

Government so completely that the Land Purchase Commissioners have purchased lands from them and required their signatures to deeds of conveyance. Their claims are therefore admitted, but those prisoners of war who did not return to occupy are on the rule above laid down excluded.

The case of the resident owners of course involved, firstly, an inquiry as to what parts of the block each hapu owned; and secondly, which of the members had joined the rebellion, or done some act which brought them within the fifth clause of the Act of 1863. For brevity's sake I hereafter call this class of persons "rebels."

The evidence clearly divided the block into four great estates, coloured on the map and marked thus, A., B., C., and D. The Tataraimaka Block, forming part of C., was sold some years ago to the Crown.

We found that the loyal and rebel owners were as follows :—

	Loyal.	Rebel.	Total.
A.	31	38	69
B.	24	35	59
C.	13	39	52
D.	47	76	123

I should add that there were not altogether this number of individuals, the same person appearing sometimes in two or more of the estates into which we divide the block. Non-adults whose parents, or one of them through whom they claim are alive, are not included. The whole block belonged to the tribe Ngamahanga, and contained 27,500 acres, thus divided:—A., 10,500 acres; B., 4,500 acres; C., 3,000 acres; D., 9,500 acres.

Finding it (as we have always done) impossible to appraise (as it were) the value of the chiefs on the loyal side, or on the rebel side, we took each man on each side to be of the same value, or to have an equal estate in the land. We have thus arrived at the result, by simple rule of three, that—

In A., 4,717 acres are represented by loyal owners.
 In B., 1,830 " " "
 In C., 750 " " "
 In D., 3,630 " " "

Thus the tribal estate being 27,500 acres, the owners remaining loyal represented 10,927 acres of it.

The land was valued by the surveyors at prices, according to the situation, of £5 per acre, £4, 30s., 10s., and 5s. The price of 5s. was placed upon that part of the map striped black, which is a range of mountains stated by the scientific witnesses to be unfit for cultivation, and one of them added that it had not been cut up for military settlements, because the Government thought it not fair to place them on such land.

Deducting this worthless land, containing about 8,000 acres, we have a residue of good land amounting to 19,500 acres. Taking the proportion of loyal and rebel owners as above stated, we found that the loyal claimants were entitled to 7,400 acres of available land. Subsequently in this paper I have excluded the 8,000 acres of mountain from the calculations on both sides.

The Crown Agent, in his address to the Court at the end of the proceedings, differed very little from the conclusion at which we had arrived between ourselves, and estimated the land to be provided at about 10,000 acres. This estimate includes the unavailable land. See his speech very fairly reported in the *Taranaki Herald* of the time.

My notes of his address and of the subsequent proceedings are as follows :—

Extract from Mr. Fenton's Notes.—Friday, 15th June.

" Mr. Atkinson addressed the Court on the case generally.

" The Act of 1863.

" *Gazette* of 30th January, 1865.

" The Order confiscating Oakura.

" The whole has been used as a settlement except 2,500 acres, and contains between 25,000 and 26,000 acres.

" With reference to numbers, I take it that rebel and loyal must be assumed to be of equal weight as to ownership. We cannot individualize or calculate the value of the individual.

" I elect to give land in lieu of money.

" I take the rebels and loyals as according to the list made out by the Court, which is correct.

" My calculation for C. is 644 acres for the loyals; D., exclusive of the reserve, 2,984 acres; A. 3,920 acres; B. 184 acres. Total 9,732 acres. These reserves are the only lands available for the Court within this block, all the rest is taken by the order of January for settlement. A great part of the land the Natives have never exercised ownership over; they only used 1,000 acres according to Carrington.

" The x section the word 'extent' means 'absolute superficies,' and might extend to the shape.

" After he had concluded, I asked Mr. Atkinson to enlarge on the question of authority to occupy, and allot these lands in the manner it had been done. I told him that he seemed by his address only to rely on the words of the order taken for settlement, and I asked him what he would say to the 17th clause of the Amendment Act.

" The land might be occupied by Military Settlers either under this clause or the Order in Council.

" Ropata Ngarongamate in reply said—As to the extent of our cultivations, I call the attention of the Court to our pigs, horses, and cows, (meaning the run.) I demand that our compensation shall be within the block; the blood of my relatives is on my hand. You must remember my services during the war. My cattle, my sheep, my pigs, and all my property went in the war; my wheat, my cultivations, and I never received anything for them, though the pakehas have all been compensated. What I did was without remuneration, I was never paid, and now let the Government fulfil its promises.

" Parikapa was invited to speak, but was not present.

" Decided—That the decision should be adjourned for consideration. Parties informed that the decision would be communicated to them as soon as arrived at."