

£500 e whakaputa mai. Te haerenga atu ki te tiki atu i tera kihai i homai, homai ke ana he waipiro anake.

Taku whakaaro mo runga i nga korero mo tenei tono kihai i tika te whakahe a te Kaitono.

WIREMU HIKATRO, Komihana.

REPORT ON CASE No. XXI.

WAIPIROPIRO.—Tareha Te Moananui, Tamehana Pekapeka, Complainants.

Tareha complained against R. D. Maney, because that European asserted that he had acquired all that land by purchase.

Tareha stated that there were only two pieces to which he knew that that European had any claim:—

1. The piece leased by Karauria to that European, and sold by the said Karauria to raise money for the purpose of paying a portion of his debts.

2. The piece leased to the same European in accordance with the arrangement that he was to have it for seven years to wipe off Karauria's debts, and then it was to be returned to the Maoris.

The complainant said that it was a good while after Karauria's death that they heard that European had stated that he had got the whole of the said land.

Tareha also showed that the bulk of the goods given on credit by that European to Karauria consisted of liquor.

Maney, the defendant, stated that he had acquired the whole of the land by proper purchase. He said that when the purchase was talked of the complainant was member of Parliament for the East Coast Maori Electoral District; that they properly negotiated the sale at Wellington; and that the complainant executed the conveyance. Also, that Karauria was living at that time.

Edwards Hamlin, Resident Magistrate of Maketu, Bay of Plenty, gave evidence in respect of this land. He said that he interpreted the deeds of conveyance of this land to the complainant, and that he thoroughly explained the conditions of the said deed.

Part of his evidence was in accord with the second portion of the complainant's statement.

On looking through the evidence in this case, it appears that the complainant states that a portion of this land still belongs to himself and other Maoris. The defendant says that there is none of the said land left for the Maoris, he having purchased the whole of it as payment for Karauria's debts.

I am not able to say whose statement is the correct one.

Tamehana Pekapeka, Complainant.

The complaint made by Tamehana Pekapeka to the Commissioners was this: He stated that when he signed his name to the deed of that land he understood that he was signing a lease. A good while afterwards, he, for the first time, heard that it was a conveyance.

On looking through the evidence on both sides, it appears that the complainant states that he has not signed any deed conveying his interest in that land to R. D. Maney.

Maney states that the complainant did sign a conveyance, but that no money was paid by the defendant to the complainant in payment for his share; it all went to liquidate Karauria's debts.

I believe that the complainant is correct in stating that he has not sold his share, and that he has not signed any deed of conveyance.

Martyn Hamlin, interpreter, stated that the complainant understood the meaning of the conveyance when he signed his name to it.

I think the complainant did not understand the meaning of that document, inasmuch as it was Karauria who gave the complainant most of his information.

WIREMU HIKATRO, Commissioner.

No. XXI.—WAIPIROPIRO.—Tareha Te Moananui, Tamehana Pekapeka, nga Kaitono.

Ko te tono a Tareha e whakahe ana ki a Miini (R. D. Maney) mo te kiinga a taua pakeha kua riro katoa taua whenua i a ia he mea hoko.

Ki te ki a Tareha: E rua anake nga waahi i mohiotia e ia e whai tikanga ana taua Pakeha:—

1. Ko te waahi i tukua a retitia atu e Karauria ki taua pakeha a hokona tonutia atu ana e taua Karauria ano hei utu moni hei whakaea mo tetahi waahi o ana nama.

2. Ko te waahi i tukua a retitia atu ki taua Pakeha ano i runga i te tikanga i whakatakotoria kia whitu nga tau mona e reti ana ki taua waahi ka ea nga nama a Karauria hei reira ka whakahoki ano te whenua ki a ratou, ara ki nga tangata maori.

Ki te ki a te Kaitono whakawa no muri rawa iho o te matenga o Karauria ka rangona te ki a taua Pakeha a Miini kua riro katoa taua whenua i a ia.

I whakaaturia mai hoki e Tareha, ko te nuinga o nga taonga i tukua e taua pakeha hei namanga ma Kararia he waipiro.

Ko Miini, ko ia nei te Kaikaro whakawa, i mea kua riro te whenua katoa i a ia he mea ata hoko marie. Ki tana ko te wa i korerotia ai taua hoko, no te wa ano o te Kaitono whakawa e tu ano hei mangai mo te Takiwa Pooti Maori Tairawhiti ki te Paremata he mea ata korero marie e ratou taua hokonga i Poneke a i tuhi ano te Kaitono whakawa i tona ingoa ki te pukapuka o te hokonga. A e ora ana ano a Karauria i tera wa.

I tu hoki a Erueti Hemara Kaiwhakawa Tutaru o Maketu, Pei o Pureti, ki te whakaatu korero mo tenei whenua. Ko ana korero, he whakaatu ko ia te Kaiwhakamaori i nga pukapuka hoko o tenei whenua ki te Kaitono whakawa, ki tana ki i marama tonu tana whakaatu i nga tikanga o taua pukapuka.

Ko etahi o ana korero, e rite ana tetahi waahi ki te waahi tuarua o nga korero a te Kaitono whakawa.