands Act; in other cases the land is certified to tribes. Can you tell me whether he held under a Crown grant or a certificate?—My impression is it was under a Crown grant. I may be mistaken. I will not say positively.

2263. Do you remember the number of grantees on that grant?—No.

2264. Might the number have been eight?—I do not think there were so many.

2265. Do you know the extent of land held under that Crown grant—the acreage?—No, I do not.

2266. Or the value of it?—No, nor the value of it.

2267. Was the value of it sufficient, in your opinion, to have given each grantee £50?—Well, that subject was not touched upon. I did not go into it. The plea on which Mr. Carleton rested his objection was this: that he had not an individual title. I said, "Supposing you wished to have bought the whole or a portion of that block, could you have done so without reference to his co-owners;" and he said, "I could not."

2268. And was it for that reason you decided that Honi Mohi was not entitled to the franchise?—Yes.

2269. Then, Mr. Lawlor, in the case of European tenants in common holding a leasehold, if of sufficient value, do you think that they would be entitled to be on the roll? In that case the same objection might apply, if I understand your objection aright?—I should think they would be entitled.

2270. And how do you distinguish between that case and the case of the Maoris?—One's opinions differ. From the manner in which it was represented to me, I considered myself justified in the decision I arrived at; and in talking over the subject with one or two lawyers that was just the position in which they placed the case before me. I may say I felt a difficulty about it.

2271. Was the Native elector who was objected to represented before you by counsel on that occasion?—No.

2272. He argued the point at law himself?—Yes.

2273. And who on the other side?—Mr. Carleton.

2274. I will pass now from that subject, and I will ask you what took place at the last Revision Court which was held at the Bay of Islands?—I went there, according to notice, to hold my Court, and I think it was the day before the Court sat I saw Mr. Williams. He showed me a telegram from, I think, Colonel Whitmore—I am not sure—requesting him to resign by telegram; and he came to me and showed it to me, and said, "What would you advise me to do, Mr. Lawlor?" I said, "You have no alternative but to obey orders; that is the only course left to you." I do not know whether he acted upon my advice or not, but he sent in his resignation that day. Of course he was the objector (the late Registration Officer) to all those names on the roll, and it was in his capacity as Registration Officer that he objected to them; and when the Court sat the following day there was no Registration Officer to support the objections.

2275. Had Captain Baker not been appointed in the meantime?—No; he was appointed in the evening of the day on which the Revision Court sat.

2276. I ought not to say so, perhaps, Mr. Lawlor; but I am convinced you are in error on that point?—I am talking now as far as my memory serves me. I think these were the facts.

2277. Then I will inform you, officially, that I am satisfied that Captain Baker was not only appointed to be Registration Officer on that occasion, but was present when the Revision Court sat. I have official documentary evidence to that effect, and also verbal evidence taken at Russell?—I do not think Captain Baker sat there as Registration Officer, if my memory serves me, because he also, when he received the appointment, came to me and asked me what I would advise him to do. I suggested that he should go at once and get all the papers, make an inventory, and take possession of them.

2278. When was it you made that suggestion—after, or previous to, the sitting of the Court? After the sitting of the Court.

2279. Were any of the Native claimants who had been objected to represented by counsel on that occasion?—Yes.

2280. Who was the gentleman?—Mr. Tole.

2281. Do you remember the nature of the argument he raised before you?—There was no Revision Court held at all, because the objector was not present, and there was no one to support the objections.

Mr. Lawlor.
 March 31, 1879.

2282. Was not this the objection raised by Mr. Tole: That, inasmuch as there was no such person as Edward Marsh Williams, Registration Officer, in existence, therefore the objections could not be sustained, the present Registration Officer being a totally different person?—Yes, I think so.

2283. That must have recognized the fact of Captain Baker's appointment?—I do not think he stated that there was no such person as Captain Baker, Registration Officer.

2284. I scarcely know how to get on, because I am so thoroughly satisfied your memory is at fault that I do not wish to commit you further in the matter?—Had I known there was any action to be taken in these cases I certainly should have kept a memorandum; but I did not do so.

2285. What do you mean? You say there was no Registration Officer there for the purpose of sustaining the objections. In what sense do you use that term? Are you not aware that the burden of proof is on the party objected to?—Supposing, now, a plaintiff brought a case in Court, and that he did not appear in Court, I should certainly dismiss the case.

2286. The two cases are not parallel. A plaintiff in Court, in the first place, gives his evidence in order to sustain his case. No such procedure is required on the part of the Registration Officer. The burden of proof rests entirely on the person objected to?—If I had any idea of the nature of the evidence I was required to give I should have endeavoured to refresh my memory; but I did not know on what grounds I was to be examined.

2287. Your only connection with the case was as Revision Officer. I will put this question to you. I have it noted down for the purpose of putting it. You have changed the position a little in respect of your mind being at fault. I would ask you what you would have done if, instead of resigning, Mr. Williams had died say a fortnight before the Revision Court?—I am sure I do not know. There was no precedent to guide one. Sometimes, you know, the clerks of the Court have appeared on behalf of the Registration Officer by his authority; because very often the clerk of the Court prepares these rolls, and he is better prepared to furnish any information required than the Registration Officer himself. But there was no such person appeared on behalf of Mr. Williams.

2288. Are you acquainted with Captain Baker?—Very casually indeed.

2289. You know him by sight?—Yes, perfectly.

2290. Was he present in the Court?—I cannot remember having seen him.

2291. Do you belong to the legal profession?—No, I do not.

2292. *Mr. Lundon.*] Before you went up to that Revision Court did Mr. Swanson take any means of satisfying you that Hone Mohi was entitled to be on the roll, inasmuch as he had a sufficient qualification?—Oh, yes; there was a cheque tendered, and I declined to take it. It was not on the plea of the value of the title, but it was the nature of the title.

2293. *The Commissioner.*] The point is this: When you declined to receive that cheque did you assure Mr. Swanson that you were satisfied Hone Mohi had a sufficient claim, and that at all events his name would be retained on the roll?—Yes.

2294. That was the very test case?—The plea urged on that occasion was with regard to the individuality, not with regard to the value.

2295. Did you keep that promise so made to Mr. Swanson? I understood you to say just now that you had removed Hone Mohi's name from the roll?—That was the case.

2296. My question was: Did you not assure Mr. Swanson that at any rate the name of Hone Mohi should be retained on the roll?—On the plea of value, yes.

2297. *Mr. Lundon.*] Can Hone Mohi read or write English?—I am not aware. I think Mr. Greenway, clerk to the Bench, acted as interpreter.

2298. Did not you ask Mr. Baker, at the Revision Court, if he wished to sustain the objections?—No.

2299. *The Commissioner.*] Did Mr. Baker produce a telegram at that Court from the Government containing his appointment as Registration Officer?—No. He showed me that telegram in the hotel where I was putting up at on the evening of the day previous to the sitting of the Revision Court, because I was getting very fidgety indeed with regard to the absence of a Registration Officer. We were expecting a telegram all along, not in favour of Mr. Baker: it took them all by surprise. He came over, showed it to me, and asked for advice. I said to him, "Satisfy the clerk to the Bench that you are appointed, and get the papers."

2300. That was previous to the Revision Court?—Previous to the Revision Court? no; it was on the day of the Revision Court.

2301. Then if I took it in evidence that Captain Baker produced that telegram to you to satisfy you he had been appointed previous to the sitting of the Court that evidence would be incorrect?—To my knowledge he never produced any such document in Court.

2302. Or previous to it?—Well, I am not prepared to say that, because my memory is defective with regard to whether it was the day of the Court, or the day previous; but my impression is it was the evening of the day of the sitting of the Court.

2303. *Mr. Lundon.*] Do you remember noticing a number of men there for the purpose of sustaining their claims as against the objections?—I remember the fact of Mr. Lundon and some Natives being there, and another European. I forget whether it was your brother. I have no interest or motive, Mr. Bryce, in saying anything one way or the other.

2304. *The Commissioner.*] Does any other person present wish to give evidence material to this inquiry?

Mr. Lundon said: Mr. Joseph May, Mr. Holdship, and others were anxious to give evidence with regard to having applied and been objected to; but they were not present, as they were under the impression Mr. Lawlor only was to be examined to-day.

The Commissioner said he had abundant evidence on this point, and therefore the evidence referred to by Mr. Lundon would not be material. He therefore declared the inquiry closed.