

Ayes : Hon. Mr. Bryce, Mr. W. D. Stewart.

Noes : Mr. Seddon, Mr. Menteath, Mr. Montgomery.

So it passed in the negative.

Paragraph 4 : On the motion of Mr. Seddon, *Resolved*, That the Committee are of opinion that a *prima facie* case for a rehearing has been made out in the case of the Kaimanawa-Oruamatua Block.

Paragraph 5 : On the motion of Mr. Stewart, *Resolved*, That, in the opinion of the Committee, provision should be made, in granting a rehearing in respect of any of the said blocks, that the rights of the lessees respectively should not be prejudiced.

On the motion of Mr. Seddon, *Resolved*, That paragraphs 6, 7, and 8, as follows, be adopted :—

Paragraph 6 : That the memorandum of the Hon. Sir Robert Stout would appear to have conveyed to Mr. Fenton the impression that, in coming to the decisions that he did, he was actuated by improper motives ; and that he had been influenced by friendship, and had unduly favoured certain parties. The Committee have to report that, in their opinion, there is nothing in the evidence to show any such partiality or favouritism on the part of either Mr. Fenton or Mr. Rogan ; and that the Hon. Sir Robert Stout, in his second memorandum (page 81), states that at least he did not intend to charge corrupt conduct.

Paragraph 7 : That several serious charges have been made against Dr. Buller in the course of the inquiry, as to which, that gentleman being absent and unrepresented, the Committee offer no opinion.

Paragraph 8 : That there has no doubt been much irregularity in the proceedings of the Native Land Court ; but the Committee are of opinion that it would not be right to judge that Court by such a strict standard as might fairly be applied to other Courts.

Proposed by Mr. W. D. Stewart that paragraph 9 be as follows :—

Paragraph 9 : That, from the evidence, it appears that Mr. Fenton, in addition to the work which devolved on him as Chief Judge of the Native Land Court, performed various executive duties ; and that his letters and telegrams referred to in the memorandum of the Hon. Sir Robert Stout were written in his executive capacity.

Upon which it was moved by Mr. Seddon, by way of amendment, That the words “ he states ” be inserted after the word “ and ” in the third line.

And the question being put, “ That the words proposed to be inserted be so inserted,” it was resolved in the affirmative.

The motion, as amended, was then agreed to.

The Committee then adjourned till Friday, the 13th instant, at 11 o'clock.

FRIDAY, 13TH AUGUST, 1886.

The Committee met at 11 o'clock.

Present : Mr. Conolly (Chairman), Hon. Major Atkinson, Hon. Mr. Bryce, Mr. Menteath, Mr. Montgomery, Mr. Seddon, Mr. W. D. Stewart.

Resolved, That the report, as considered at previous meetings, be adopted.

The Hon. Mr. Bryce moved, That the following should be added to the report as paragraph 10 :—

With reference to the memorandum from the Premier, Sir Robert Stout, which accompanies the Bill submitted to the Committee, there is no reason to doubt the statement of the Premier that he did not impute improper motives or corrupt actions to either Judge Fenton or Judge Rogan. There is, however, reason to suppose that, from the terms in which the memorandum was drawn, it was possible to arrive at the conclusion that these imputations were intended to be implied, which is, in the opinion of the Committee, a matter for great regret. It is also unfortunate that the memorandum so written should have been published as a public document, instead of being treated merely as a memorandum for the evidence of the Native Minister or other members of the Government.

On the question being put, the Committee divided, and the names were taken down as follows :—

Ayes : Hon. Major Atkinson, Hon. Mr. Bryce.

Noes : Mr. Menteath, Mr. Montgomery, Mr. Seddon.

So it passed in the negative.

Resolved, That the Chairman present to the House the report, with copy of evidence and minutes in connection with the Owahaoko-Kaimanawa Native Land Bill.

Resolved, That it be entered on the minutes that the Hon. Sir Robert Stout did not attend any of the meetings of the Committee after the completion of the evidence, and stated that he would take no part in the preparation of the report.

The Committee then adjourned till further notice.
