

## CORRESPONDENCE BETWEEN THE GOVERNMENT

be for the Court to determine its own future proceedings. I should think it most probable that under the circumstances the Court would refrain from giving any decisions except in the case of private claims (if any) which the Crown may not oppose.

I have, &c.,  
F. D. FENTON,  
Chief Judge.

The Hon. the Native Minister.

## No. 5.

Copy of a Letter from Mr. FENTON to the Hon. J. C. RICHMOND.

(No. 584.) Native Lands Court Office,  
Auckland, 11th July, 1867.

SIR,— I have the honor to inform you that I learn by a letter which I have received from Mr. Monro, the Judge who is sitting at Turanganui, that he arrived at that place early in the morning of the 1st instant, that an accident happened to the screw just as she dropped anchor, and that she lies (or did lie) unable to move in a dangerous roadstead.

The Court was opened on the 3rd, and adjourned until the 4th, Captain Biggs not having appeared. Mr. Monro further states that as far as he can learn at present the boundaries described in the Act are uncertain. He says there is no such place as Lottery Point, and Haurangi and Purorangi appear to be unknown. Mokena expressed a determination that no Hau Hau land should be taken. About 500 Natives had assembled, who presented a scene of drunken riot. The above information is contained in a private letter to me.

I have, &c.,  
F. D. FENTON,  
Chief Judge.

The Hon. the Native Minister.

## No. 6.

Copy of a Letter from Mr. FENTON to the Hon. J. C. RICHMOND.

(No. 653.) Native Lands Court Office,  
Auckland, 2nd August, 1867.

SIR,— I have the honor to transmit herewith copy of a letter addressed to me by Mr. Judge Monro, dated the 25th ultimo, reporting on the recent sitting of this Court held by him at Turanganui, on the 3rd last month.

I have, &c.,  
F. D. FENTON,  
Chief Judge.

The Hon. the Native Minister, Wellington.

## Enclosure to No. 6.

Copy of a Letter from Mr. MONRO to Mr. FENTON.

SIR,— Auckland, 25th July, 1867.

I have the honor to report, for your information, that I proceeded to Poverty Bay on the 28th ultimo, per s.s. Taranaki, accompanied by the Native Assessors, Wiremu Te Wheoro, and Tamihana Tunui, to hold the Court at Turanganui, advertised for the 3rd instant, under "The East Coast Land Titles Investigation Act, 1866." We reached Turanga on the 1st; the Natives began to arrive on the 2nd, and before noon of the following day between five and six hundred had assembled from all parts of the coast between the East Cape and the Wairoa; also a number of Europeans, old land claimants and others, more or less interested in the proceedings.

The Court opened on the 3rd, and after reading over the claims, &c., adjourned until the following day, in consequence of the absence of Captain Biggs, the gentleman appointed to act as Crown Agent. The Court sat again on the 4th, when Captain Biggs, who had arrived that morning by the "Lord Ashley," from Wellington, applied for an adjournment, on the ground that there appeared to be a clerical error in the second section of the Act, the word "include" having been substituted for the word "exclude." He also stated that he required further time to get up evidence, as the Natives had combined to keep back information, and that the Government could not have justice done unless he could get evidence from the Chatham Islands, which he had not time to procure.

Mr. Preece appeared before the Court as agent for the Itanga-a-Mahaki tribe. He said that they had been brought three times from great distances to attend the Court, at considerable inconvenience, he considered that the Government had plenty of time to collect evidence; that the flaw in the Act was not the fault of his clients, and that if an adjournment was granted he should apply for costs on their behalf.

The Court was of opinion that the Government had had ample time to get up their case, but decided to grant the adjournment, on the ground of the error in the Act. Mr. Preece then, as agent for the Itanga a Mahaki, and Mr. Rice, as agent for a section of the Itanga-a-Hauiti tribes, applied for costs on behalf of their clients, which the Court decided to allow, being of opinion that they were fairly entitled to them. The amount was arranged between the Crown Agent and the parties.

Before the Court rose I endeavoured to explain what had occurred, to the Natives, but found it difficult to make them understand why a clerical error should necessitate the adjournment of the Court. They behaved very well under the circumstances, but were of course very much disappointed, as they were exceedingly anxious to have their titles investigated, and the question as to the quantity of land to be taken on account of the rebellion definitely settled.

On this, as on the two previous occasions alluded to by Mr. Preece in his address to the Court,