

1879.
NEW ZEALAND.

NATIVE AFFAIRS COMMITTEE.

(REPORT ON PETITION OF MRS. DOUGLAS, TOGETHER WITH MINUTES OF EVIDENCE AND APPENDIX.)

Brought up on 24th October, 1878.

REPORT.

THE petitioner, who is a Native of Wairoa, on the East Coast of the North Island, states that her name was wrongfully omitted from a grant, notwithstanding that she was universally admitted to be the principal owner; that Captain Morris has purchased the land in question from the grantees, and is now seeking to have it ratified by the Government. The petitioner proceeds to say that she has made many applications, without success, to the Government for that relief which she now requests from the House.

I am directed to report as follows:—

(1.) That the evidence taken in this case has led the Committee to believe that the petitioner had some right to have her name inserted in the grant of a piece of land including Pukepoto, Ohaituiti, Te Karai, situated in the District of Tauranga; but the Committee are not prepared to estimate the value of her claim.

(2.) That the non-insertion of the petitioner's name in the grant arose probably partly through the forgetfulness of her own people, as stated in evidence.

(3.) That the Committee have no reason to believe, and do not believe, that Mr. Clarke, of the Native Department, assisted Captain Morris in the purchase of the block of land in question.

(4.) That the Committee have not sufficient means to enable them to estimate the value of the petitioner's claim, if any, and therefore recommend that a Commission be appointed, consisting of one Judge and one Assessor of the Native Land Court, possessing all the powers of the Court, to ascertain and determine the nature and extent of the petitioner's interest in the land in question, and to report upon the circumstances under which she came to be left out of the Crown grant.

(5.) That, in the opinion of the Committee, this recommendation ought not to form a precedent for any cases which have been heard before the Native Land Court.

(6.) That, in the opinion of the Committee, no other portions of the land in the Tauranga District which was returned by the Government to the Natives should be allowed to be alienated, by way of sale or by way of lease, for a longer period than twenty-one years, and then only by public auction or by public tender.

JOHN BRYCE,
Chairman.

24th October, 1878.

MINUTES OF EVIDENCE.

THURSDAY, 12TH SEPTEMBER, 1878.

Petition read. (*Vide* Appendix.)

Mr. H. T. CLARKE examined.

1. *The Chairman.*] Can you give the Committee any information with respect to the allegations in this petition?—It is quite true I was the Commissioner who inquired into the lands to which she refers, and I believe, from her statement, she is a member of the Ngaiteahi hapu, at Tauranga. It is

quite possible she did call upon me: indeed I have some slight recollection of a woman who had been living at the Thames calling upon me; but I have no distinct recollection of the occurrence or of what took place, beyond that she preferred a claim to some land. That was before I had inquired into the matter. I told her where and when the inquiry was to take place, and told her to come and prefer her claim with the rest of the tribe; in fact, that was my invariable answer to Natives who put in such claims. The inquiry lasted for more than six weeks, and was directed not as between individuals, but as to the claims of respective families or hapus. After I had ascertained the families who were entitled to the blocks, I asked the different hapus themselves to determine who were the individuals entitled, and their names were given to me. I have a list of those names here, and I find there are mentioned the following blocks inquired into at this time: Ohauti No. 2, Pukehouhou, Kahotea, Te Karai, Te Hika Pukepoto, and Tongaparoao, and the names of the claimants to the respective blocks. All those were inquired into at the same time, and my decision given on the same day. She states in her petition that land was awarded to her sisters, and that I refused to take her name down. That I declare at once to be absolutely false. I never refused to take down the name of any Native who claimed to have an interest in the land that was allowed by others. The next point I would wish to refer to is this: She says the land was leased to Captain Morris, and that I assisted Captain Morris to get it. I have never assisted Captain Morris, or any other individual, to acquire an inch of Native land since I have been in the Government service: in fact, the papers will show that what I did was in the way of impeding him to acquire the land till certain facts had been discovered. In 1875 these Natives applied to be allowed to sell this land. I was not satisfied with the applications, and I applied to Sir Donald McLean to have the applications investigated by the Resident Magistrate, so that it might be discovered whether there was really a desire to sell the land; and I had my reason for doing so. The applications were then sent to Major Roberts, who was then Resident Magistrate at Tauranga. He had these Natives before him, and he returned a favourable answer. I then put on the applications this minute [read]:—"Honorable Native Minister,—When I next visit Tauranga I will, if you approve, see whether the Natives named have a sufficiency of land for their own purposes. If they have sufficient land, I would recommend that no restriction to alienation be imposed. (Signed), —H. T. CLARKE." When I went to Tauranga I had the whole of these Natives brought before me, for the purpose of ascertaining if any names had been left out; and the result was that two or three fresh names were inserted, notably that of a man named Te Tauaro, who was one of the prisoners in Otago. My reason for being so particular was that it was a sale. If it had been a lease only, I should not have been so particular; but, as it was a sale, I thought every Native should have a fair share of the money. I made that inquiry, and then gave a certificate to those Natives who really were entitled to the land. That is all the assistance Captain Morris ever had from me. With regard to my suggestion that restrictions should be imposed on the alienation, it arose in this way: When I was first appointed Commissioner I announced publicly to the Natives that I should endeavour to restrict alienation so that sufficient land should be left them for their own purposes; and in a memorandum addressed to Sir Donald McLean I said [read minute of 20th May, 1875, on Record N. and D. 75, 1710.]

2. Putting aside the question of how she came to be omitted, do you think she has a claim upon the land?—I do not know.

3. Were her sisters admitted by you to a share in the land?—I do not know who her sisters were. There were several women down.

4. But you have no proof that they were her sisters?—No.

FRIDAY, 20TH SEPTEMBER, 1878.

Mr. H. T. CLARKE further examined.

5. *Hon. Sir George Grey.* Can you tell the Committee when I confiscated the land from the Natives at Tauranga, in consequence of the rebellion?—In August, 1864.

6. Do you know of what extent the land was?—It was estimated at the time that the district contained 200,000 acres, of which 50,000 acres was to be confiscated.

7. Subsequently, was part of the confiscated land returned to them?—Yes.

8. On what date did that take place?—At the same date, at the same meeting. To make the matter quite clear, perhaps the Committee would allow me to read a report I sent in to the Native Office on 10th May, 1867. [Read, *vide* Appendix.]

9. I want to know when I returned part of the land to them?—That is the only record I have of that.

10. Was not the 50,000 acres given back to them?—No; I am speaking only from memory now, but I know I was called upon to make a return some time ago, and whether the whole of the 50,000 acres was returned, or reserves made out of it, I am not prepared to say.

11. Was this land of Captain Morris's within the boundaries of the 50,000 acres?—No.

12. Was the land that was returned to them so returned for their support, as necessary for the tribe?—It was not stated, but I will tell you what was stated at the meeting. Unfortunately, I never received instructions from Ministers of that day. But I know that you distinctly told the Natives that all the land at Rangiwaia, Motuhou, Ohuke, and Maungatapu was to be reserved for them absolutely, and they were not to be allowed to deal with or sell the land to Europeans. That is on record, I think, in Auckland. It arose in the matter of the sale of land at Rangiwaia Island. An application was made to Sir Donald McLean, asking him to approve of the alienation of a block of land to Mr. Thomas Russell. I distinctly stated then that that land was absolutely reserved by the promise you made in 1864, and ought not to be alienated.

13. And what became of that land?—It was restored again to the Natives. I daresay you may remember some three or four years ago a vote of £800 was asked for as a refund to Mr. Thomas Russell. That is the way the Government settled it, and the land is now in the hands of the Natives.

14. You are not aware that I returned all the land for the use of the Natives?—No, I am not; I will tell you the reason why I am not so sure of it. At that meeting in March, 1866, certain reserves were made absolutely to the Natives before I returned from Auckland. There was one block of land of 190 acres made over to Hamiora Tu and Te Ritimana, just on the other side of the Gate Pa. Another reserve was made to them at Otumoetae, and I was told it was proved to be the case that these lands were given them in consideration of money that had been paid to them on confiscated lands. Mr. Chadwick bought a block near Gate Pa, Mr. Craig bought one lot, Mr. Black another, Captain Fraser another, and Mr. Chadwick a second lot. I was not aware of the circumstances until the Natives came to complain that the land at the Gate Pa was sold. I made inquiries, and, to my astonishment, found that the Crown grant had been issued to two individuals. But it is just to say that the money was participated in by all. That took place in 1866. Mr. Whitaker was there at the time.

15. You did not hear me tell the Natives that I gave them that land up for the support of the people, and that they were not to be allowed to part with it?—No; all I heard was with regard to these permanent reserves which you told them they should have. I have no official record of it.

16. When was this grant of Captain Morris's land made inalienable?—It was never made inalienable. When I was appointed Commissioner I told the Natives I should recommend the Government to make a great deal of their land inalienable. They all agreed to it at the time. Afterwards they wanted to have it altered. I told the Natives, as I had already distinctly told them, that I intended to recommend the Government to make this land inalienable, and that the only condition on which that would be departed from was that every one of them should apply to have the restriction removed, in which case I should offer no objection. It is in this way: Having made that declaration in public I considered it was necessary to make some counter statement of the condition on which I would ask the Government not to impose the restriction. No restriction had been made, but restriction was to be made when the certificates of title were issued by recommendation.

17. What was your minute to Sir Donald McLean in 1875. Is that printed?—No, it is not. I have got it here on the records. I produced it to the Committee the other day, and I can produce it again.

18. Then you publicly made the statement that you would recommend these restrictions to be removed?—Yes; just as I have said.

19. And that was generally known to everybody?—To everybody—to every Native there.

20. And to the Europeans?—I do not know about the Europeans. Certainly every Native knew, or they would not have made the applications to have the restrictions removed.

21. When was it determined not to put the restrictions on Captain Morris's land? Was that publicly announced?—It was announced in the Commissioner's Court.

22. *The Chairman.*] There was no restriction to be removed because none existed?—The declaration was made officially to the Natives.

23. *Hon. Sir George Grey.*] There was a declaration in Court that the non-alienation would be recommended?—Yes.

24. There was an equally public declaration that the restriction was taken off this particular piece of land?—Yes, that I would recommend the Government to cancel it.

25. Where did you make that second declaration?—Also in Court.

26. At what date?—I can scarcely say from memory.

27. What I want to get at is this: Was a fair opportunity given to all Europeans of competing for the land?—It can hardly be said a fair opportunity was given, because this land was under lease to Captain Morris at the time.

28. You think all had a knowledge that no restriction was to be put on that piece of land?—I think so, because it was not a secret matter at all. It was known to all the Natives, and that was enough to publish it abroad.

29. I see all these papers relating to the sale of the land are in one handwriting. Do you know whose handwriting it is?—No, I do not. The signatures I recognize.

30. Do you know the Native who signs her name to the letter [produced]. What is her name?—Ramariki. She claims in the confiscated land which is inalienable.

31. Has she any claim to this block of Captain Morris's?—Not to that block, but she has to the adjoining one. Her claim is on the Hairini Block.

32. What was the date on which you applied to Sir Donald McLean to have the applications to sell investigated by the Resident Magistrate?—I can hardly tell that without reference to the papers. It is in the papers. [Papers referred to.] It is dated 14th January, 1876.

33. On what date was it you reported you saw no need for the restriction?—The same year, 12th April, 1876.

34. Who was Resident Magistrate at the time?—Major Roberts.

35. When was the first application made to you to place no restriction on the land?—That is a question. I have no record of the date. It was made to me verbally by the Natives themselves.

36. I apprehend you must be mistaken as to the date, because I see that the Resident Magistrate completed the inquiry in 1875, and on the 6th November he sent in his report. You must have suggested the inquiry should take place before that date. He reports that he has completed the inquiry, and it is upon that report you made the minute of 4th January, 1876. You must have recommended that the matter should be inquired into long before that. Have you not confounded two acts of yours?—There is certainly a discrepancy, which I had not noticed. I do not think the mistake is mine.

37. I think you have confounded two acts of yours?—It is quite clear to me now. I had recommended this should be done. My first minute is this [read]. Sir Donald McLean approved of that. These papers were then sent to Major Roberts. He returned them in November, 1875, and I put my second minute on them in January, 1876.

38. In what capacity did you investigate the claims of the Natives to this block of land?—As Commissioner under "The Tauranga Lands Acts, 1867, 1868."

39. What was the effect of your decision in law?—It seemed to me to be absolute almost.

40. There is no appeal against your decision?—No, none.
41. Then, if a mistake was made by the Commissioner, could we get it reversed in any way?—The only way in which it could be done is to apply for a rehearing, and have another Commissioner, as was done in the Ottawa case: Mr. Brabant was Commissioner, the Natives felt aggrieved, I was sent down by Mr. Sheehan, and gave a judgment cancelling the first one.
42. *Mr. Carrington.*] Upon fresh evidence?—The same evidence, but given before another Commissioner. In deciding claims of this kind, you have to run a give-and-take line, and weigh the claims of different hapus. The claims were not as between individuals, but between hapus.
43. *Hon. Sir George Grey.*] Then did you take evidence when you heard this case about the Maori's land?—I took notes of evidence; the whole inquiry lasted over six weeks.
44. Is the evidence in existence?—I cannot say.
45. Is your judgment in existence?—Yes.
46. What form was followed of issuing advertisements?—A circular letter was printed and filled in, and sent to each tribe for circulation amongst their people.
47. There was no public advertisement?—No.
48. Then a person at a distance might have missed it altogether?—Yes; that is quite possible.
49. And there were no formal records of the Court kept?—No.
50. Not as they are kept in the Native Land Court?—No; not in the same way.
51. Although it concerned property of great value, really?—Yes; no records were kept; only rough notes.
52. Still, I mean no formal records such as are kept in the Native Land Court?—No; all matters relating to this land and the evidence taken have been referred to Mr. Wilson, who is acting as Commissioner and Judge of the Native Land Court.
53. Could this case have been heard by the Native Land Court by law?—No; it could not. That question was brought up. No confiscated land can be brought before the Native Land Court.
54. But land which has been returned is not in the same position?—It has to undergo a certain process, and be gazetted as returned.
55. That land could have been brought before the Native Land Court?—It could have been; but I think it would have been a misfortune if it had.
56. But it could have been put in such a position as to come before the ordinary Courts of the colony?—Yes; it could have. I should also say that I think the object of the Government has been not to return to the Natives these lands in their original state, but with Crown grants. That has been the position taken up by past Governments.
57. That position was not taken up when I gave this land back?—It has been decided to go back under a clear title, to prevent all disputes. Unfortunately, it was not done in the case of Tamapahore.
58. But this particular piece of land was never regularly confiscated?—The 200,000 acres were confiscated technically.
59. But immediately given back—never taken possession of by the Government?—Never.
60. It was not in the position of the Waikato confiscated land in that way?—In taking possession of the land we carried out as nearly as possible the arrangement made by yourself about this 50,000 acres. This Katikati purchase is out of this confiscated land of 200,000 acres.
61. *Mr. Carrington.*] Was it notified at any time that the 200,000 acres had been confiscated?—Yes; the whole district was confiscated by Order in Council.
62. And officially notified?—Yes; in the *Gazette*.
63. *Hon. Sir George Grey.*] What is the date of the Order in Council?—The 18th May, 1865. That Order in Council is quoted in the Tauranga Lands Acts of 1867 and 1868.
64. *Mr. Carrington.*] That land actually became Queen's land?—Yes.
65. *Hon. Sir George Grey.*] What was the date of my first visit to Tauranga?—August, 1864.
66. Do you say that at my first visit I returned the 150,000 acres at once?—No; that it should be returned to them. That promise you made in 1864, and it was renewed in 1866. They all understood that if they went into rebellion they would lose their land.
67. Then, on the 1st of August, 1864, they surrendered 200,000 acres of land, which was a voluntary surrender?—They did. It was afterwards agreed to by the loyal Natives.
68. The Order in Council confiscating it was in 1865?—Yes; it confiscated the whole block, and alluded to the promise you then made.
69. What was the date of the second meeting with them?—The second meeting was on the 26th of March, 1866.
70. What was the date of the first meeting?—I have not got the date, but I could very soon find it. I have got two reports that I have written on the same subject.
71. Did Mr. Douglas and his wife present themselves in your Court?—Neither of them; but I have a very indistinct remembrance of a woman who had married a European coming to see me, and I suggested to her the proper time for her to appear was when the case was opened. She was then living with her people.
72. There were no actual notices issued in the newspapers, or the same formalities as would be observed by the Native Land Court?—No.
73. *The Chairman.*] Do you suggest that the woman was actually the petitioner?—I have not the least idea; I could not recognize her; I do not know her at all. In the evidence I took there were a great many absentees put on the certificates, at the request of the Natives themselves—notably Te Tauaroa, who was then a prisoner at Otago.
74. *Hon. Sir George Grey.*] At the time you recommended the restriction should not be placed on the land had Captain Morris a lease of it?—He had.
75. For what length of time was the lease?—I do not know; I did not see it. I had nothing to do with Europeans. I had to deal with the Natives and the Government.
76. Had Captain Morris a great advantage, when the restriction was taken off the land, over any other European?—He was occupying, and had cattle on it.

77. Legally?—Well, I suppose occupation is nine points of the law. He could deal with the Natives very much better than any person outside.

78. Was the lease he held a legal lease?—It could not have been a legal lease, because I am not aware that confiscated land can be let to any one. There was no inquiry. The land never went before any Court.

79. *Hon. Sir George Grey.*] I cannot find in the papers any record that the restriction should not be put on. What I understand is this: That the Maori leases you allude to were written after Major Roberts investigated whether they should be allowed to sell the land or not?—No; they are dated before—on the 29th March, 1875. Application was made by the Natives in March, 1875.

80. To whom were the applications made?—To me.

81. And by whom are they witnessed?—They are witnessed by Natives, I think. Some of those written in their proper handwriting have not been witnessed at all. Here is one dated February, 1875. The applications from the Natives were made in March, 1875. These are forwarded to me, and, in a minute addressed to Sir Donald McLean on the 5th of April, I suggested that they should be sent to Major Roberts.

82. Then, did the Natives know, in 1875, that you were going to recommend that the restriction should not be put on?—I believe it was stated in Court. I told the Natives I could not do it unless they made a written application. I said that if the Government would agree to it, then I would not recommend that the restriction should be placed upon them.

83. What I wanted to get at is, when the first application was made; and that is not on record at all?—No; I do not know whether it is not on record by letter. I believe myself that it was in open Court, at the first inquiry I made.

84. Just to come back to the thing again: there are no records of the Court?—No.

85. No such records as are kept in the Native Land Court?—No.

86. So that we could not trace the transaction in that way?—No; I am afraid not.

87. *Mr. Carrington.*] Did you ever hear there was any complaint that there was not sufficient publicity given at the time this purchase was made?—Not by any Tauranga Natives.

88. *Hon. Sir George Grey.*] Did you ever hear of complaints, or read them in the newspapers?—I do not know. I am not in the habit of reading newspapers. They say all sorts of things. I never remember any complaints.

THURSDAY, 3RD OCTOBER, 1878.

Mr. H. T. CLARKE further examined.

89. *Hon. Sir George Grey.*] Do you know a Mr. Jonathan Brown?—Yes; he is a settler in Tauranga, and he is occupying at present the contiguous block to the ones referred to in this petition.

90. Do you know whether or not he had a lease for the block alluded to in the petition?—I have heard he has had a lease.

91. From the Natives?—Yes.

92. Was that lease prepared with or without your knowledge?—I had no knowledge of it whatever. I never saw the lease.

93. You only know of it from report?—Only from report, and the statements of the Natives themselves from time to time; it is no secret matter.

94. Did Mr. Douglas apply to you, in 1872, in your office, regarding his wife's claim?—I have not the least knowledge of it, any further than this: I do remember some one—and I suppose it would be Douglas—coming to me about his wife's claim, and I do remember a woman coming; but it has not fixed itself clearly in my memory to give any certain information.

95. Do you remember that interview?—Nothing further than that—that a European came to me about his wife's claims.

96. In those lands?—In those lands. It was in 1871. I was reappointed Commissioner in January, 1871.

97. Was Hamiora Tu present in your office at that time when this person came to you?—I do not remember at all.

98. Did you admit that the claimant's wife had a right to the land?—I have not the least knowledge of it. I do not remember at all. If the woman did come to me in 1871, the particular lands to which she has referred have been heard before Major Mair, who was Commissioner under the Tauranga Lands Act. Those lands—namely, Pukepoto Te Karai—were heard, in November, 1869, before Major Mair; and I went over the same claims again afterwards.

99. If Douglas's wife is a daughter of Te Rangi Tuataka, would she have any claim to that land?—I can only refer back to Major Mair's report on those very claims, which I have here. I do not find the name mentioned once here in this list of claimants that were living. He may have gone under some other name, you know.

100. You heard the claims yourself?—Subsequently.

101. I think you said you did not issue public notice for all claims to come in?—Except by circular. I had printed circulars made out purposely so as to give the claimants sufficient notice that certain claims were going to be heard, and that was circulated amongst the whole of the Tauranga Natives.

102. Supposing a Tauranga Native was absent at Poverty Bay, what then?—I suppose absent Natives would still have their representatives at Tauranga.

103. Did you issue any public notice that the power of alienation over the land was to be given—in fact, that the restriction against alienation was to be taken off?—There was no restriction upon the alienation of these blocks, but I told the Natives, in open Court, that I would recommend the Government to do it; and when they pressed me not to put the restriction on, I told them I would do it only on one condition, that the Natives should make written application to me, and I would lay it before the Government.

104. When did you state in Court that you would recommend the restriction against alienation to be put on?—Not in any particular cases, but in almost all the Tauranga cases I did so in open Court.

105. When did you say so in this particular case?—I do not know that I did it in this particular case; but I did it generally.

106. When you subsequently stated that you would not recommend the restriction to be put on, was that notice publicly given?—Given in Court, the same as the other.

107. But there was no notification to the public at large?—No.

108. Was the lease taken by Jonathan Brown in conformity with law, or was it against law?—Like many leases in Tauranga, it was not according to law.

109. Was Captain Morris's subsequent lease according to law?—It depends on when the lease was made; I cannot say.

110. Was the land through the Native Land Court?—I cannot say.

111. Has it been through any Court?—It has been through the Commissioner's Court. Pukeho went before the Commissioner in November, 1870.

112. Was it finally decided by Major Mair?—As I described before, questions arise between hapus, not individuals. When an award is made in any particular family, they are called upon to name the persons entitled to claim. Major Mair's is only a general decision. I went into the whole question myself.

113. Was Captain Morris's lease previous to or subsequent to your decision?—He was occupying before I gave my final decision.

114. His occupation was against law?—Certainly, there is no legal authority for a person to take up land in that way.

115. The law says they are not to do it?—I suppose those confiscated lands were really Crown lands until they were returned to the Natives.

116. It was returned to them many years before?—Yes, by Order in Council, under certain conditions, subject to investigation.

117. Did Captain Morris come to the Crown for a lease?—He did not come to me. He could not lease them as Crown lands.

118. Then, if leased as Native lands, they were leased in nonconformity with the law?—Certainly, the Natives had not a title to it before it was leased.

119. Supposing that persons having a claim to these lands who were not resident at Tauranga got no notice of the sitting of the Court, and have lost their lands in consequence, do you believe an injustice was done?—Yes; but in this case there must have been some one there to represent her, because she states that I refused to receive her name.

120. Douglas distinctly states that he appointed Mr. Warbrick, a Native Interpreter, in Tauranga, to watch her interests, and he was bribed; and that was the reason why her name was thrown out?—I do not think he goes so far as that. I understood him to say that perhaps he was "tipped."

121. I think he absolutely states he received "tip"?—The woman was represented from the very fact of her stating that I refused her name. In the second place, they knew perfectly well that the Court was going to sit, and appointed Mr. Warbrick to watch their interests. He never presented himself to me or any other Commissioner, that I am aware of. I think they state that Warbrick received "tip." [Sir George Grey read a passage from the petition in which were the words, "my interpreter having probably been 'tipped.'"] It is quite true that I had a meeting of chiefs, but the question of Captain Morris's lease was never brought up.

122. What I wanted to get at was this: Captain Morris had a lease of this land from the Natives, and in Court you had stated that the Natives would not be allowed to alienate?—That it would not recommend the privilege of alienating their land.

123. Yes; subsequently you altered that opinion?—I did, and declared it in the same way, in open Court, to the Natives interested.

124. Then the power of alienating their land was made conditional on the Natives asking for the restriction to be removed?—Yes.

125. Then, supposing that a public notification had been issued that the Natives were to be allowed to alienate their land, would that have given them a chance of getting a higher price for their land?—I cannot say that.

126. Do you think it would have been just to the Natives to make the thing generally known?—I think it was generally known. Very little of that land, according to rumour, was left unoccupied at that time.

127. Do you think that, if a public notification had been made in the Press generally that the Natives were to be allowed to sell, it would have given them a chance of getting a better price?—I do not know what price was given; but I think that, if it were publicly known, and these Natives had put a notice in the papers that they were prepared to sell this land, possibly it might.

128. Do you conceive that, if Captain Morris had that lease, and the Maoris were in debt in various places to his knowledge, and he himself was possessed of the knowledge that they would be allowed to sell, he had a considerable advantage over other persons?—Certainly; the very fact of his being in possession would give him an advantage which others did not possess.

129. Have you found any notes of the evidence you took to establish these claims?—I have notes here of the evidence taken in the case of Hori Ngatai. My judgment in this case has never been called in question by the Natives.

130. What was the date when this judgment was given?—It is given the very day after I concluded the evidence; I think on the 1st of November of that year. The inquiry began on the 30th of August; judgment was given the very day before I was superseded by Major Mair. Would you allow me to supplement my evidence with regard to certain documents? With regard to the promise made at Tauranga: I have a record of the conditions on which the land was returned, and what portions were distinctly declared to be inalienable. They are embodied in this letter [*vide* Appendix], dated ten months after the peace-making Sir George Grey referred to—the 4th August, 1864. It would

appear there was no record of what passed at that meeting, and I was called upon by Mr. Mantell¹ who was then Native Minister, to give my remembrance of the matter at the time.

131. *Hon. Sir George Grey.*] There is an absolute record of the speech delivered by me. It was the absolute thing. I ordered Mr. Puckey to read a paper, and that was taken by the Press. There is a precise copy printed.

132. *Mr. Rolleston.*] The record of the general interview with Sir George Grey is in the Native Office?—I have been searching, but the records of that date are in such a mess. [Minute of Mr. Mantell read (*vide* Appendix), and papers handed in.]

THURSDAY, 3RD OCTOBER, 1878.

Mr. DOUGLAS examined.

133. *Hon. Sir George Grey.*] What was your wife's father's name?—Te Rangi Tuataka was his Christian name; his Native name was Te Rangi Huihaira.

134. Did you see Mr. Clarke, in 1871, on this claim?—Yes, sir.

135. What passed between you and Mr. Clarke on that occasion?—It was the latter end of February or beginning of March; I could not say to two or three days. My wife's aunt and several others requested me to take my wife before Mr. Clarke in connection with this land. I took her there. When I went in there was Hamiora Tu and two others there. They were having a conversation with Mr. Clarke. They said, "Our conversation will be long, and you had better hear this pakeha and his wife." Mr. Clarke asked me what I had come for, and I said I had come in connection with land which belonged to my wife. He asked her name, and I told him. He asked me what land it was, and I told him it was Ohauti. He asked me why she claimed this land. I told him it was through her father; and he then said to my wife, "You will have no claim on these lands. Your brother, Irimana, will have a claim." My wife then said, "My brother is dead." Mr. Clarke said, "It will then go to his children." My wife said, "He has got no children; there is only me that remains of my father." He turned round and asked Hamiora Tu and the others if they knew my wife. They said "Yes;" and told Clarke her name. He asked what was her father's name. They told him. He then said, "Yes, these are your lands; but you are too late." I then asked Mr. Clarke, "Why too late;" and he said the lands had gone through the Court some years before. I said I was not aware that there had been a Court here, or that the land was adjudicated on—that every one knew where my wife was. He asked me, "Are you married?" I said, "No." He said, "You had better go out of this Native Office, and do not talk to me about Native lands again." One day afterwards I was doing some work at my place. Jonathan Brown came over and asked my wife where I was. He came to me and said, "In case you get your wife's name in the Crown grant, what are you going to do with the land? are you going to lease it or sell it?" I said, "I am going to keep it for my children." Then I heard of the lease being transferred to Captain Morris. I inquired of the Natives why it was so, and they could not tell me. They wanted to let Captain Morris have the lease the same as Brown. They told me they had signed it, saying that Mr. Clarke had talked them right out of it. Shortly afterwards two or three Natives came over from Mr. Clarke's office; their names were Ranapia, Pomare, and Whakataua, I think. They said they had been to the office, and that Mr. Clarke said the best thing they could do was to take my wife away, as we were not married.

136. What Natives are these?—Pomare and Whakataua. Pomare is a first cousin of my wife. I heard shortly after that there was going to be a meeting over this land. I went to Mr. Warbrick, and told him that, on account of me and some of her relations being bad, my wife's claim was not heard at all. I asked him if he would let her know when the Court was going to sit, and to bring her forward. I proffered him £10 to do so, as I was in the Telegraph Department, and away from home. He said he would. I was told by a person in Tauranga that he had a conversation with Warbrick, and that he told him he intended not to let my wife know anything about it. After this a meeting took place at Maungatapu, and when the Natives went to go to this meeting my wife was living amongst them. My wife and her aunt asked the Natives where they were going? They only said they were going to have a talk over Native affairs. Pomare came back, and told me what took place at that meeting. He said Mr. Clarke had told them he did not wish to have a talk with them, but requested that some of them should pick out the names that were to go in the grant. After some talk, the Natives selected Pomare, and he called out the names that were to go in the grant. My wife never got any notice, or knew of the meeting. Shortly after this they took my wife away. My wife wrote me two or three letters, pressing me to come immediately, as they intended to take her away altogether. I came down in the night to Tauranga, and found it correct. Te Tauaro, a chief who was in prison in Otago, came back. We had some words there, and he said he would go over to Mr. Clarke, and Mr. Clarke would soon put me somewhere else. When the Natives were gone, we got horses and went on to Rotorua, the Natives following us. We came right through to Napier, my wife having friends there on the side of her mother. I knew that Captain Morris was going to buy this land. I immediately wrote to Judge Fenton, asking if these lands had ever gone through the Native Lands Court. He replied not. I wrote again, asking him how I should put them through the Court. He wrote back, enclosing a form, and telling me how I should fill it in, and to get the usual necessary consent that the land should go through the Court. Then I put it into the hands of a solicitor in Napier. I understood afterwards that Captain Morris had bought it. I went to Tauranga last winter to see about it. I inquired into the whole circumstances. I asked the Natives why they had sold the land. They said they did not wish to sell it, but that Clarke and Morris pressed them to sell, and they were afraid of getting into debt. £600 was what they received.

137. Will you state the names of some of the Natives who told you this?—Whakataua and Pomare. Tu Tauaro told me he had got £200 of the last purchase-money which was paid. He told me that Captain Morris had telegraphed to Mr. Clarke, asking him if he was one of the owners of the land, and he got the money when the answer came back. Tu Tauaro was in gaol in Otago at

the time these leases were made out to Captain Morris. When the answer came back from Mr. Clarke, he got the £200. There was a little trouble over that £200. Werekake, the son of Tatari, and others leased the land to Jonathan Brown. When Nanakai came upon the scene, I suppose Brown saw it was likely he was going to get into a mess, and sold the lease to Captain Morris. It was Nanakai who sold the land to Captain Morris. The land was given in the first instance to

Then Nanakai names were put into it instead. Nanakai received the rents from Jonathan Brown, and it was Nanakai who sold this land to Captain Morris. When this land was given to Nanakai, the son of summoned him for the money. He said his father was the Crown-grantee of this land. He was his only son. He said that the land, by rights, was his; but he had no say himself in selling the land. He sued Tu Tauaro. It was his father who was the principal one in renting this land to Jonathan Brown in the first place.

138. Had you any interview with Captain Morris about this land?—I spoke to him once as he was ditching, when I was going across the run. He said, "By-the-by, is your name Douglas?" I said, "Yes." He said, "I am sorry your wife did not get her name in, as I understand she is one of the principal claimants." I said, "If I had a friend, there is no doubt I might be able even now to get her name inserted." He shook his head, and laughed, and said, "It would be against my interests." I said, "If I should work my arms off for the next twenty years, I should try and get my wife her rights." I left. That is the only time I saw Captain Morris.

139. Are you married now?—I have been married some years. [Marriage certificate produced.]

140. Had you or your wife any warning that Mr. Clarke was going to hold a Court to settle this question?—I never heard anything of it, or I certainly should have been there.

141. Were you or your wife ever summoned as a witness?—Never.

142. Did your wife ever consent to the sale?—Never.

143. Did she ever consent to power being given to the Natives to sell it?—No, Sir; we were in Napier province at the time of the sale.

144. Have you any idea what the value of the land is?—I should think, from the position of the land and the distance it is from the Township of Te Papa, that it is worth at least about £3 an acre. It is the best land in the Tauranga District. I believe it would sell for £3 an acre.

145. What do you think the river-beds of it would sell for?—It is all land that has been cultivated with wheat years ago; they cultivate wheat on the hills there.

146. Have you or your wife received anything for it?—We never received a halfpenny from the rent or anything else. The Natives did come one time, and offered me some rent, and I would not take it. They offered it to my wife, she would not take it. They gave it to my child, I took it from him and "chucked" it away. I would not dirty my hands with it, as I did not consent to the lease, and thought they were getting a very low rent.

147. What was the name of the Native who brought this money?—I forget now, but I dare say my wife could tell you. I think, though I am not sure, that it was

148. Do you conceive that offering her the rent was a recognition of her claim?—I knew that she had a prior claim to any of them.

149. Do you think their offering to pay her part of the rent was an acknowledgment on their part that she had a claim to the land?—Yes, I think so.

150. What was the total rent paid?—I think the rent Brown was paying was about £80 a year: I could not say exactly.

151. How many acres are there?—That I could not tell; but I have asked the Natives, and they have said somewhere about 8,000 or 9,000 acres.

152. How much of the whole would your wife be entitled to, do you think?—There are only three Natives who have a claim to Ohauti, Pomare, Te Tauaro, and my wife. My wife has got a prior claim.

153. Do you know any other Natives who have been shut out from part of the land?—Yes.

154. How many?—Only one has spoken to me about it. At the time my wife and myself were before Mr. Clarke she was not of age.

155. *The Chairman.*] You stated that the Natives had told you that Mr. Clarke and Captain Morris had pressed them to sell. What Maoris told you that?—When we had the meeting the whare was full, and in fact nearly the whole of them told me so. There were so many speaking I could not exactly tell you; I might mention the whole of them for that matter.

156. Give the names of two principal people who told you so. I ask you to do that, because Mr. Clarke has distinctly denied that he ever pressed the Natives to sell?—I could mention the whole lot of them: Tu Tauaro, Pomare, and Whakataua; likewise the Natives who were with me. They are in Napier.

157. Was your wife represented in any way at the Court where this claim was adjudicated upon?—Never.

158. Why not? Was it because she did not know of the sitting of the Court?—I think the reason was on account of her living with me.

159. Was she aware that the Court was going to sit?—She never got notice telling her that the Court was going to sit, when or where.

160. And her want of knowledge may have arisen from the fact of her living apart from her people with you?—Yes.

161. *Mr. Clarke* (through the Chairman).] When did this meeting take place with these people when they said I had pressed them to sell to Captain Morris?—At Te Papa.

162. The date?—I never kept dates of anything: it was in 1871.

163. *The Chairman.*] It must have been after the sale?—It was the transferring of one lease to another—making a new lease out to Captain Morris. I could not exactly tell the date.

164. It must have been after the sale, or the Natives could not have told you that Mr. Clarke pressed them to sell?—It was before the sale; it was the making of the old lease from Jonathan Brown to Captain Morris. Captain Morris would not have Brown's lease, but had a new lease made out.

165. *Mr. Clarke* (through the Chairman).] When this meeting took place, how could I press the Natives to sell the land?—The sale was only two years ago, when I was at the Mahia, working for Mr. Walker.

166. You have stated that certain Natives stated distinctly that Captain Morris and I pressed them to sell the land. This took place in 1871?—No, Sir.

167. Can you give the Committee any idea of the date when this meeting was held?—As near as possible, about two years ago, when I was working for Mr. George Walker. That was the occasion on which these men told me they were pressed to sell. They told me this last winter.

168. *The Chairman*.] You stated that various Natives told you that they had been pressed by Mr. Clarke and Captain Morris to sell. When did they tell you this?—They told me this last winter, when I was through there. The sale took place two years ago. I went there just after the last money was paid to Te Tauaro by Captain Morris.

169. These people told you last winter that they had been pressed to sell?—Yes.

170. What is the name of your wife's sister you alluded to?—She has got no sister. She has got cousins, which Natives call sisters.

171. Who are these cousins? Are they in the petition?—My wife will be able to tell you. One died a very short time ago. Matutaera's wife is one.

172. Are you aware what officer it was who heard these claims as to Pukepoto and Karai?—We never knew there was ever a Court held. I did not know of its being before any Court, except at Maungatapu by yourself.

173. Then you did not hear from the Natives that it had been heard before a Commissioner's Court?—No.

174. Are you aware what that meeting was held for?—The Natives told me it was to determine the names which should be put in the Crown grants.

175. You stated that I said you were too late. What do you mean by that?—You distinctly said to me that me and my wife were too late, as it had gone through the Court some years. I then said I was not aware that the land had gone through any Land Court. You asked me if I was married. I said, "No;" and you ordered me out of your office at Tauranga.

176. *Hon. Sir George Grey*.] You say that on that occasion Mr. Clarke, addressing himself to you, said "Why didn't your wife apply about this before; I quite acknowledge her right?"—When I had made my statement and my wife her's, he "slew" round to Hamiora Tu and the three other Natives, and asked them if they knew her, her father, and the land in question, and likewise asked them who it belonged to. Hamiora Tu said that they never knew any others to own any land there, except her father.

177. Did Mr. Clarke tell you that the land had passed the Native Land Court?—He said, "You are the claimant to that land, but you are too late. You ought to have been here before. It has gone through the Court some years."

178. *The Chairman*.] So that you understood Mr. Clarke to say that your wife had lost her undoubted right by her failure to be in Court?—Yes. It was about a fortnight before my oldest boy was born; he was born on the 19th March, 1871. I had to carry my wife about half a mile along the beach after we came out of Mr. Clarke's office.

179. Did you receive a telegram asking you to come down to Wellington?—Yes.

180. And it was in consequence of that you came down?—Yes.

MONDAY, 7TH OCTOBER, 1878.

Mrs. DOUGLAS (Te Korowhiti Tuataka) examined.

181. *Hon. Sir George Grey*.] Did you go with your husband to see Mr. Clarke in 1871?—Yes.

182. Tell us what took place?—When we went to Mr. Clarke's office we found there Hamiora Tu and others. I do not remember who the others were; I do not know them. We found Hamiora Tu and his friends engaged with Mr. Clarke on some business of their own. We had been there about half an hour waiting, when Hamiora Tu said to Mr. Clarke, "We will defer our business for the present, because it will take a very long time." Mr. Clarke agreed to that, and then he asked my husband some questions, which I did not catch, because I was not acquainted with the English language. When he finished talking to my husband in English, he turned to me and said, "What have you come to talk about?" and I said, "I have come to talk about the land of my father." He said, "What land do you refer to?" I said, "Pukepoto and Ohauiti." He said, "It won't do; you are too late for the Court. Where were you when the Court sat?" I said I was at Mercury Bay at that time. I said to him, "Knowing, as you did, that the Court was going to sit, why did you not send me a letter informing me of it?" He said, "Well, it is too late." He told me to go away: that the talk was over about these lands. That is all I have to say about that interview.

183. *The Chairman*.] When he told you you were too late, did he admit your claim or deny it?—He admitted my claim, but told me I was too late.

184. He said that he was aware you had a claim? I should like you to be specially distinct upon that point?—Mr. Clarke admitted that I had a claim, but told me I was too late.

185. *Hon. Sir George Grey*.] Was your claim to a great part or to a small part of the land?—A great claim. I was born upon the land, and I was brought up upon the land by my father. My father is buried upon the land.

186. What was the name of your father?—Te Rangi Tuataka.

187. Do you know any other people who had claims to the land who were not heard?—I do.

188. How many?—Three.

189. *Mr. Clarke* (through the Chairman).] Had your father any other name than that you have mentioned?—He had another name, Huihaira.

190. What hapu do you belong to?—To Ngatiruahine.

241. When the land was given back, was some not given to the Hauhaus?—No; the land belonging to the Hauhaus was given up. It was confiscated. It was the land of my father.

242. Have you not heard that the people who had been fighting were all supplied with land?—They did not get it. My tribe did not get it. The Ngatiruahine were all owners of land within the land confiscated by the Government, and I am one of the owners of that land. This land which I claim is separated from the land which is confiscated. There are only three of the who are entitled to the land along with me.

243. Did any one give your name in?—I said my name was given in.

244. Did you not say Mr. Clarke left your name out?—Yes; it was left out by Mr. Clarke. It was Pita who gave my name in.

245. What Clarke was it that it was given in to: There are other Clarke's besides this one?—I do not know Mr. Clarke very well. It is a younger brother that I know.

246. Was it that Mr. Clarke—Mr. Henry Clarke—who had anything to do with the arrangement with Captain Morris?—I think it was his brother.

247. Which Mr. Clarke was it that you and your husband went to see in 1871?—[No answer.]

248. *The Chairman.*] Could you not recollect which of the two Mr. Clarke's it was to which you and Mr. Douglas went to see?—They are so much alike that I am not sure.

249. You are sure, however, that it was one of them?—

Mr. DOUGLAS re-examined.

250. *The Chairman.*] You say you wish to make some addition to your evidence. Please state what that addition is.—I understood that these lands were not allowed to be sold by the Government and I wish to know how that entail was taken off the land. I particularly asked the whole of the hapu if they had asked the Government in any way to have the entail taken off this land, and they said they knew nothing about it—they were not aware how the Government had taken it off. They said they simply knew nothing at all about it; that they had never asked, nor been asked, to have it taken off. When I and my wife went before Mr. Clarke, none of those Natives that sold the land to Captain Morris had their names in the former lease to Jonathan Brown. The Natives to whom Mr. Clarke gave the land, and who leased it to Jonathan Brown, were different Natives from those who sold to Captain Morris.

251. Which Natives were the right owners?—Those who sold to Captain Morris were the right hapu; but it was given to another tribe called , in the first instance, when the lease was made out to Brown.

252. You mean that the people who sold to Captain Morris were the original owners by Maori custom?—Yes.

253. Were not these people owners in the sense that the land had been given to them by the Government?—No; they were different Natives altogether. I do not know if the whole of the Natives consented or signed their names to the sale of it. I heard one or two say they had a claim, and never consented. Mr. Clarke knew perfectly well, before any of these Natives had sold to Captain Morris, that my wife was one of the principal claimants, because he allowed that in his office before Hamiora Tu and other chiefs.

254. You knew before the sale that your wife was entitled to the land, and before the investigation?—Before the meeting at Maungatapu, not before the lease was made out to Jonathan Brown.

Mr. DOUGLAS recalled.

255. *The Chairman.*] What Mr. Clarke was it that you called upon to report your wife's case?—Mr. Henry Clarke.

256. The gentleman now present?—Yes.

257. Not his brother?—No, this gentleman. I have often seen him in the district, but only spoke to him on this occasion.

258. You know it was Mr. Henry Clarke?—Yes, the Resident Magistrate then. He was Commissioner. He used to act as Resident Magistrate.

259. The Committee feel it somewhat awkward that there is an uncertainty between this gentleman and his brother?—It was not Mr. Samuel Clarke; I know him perfectly well. If there are no more than the three brothers, it is Mr. Henry Clarke. I know Mr. Hopkins Clarke and Mr. Samuel Clarke.

260. Your wife was in a state of uncertainty, too?—It was Mr. Henry Clarke, Commissioner of Native Affairs at Tauranga, who heard me and my wife.

TUESDAY, 8TH OCTOBER, 1878.

Captain MORRIS, M.H.R., examined.

261. *The Chairman.*] We are desirous of taking your evidence on a petition presented by Mrs. Douglas. I understand you have purchased some lands from the Natives near Tauranga, Captain Morris?—Yes, I have.

262. It is stated in this petition that Mr. Clarke assisted you to acquire this land. If that is so, will you describe to the Committee in what way he assisted you?—He did not assist me in any way.

263. Are you aware that Mr. Clarke, in open Court, at one time told the Natives that the alienation of this land would not be allowed—that is, that he would recommend the Government not to allow alienation?—No; I do not think I ever attended the Court with reference to the land.

264. Did you never understand that there was some question as to the power of the Natives to alienate this land?—No. I will state how the affair occurred. Some time anterior to the meeting which Sir Donald McLean held at Maketu in 1874 or 1875—I think it was in 1875—the Natives had applied to Sir Donald McLean to have this land surveyed, in order that it might be sold in three

or four different blocks. I went down to Maketu, and I asked Sir Donald McLean if he had received any application from the Natives to survey it, because I had a lease, and, if they were not allowed to have it surveyed, I should have to give it up and clear out. Sir Donald McLean said that, if the Natives sent in applications to have the land surveyed, and if these applications were found to be correct, the Government would take them into consideration. Some little time afterwards the applications were sent back to Tauranga, and the signatures were gone into by some Native officer. After that, another Court was held, and the names of a good many more Natives were put into the certificate; I forget, at the present time, what number. After that I purchased the land. That is the actual statement of the case.

265. When you went down to Sir Donald McLean in that way, did you know that there was any question in the mind of the Government as to whether the Maoris had power to sell or not?—I was aware that the Maoris had applied to have the land surveyed in order that it might be sold.

266. *Hon. Sir George Grey.*] What was the date when you went to Maketu?—It was the time Sir Donald McLean held a meeting there. I fancy it was in March. It lasted for about three weeks or a month. I went up one afternoon, and came back next day.

267. And you did not know shortly after that the Natives applied for leave to get the alienation taken off the land to sell it to you?—I understand they had applied before.

268. You knew, then, they wanted to sell it to you?—Oh, yes; I had known for some time that they wanted to sell it, but there were some obstacles, and I was going to clear out at one time.

269. [The Hon. Sir George Grey here showed witness a letter.] Do you know whose handwriting that is in?—Yes.

270. Whose is it?—I do not wish to say that.

271. You were aware that the Natives were soliciting Mr. Clarke to interfere with the Government to let you purchase it?—Yes.

272. What sum, in money, was paid to the Natives for it?—I do not know that I need answer that question.

273. Was part paid to storekeepers?—I do not know that I need answer that.

274. Was part paid to storekeepers for spirits?—I do not know that I need answer that.

275. Do you know Mr. Douglas?—Well, I have heard of Mr. Douglas since I have been down here, who married a woman who said she had claims to this land.

276. Do you remember having a conversation with him?—I do not know that I ever spoke to him.

277. Did you ever tell him you had heard of his wife's rightful claims to this land?—I do not think I have ever spoken to him, Sir George. It is possible I may have done, but I do not remember the man by sight.

278. *The Chairman.*] Douglas told us he met you once when you were engaged in drainage operations?—If any man did speak to me about a Maori woman's claim, possibly I should have said it was a matter for the tribe.

279. *Hon. Sir George Grey.*] Do you know a Native of the name of Peter?—Yes.

280. Did you know a Native of the name of Ramarihi?—No.

281. Do you recollect telling any woman who applied to you for payment of her share that you referred her to the Government, to whom you had paid the money?—There was a woman applied to me, who said she had a share in it. She came to me one day, and said she wanted some money on this thing. I am not sure she did not say she was a sister of Peter's. I said I had paid the money, and knew nothing about the subdivision of it.

282. You did not tell her that you referred her to the Government, to whom you had paid the money?—Certainly not, because I did not pay the Government money.

283. *The Chairman.*] Have you ever made application to Mr. Clarke, either verbally or in writing, in respect of this proposed purchase of yours?—No.

284. Do you know of any action whatever that Mr. Clarke took by way of assisting you in the purchase?—No.

285. *Hon. Sir George Grey.*] Did you make any application to the Government about it?—No.

286. Did you speak to any other member of the Government about it?—No. I asked Mr. Clarke to obtain for me an interview with Sir Donald McLean about it. I saw Sir Donald McLean coming out of the Court, and I spoke to him, with the result that I mentioned to the Committee just now.

287. *Mr. Clarke* (through the Chairman).] Did I ever assist you, directly or indirectly, in any of your land purchases at Tauranga?—No.

288. Do you remember at the last time when the certificates were settled that you complained to me of putting you in a difficulty by introducing some other names into the certificate?—I did complain, and I thought that I was very hardly used; I think I was treated very hardly. Forty-five names were afterwards put in, instead of sixteen.

289. Did I explain the reason why I had increased the number of people put on the certificate?—I think you intimated to me that I had nothing to do with the matter, and that you were to decide who were to be put in.

290. Do you remember the transaction with regard to a place called Poheke?—Yes; I remember that, at the same time the Natives wished to sell this other place, they applied to sell Poheke, and they came back and told me that Mr. Clarke said Poheke could not be sold.

291. Has Poheke been sold, or is it held under lease?—It is held under lease.

292. *Hon. Sir George Grey.*] Did Sir Donald McLean assure you that your lease was all correct?—When I first had an idea of taking a lease, I asked Sir Donald McLean if it was a valid lease, and he said it was: if those are the names on the certificate, it is all right.

293. You said that the addition of these other names was a great disadvantage to you?—Yes; it invalidated the lease, and there were more people to divide amongst. It was an immense advantage to the Maoris to have all the names of the hapu put on the certificate.

294. Who added the other names?—Mr. Clarke, who was the Judge at the time.

295. Ought you to have made an application to a Judge out of Court?—I considered I had been treated unfairly: I thought I had been injured, and went there accordingly.

[Mr. Clarke handed in copies of judgment in the case of the Pukepoto Block, and in the case of the Pakehouhou and Kahotea Blocks.]

WEDNESDAY, 9TH OCTOBER, 1878.

Mr. A. M. SMITH examined.

296. *Hon. Sir George Grey.*] Will you be good enough to lay before the Committee some letters in Captain Morris's handwriting? [Letters put in, *vide* Appendix.]

297. I now bring under your notice a letter dated 29th March, which was shown to Captain Morris yesterday. Is that Captain Morris's handwriting?—I have seen a great many of Captain Morris's letters. I think, as far as I can judge, that several of the letters in this communication appear to be formed in the same way as Captain Morris forms them.

298. *The Chairman.*] On a comparison of these letters, do I understand you to say you believe this letter to be in Captain Morris's handwriting?—Well, I could not swear to it. There is a great similarity in the formation of the letters.

[The following memorandum was put in: "19th April, 1875.—Tauranga Natives desiring to have restrictions taken off, and leased to Captain Morris at Hairini, in order that they may sell the same to him."]

TUESDAY, 15TH OCTOBER, 1878.

HAMIORA TU examined.

299. *Hon. Sir George Grey.*] Are you one of the owners of the block of land sold to Captain Morris?—I am.

300. Did you receive part of the payment?—I did not. I was away in Auckland when the case was investigated before Mr. Clarke. I was present at one meeting when he paid the Natives. I was not present at another meeting.

301. Did you consent to the sale of the land?—I did not see the sale. I was present at the first meeting.

302. Do you recollect Mr. Douglas and his wife going to Mr. Clarke's office, in 1871, when you were there?—I remember that.

303. Tell us what took place?—I forget what took place; I am a forgetful man.

304. Did you hear Mrs. Douglas tell Mr. Clarke that she was one of the owners of the land?—I may have heard her say so, but I forget whether she said it or not.

305. Did you hear Mr. Clarke tell them to leave the room?—That is correct.

306. What did you hear about that?—I am not quite certain what Mr. Clarke said exactly, but it was to the effect that they were to leave the room.

307. Did he give any reason why they were to leave it?—I forget it altogether. I forget what we said.

308. *The Chairman.*] Was there anything said with respect to Mrs. Douglas's claim to the land? Was that subject spoken of?—I am doubtful about it; I am forgetful.

309. But you know that they were ordered to leave the room?—Yes; that is correct.

310. Did you know Mrs. Douglas's father, Te Rangi?—Yes; I knew him.

311. Was Te Rangi one of the owners of that block of land?—He had a right—"kopurepure." "Kopurepure" means that he has a right here, and a right there, and there, and there.

312. *Mr. Williams.*] Are you merely describing what a kopurepure is, or do you mean that Te Rangi had rights all over the block?—That land belonged partly to Ranginui and partly to Ngatiruahine. I claim, through different ancestors, to different parts of the country. His claim to this block was through Ngatiruahine.

313. *The Chairman.*] This block belonged to the Ngatiruahine?—It belonged to Ngatiruahine and Ranginui originally; but, when the days of the Te Rangihouhiri came, we took it all.

314. *Hon. Sir George Grey.*] You remember the day when Douglas and his wife were told to leave the office?—They were not driven out; they were put out. They were not driven out badly—not rudely.

315. They were told to leave?—Yes; all were told to leave.

316. What other Natives were there with you that day?—I forget who were there; it is a long time ago.

317. Do you still imagine you have any claim to this land?—The parting of it to Captain Morris was the act of the whole tribe. I was the only one who did not join in it.

318. What were they paid for the land?—I did not see what Captain Morris paid the various tribes—the Ngatihe, the Ngaiteahi, and the others.

319. *Mr. Williams.*] Did you have any share in the payment?—No.

320. *Hon. Sir George Grey.*] Was your name put in the grant?—No.

321. Why were you left out?—The thing was done secretly; I was not aware of it. I was present at one meeting only, and Captain Morris saw me at that meeting. There was no money paid on that occasion.

322. Did you and Captain Morris talk together on that occasion?—We all talked.

323. What did you say?—I said nothing to Captain Morris, but all the Maoris were talking together, and trying to arrange to come to some one conclusion.

324. Did Captain Morris say anything to you?—He said nothing. He was engaged in providing us with food.

325. Were you not warned that the other meetings were to take place?—He did not tell me that.

326. Were you summoned to Mr. Clarke's Court?—I can only say that I have forgotten about those things.

327. Were you informed that Mr. Clarke's Court was to sit?—Mr. Clarke did send out notices.

328. Did you get one?—Yes. He always did send out notices.

329. Then it was your own fault you did not go?—Yes, it was.

330. Did Captain Morris ask the Government to allow the Maoris to sell that land?—No.

331. *The Chairman.*] You stated that Mrs. Douglas derived her claim to this land from the Ngatiruahine tribe?—Yes.

332. What was the nature of the claim of that tribe?—It was through _____, who went up there from the Wairoa.

333. Was that tribe the actual occupant of the land?—They did occupy that land.

334. This particular block?—Ohauti belonged to Ngaiteawhai and another tribe as well.

335. Did this tribe (Ngatiruahine) occupy the block in question, or any portion of it?—Yes.

336. To what extent did they occupy it?—They lived on it occasionally, and went on to other land at some times. They lived on one portion one year, and on another portion another year. At one time they lived upon one piece, and at another upon another piece.

337. Had that tribe (Ngatiruahine) remained in continuous occupation up to the time of sale?—Hairini is their permanent place of residence.

338. You stated just now that they had occupied certain pieces in this block. Did that occupation continue up to the time of sale?—The occupation that I described was an old occupation.

339. How old?—Very old; long ago.

340. For several generations?—In the time of the old generations.

341. How did their occupation come to cease?—Maoris do not always live at the one place.

342. Did they become dispossessed of this land according to Maori custom, so that they ceased to have a title to it?—No; they were not dispossessed of it by any people.

343. Have the Natives of any other tribe been in occupation of it as well as you?—No; I am the only person who has occupied along with those hapus.

344. Do I understand you to say that your particular tribe has the exclusive title to the land as regards other tribes?—Other tribes have rights as well, and other tribes join in.

345. Acquired by occupation?—Yes; but, with regard to the sale to Captain Morris, there are a great many people who have been left out, and have not participated in the proceeds.

346. With respect to the other tribes that you say have been in occupation, have they been in occupation more recently than the Ngatiruahine?—No; it has been all about the same time, but they have separate grounds of claim.

347. Has Mrs. Douglas any claims through any other tribe than the one you have mentioned?—She only claims through Te Rangi, her father.

348. Had he claims through other tribes as well as the Ngatiruahine?—Ngaiteawhai was the real name of his hapu, but it was joined with that of Ngatiruahine.

349. Then his claim was really derived through Ngatiruahine?—Yes, through intermarriage in the days of his ancestors.

350. Was Te Rangi's claim to this block large or small?—I do not know. I only know about _____ He had a great claim.

351. *Mr. Williams.*] Did Te Rangi acquire his title through intermarriage?—It was through the intermarriage of Ngatiruahine and Ngaiteawhai in the days of their ancestors that Te Rangi derived his claim.

352. He would have had no claim whatever but for the intermarriage of ancestors?—Had they not claimed through their ancestors they would have had no rights. I cannot give the genealogy from their ancestors.

353. You stated that it was through intermarriage of ancestors that this man claimed?—Yes.

354. *The Chairman.*] I want to leave that subject, and refer back to the interviews between Douglas, his wife, and Mr. Clarke. Douglas and his wife were told to leave the room, and you stated they were not told so offensively, but then you added all were told. Was that a general request for all to leave the room, and not only Douglas and his wife?—I understood it referred to the whole of us.

355. *Hon. Sir George Grey.*] Did I understand you to say that there were a good many persons entitled to the land who had not been dealt with by Captain Morris?—Yes; there is Pita and Ramarihi.

356. *The Chairman.*] Are these names you have mentioned in the Crown grant?—I am not aware whether they are in it or not.

357. *Hon. Mr. Nahe.*] What is the real hapu of Te Rangi?—Ngatiruahine or Ngaiteawhai.

358. *Mr. Williams.*] Where does that tribe live?—They live at Hairini.

359. *Hon. Mr. Nahe.*] Is it admitted that this man has a right in Tauranga?—I have said that I do not know their districts. The hapu is _____.

360. Would he have an interest in the land of his hapu?—That is a matter for themselves.

361. Does this man's claim extend over the whole of the land that Captain Morris got, or only over parts of it?—Over parts of it.

362. I want to know if Mrs. Douglas has been awarded any lands at Tauranga in investigations upon it?—I do not know. That rests with them.

363. Were you aware whether their object in going to see Mr. Clarke applied to land?—I do not know.

364. Did Mr. Clarke tell those two only to leave the office?—No; he told all to leave, and it was not offensive.

365. *Mr. Tawiti.*] Was this land included in confiscated land?—No, it was not. The whole of the land of _____ was confiscated originally.

366. *Mr. Rolleston.*] You said you were present at the first meeting of the tribe?—Yes; that was at Hairini.

367. The sale to Captain Morris was then discussed, was it?—Yes; they were talking about it. The Maoris were talking about it.

368. Not Captain Morris?—No; he said nothing. His time was taken up in providing food.

369. Was there a general understanding amongst the tribe at that meeting that they would sell?—Yes; their thought was to sell, barring Te Tauaro. That was at the first meeting. At the second meeting, Te Tauaro joined in.

370. When the whole tribe consents to sell out, do they not take out the names of individuals representing them in the sale?—Things used to be managed properly in olden times, but now people are upstarts.

371. It would not follow, then, that, because a man's name was not in the grant, he was not interested in the land?—If a man has a claim to the land his name would have to be put in, and it is an act of theft if it is left out, or if the person investigating the land has not informed him of it.

372. Would it not be for the Natives themselves to settle the payment of the moneys as between those interested?—Sometimes they do that, but sometimes one man takes the lion's share.

373. *Mr. Williams.*] Mrs. Douglas's claim is through her father, Te Rangi—is he still alive?—No; he is dead long ago.

374. Where did he die?—At Oropi; at any rate, he lived there. I am not sure whether he died at Oropi; that is on the road to Rotorua.

375. How did he die?—A natural death.

376. Was he in rebellion?—Have I not told you he died long ago? He died before the fighting.

377. Then this Mrs. Douglas must be an old woman?—She is a grown-up woman; you can see that. She is a young woman. I do not know where she comes from. Where her mother came from I do not know.

380. How long is it since this land was purchased by Captain Morris?—It is quite fresh.

381. How long ago?—Last year and this year.

382. Was it only purchased this year?—It was only this year they urged upon Captain Morris to give them money.

383. And it was this year it was settled?—I do not know about the completion of it.

384. Do you know anything at all about it?—I only know about my own piece. My claim is called

385. Have you ever taken any steps in regard to your claim?—No; I have only been affected by the word of the King, which was, "If they sell, let them sell."

386. From that, you waived your claim, whatever it might be, in the land?—That is why I did not ask Captain Morris for money. I did not speak to Mr. Clarke about this piece, and my claim to it.

387. Did you consider it was a final settlement when the land was purchased by Captain Morris?—The Maoris have sold all this land, and the only piece left is one leased by

388. Where is that?—In the same locality.

389. Is it included in the sale to Captain Morris?—It is not included in the sale to Captain Morris.

390. Did you consider the whole thing was settled when Captain Morris bought the land?—I understood Captain Morris had obtained final possession of the land.

391. If you saw any chance of sticking the wedge of a claim in, would you not be very glad to do so?—Only in one piece.

392. But to Captain Morris's purchase?—In my own piece only.

393. If you were shown a chance of getting a claim in, you would not have the slightest objection to do so?—If Captain Morris pays me for my claim I will give it up for good.

394. *Hon. Sir George Grey.*] If land is taken from certain owners without buying it from them and paying them for it, do you consider that is a theft?—It seems to me that if one set of persons sells lands belonging to others that is theft.

395. If, under such circumstances, a man gets possession of land, do you consider that is a final settlement—that, as strength has done it, right has done it?—In olden times there would have been fighting about such a thing; if it had been heard that people had stolen what was another man's.

396. If a European gets possession of land without having paid a good many owners for it, do you think you are bound to relinquish your claim to it?—If some received money and some were left out, then it is justifiable for those that are left out to ask to be paid.

397. And you feel that that is just?—The proper thing is, that the money should be divided amongst all.

398. If a thing is stolen from you by the strong man, and you could get a man to help you, would you go with that man and try to get back what was stolen from you?—Yes; when I was told about it I should go and try to get it. Let him try and keep it, and if he kept it it would rankle in my mind as a grievance.

399. Do you consider the people who sold this land to Captain Morris as thieves?—I do not know what others' thoughts were. They did not consult me, and therefore I say I do not know what their thoughts are.

400. As a matter of fact, do you consider they have stolen your property?—I have already told you it is a sale in respect of which I have received no money.

401. *Hon. Sir George Grey.*] Can you talk English?—I was at school until I grew up, but I am ignorant of the English language.

402. When Mr. Clarke and Mr. Douglas were talking at the interview in what language did they talk?—They spoke in English, and I did not hear, but Mr. Clarke kept interpreting into Maori.

403. You say at the first meeting Captain Morris provided food for the people?—Yes, he and his Maoris did.

404. What was the food?—Potatoes, pork, mutton, sheep, &c.

405. What did you drink?—There was nothing to drink at that meeting, or at the other meeting. There was nothing of that sort allowed at the meetings. You know what I mean.

406. Did the storekeepers give them anything to drink at other times?—Oh, yes; we went in for that after the meeting was over, when we went back to Te Papa.

407. What did you drink then?—I forget.

408. Did you drink spirits?—I forget.

409. Did you drink beer?—Yes, when we went back to Te Papa.

410. And did you drink spirits?—A day or two afterwards.

411. Who supplied the spirits?—Each individual supplied himself.

412. Did they get it from the storekeepers?—The Maoris got it from the stores.

413. Who paid for it?—The different individuals did.

414. Was the payment to the Maoris all in money, or were the storekeepers' bills part of the payment?—I do not know, but I was about Paeke, and asked Captain Morris for something last winter, which he gave me; but that is another matter.

415. And not connected with this land?—No.

416. *Mr. Hobbs.*] When you understood that part of your land was being taken from you wrongfully, why did you not object at the time?—I did not object to Captain Morris. The fault was not in Captain Morris: it was the fault of the Maoris. They knew and heard all about it.

417. *The Chairman.*] You think, at all events, you ought to have participated in the results of the sale?—How could I have participated in it? If it was paid for in my presence I should have participated in it, but it was done in my absence.

418. *Mr. Hobbs.*] If you considered you were being robbed, why did you not kick up a row about it?—I have no objection to make against Captain Morris, and I do not wish to cause Captain Morris any trouble at all.

419. *Hon. Sir George Grey.*] Do I understand you to say that you were not active in getting your claim recognized in consequence of something in relation to the King?—It was because the King objected to the people taking the money.

420. *Mr. Hobbs.*] Did you at that time consider yourself a King Native?—No. What I wanted to do was to get some one else to receive the money and hand it over to me, and I should only have to spend it.

421. *Mr. Williams.*] Do you base your reasons for not having put in your claim because of the King's injunction that they should not sell?—It was because the King told all the Maoris that they were not to take money: his object being to retain in the possession of the Maoris the lands they held.

422. Were you a follower of the King?—No. It was in my mind to consider what he said.

423. If you were not a follower of the King, why listen to what he said?—The day will come yet when we will see the result; but I have commenced to take money since.

WEDNESDAY, 16TH OCTOBER, 1878.

TAUARO TUTAUANUI examined.

424. *Hon. Sir George Grey.*] Do you know Mrs. Douglas?—Yes.

425. And about the blocks of land sold to Captain Morris?—Yes.

426. Has Mrs. Douglas any claim to this land?—Yes.

427. Is it a large claim or is it a small claim she has?—A large claim. I say a "large" claim, because she inherits through her father.

428. What was her father's name?—Te Rangi Tuataka.

429. Were you present at any meeting between Mr. and Mrs. Douglas and Mr. Henry Clarke in reference to this matter?—I was not.

430. Do you know whether Mrs. Douglas ever preferred any claim to the land to Mr. Clarke?—I do not know. I did not hear of it. I am comparatively a new man in the district. I have been in a difficulty.

431. Have you any claim to the land yourself?—Yes.

432. Have you sold your share?—Yes.

433. How much did you get paid for it?—£2,000. I will explain the details of it: We, the Ngaiteahi got £1,000; the Ngatihe got a further £1,000.

434. Is Mrs. Douglas a relation of yours?—Yes, she is a cousin.

435. Did you sign any letter to the Government asking them to allow you to sell your land to Captain Morris?—Yes.

436. In whose presence did you sign it—in that of Major Roberts?—No; in the presence of the Magistrate who was at Tauranga, Mr. Brabant.

437. Who asked you to sign it?—It was my companions who urged me to sign it. I was strongly against selling the land. I did not want to part with it. The reason why I concurred in the sale was that my tribe had received £500 from Captain Morris. I sent wires to Mr. Clarke and Sir Donald McLean about it, stating that I was content to hold on to the land, and would not part with it; but because my tribe received a large sum of money I concurred in the sale. I did not want anything disastrous to happen to my tribe.

438. Did you get any answer to your telegram?—I did not.

439. To what place did you send wires?—To Wellington. Thomson was the person who wrote the wires.

440. When did Captain Morris pay this £500 to your people?—I do not know; they drew it from time to time within my knowledge. The first thing I heard was that they had made up their minds to sell.

441. Who were the persons who made up their minds to sell?—Marata was one.

442. She was a woman?—Yes.

443. Who are the others?—Tatare was another.

444. Is that a woman?—No, a man. Then there was Whakatau and Te Heke Kaiawha. They were the principal parties. I received nothing. got a bag of potatoes from Captain Morris.

445. *Hon. Mr. Nahe.*] Where was it that you signed letters for the Government asking that the restriction should be removed?—I was one who did not know why the land was being sold. I only heard about the sale of land when Mr. Clarke went to Tauranga.

446. Were you aware that there were no restrictions upon the sale of the land?—I do not know.

447. You say it was your tribe who urged upon you to sign the letter asking the Government to remove the restriction?—Yes; it was my tribe, and Captain Morris, as well. I do not know what reasons induced them to sell.

448. Is Mrs. Douglas a member of your hapu?—Yes; she belongs also to the Ngatiruahine. She has a claim in the Ohauiti. Her father belonged to Ngaiteawhai, and from him she had a claim in the Karai Block, and that land belonged to her from time immemorial.

449. Were you present at the investigation into title?—No; I was in trouble.

450. When was it that your name was put in?—I am not aware who first proposed the insertion of my name.

451. Had you been present at the investigation what would you have done by Kororohiti?—I should have dealt fairly with her—should not have left her name out. The title of the land was not investigated at the instance of Ngaiteahi. The representative of our people was Pomare, a relative of my own.

452. *Mr. Tawiti.*] Why was it that the Ngatihe tribe were the people who brought it before the Court?—Because the whole of us were Hauhaus at the time.

453. Had you been present it would not have been for them to have caused the title to be investigated?—No; we should have done it ourselves.

454. Did you join in the sale to Captain Morris?—Yes.

455. Who was it that conducted the sale to Captain Morris?—Tatare and Whakatau, because their names were in what they called "the Crown grant." It was only when Mr. Clarke came up to Tauranga that I knew of the sale, and went to him and protested against it. I said it was "tahae:" a most improper thing. Those people whose names were in the Crown grant were the people who conducted the sale. We did not join in it.

456. How was it that Mrs. Douglas was left out?—I do not know. That was part of their proceedings.

457. Did the people who conducted the sale tell Mr. Clarke or Captain Morris about the claim of Mrs. Douglas?—I do not know whether they told Mr. Clarke or not. I did not give expression to my thought, because my heart was full of darkness on account of the sale by my tribe. That is why I did not take any action with regard to those names which were not in.

458. *Mr. Taiaroa.*] When you received the money for the land, did you receive any money on account of Mrs. Douglas?—I myself received the money from Captain Morris, and the money was then divided between the owners of Ohauiti and the owners of Karai. I was the person who conducted that business. It was the money for Ohauiti that I dealt with. Pomare dealt with the money for Te Karai, and Whakatau dealt with the money for Pukepoto.

459. Did you not think of Mrs. Douglas at the time you received the money?—I had nothing to do with the money for Te Karai, and that was why her claim was forgotten.

460. *The Chairman.*] How much money ought Mrs. Douglas to have received?—I do not know. The land has not been subdivided.

461. You say you are acquainted with the nature of her claim, and we want your opinion?—Perhaps two or three pounds. There was not enough money to go round. Perhaps she might have got £10.

462. If Mrs. Douglas gets anything in respect of her claim, do you expect to participate in it?—It rests with her to deal with me.

463. Will you ask her for any?—I will not ask her for any; I will leave it to her own generosity.

464. *Mr. Clarke* (through the Chairman).] Do you recollect a list of names being given to me to be placed in the certificate or grant?—I do not.

465. Were you not present at the meeting when the whole of the Ngatihe and the Ngaiteahi came in my presence, and gave the names for the final certificate?—I did not see them.

466. *The Chairman.*] The fifth paragraph of this petition states that Mr. Clarke assisted Captain Morris in getting the land. Do you know anything of such assistance being given?—I know nothing about that. I only saw Mr. Clarke once, and then I had a quarrel with him.

467. *Hon. Sir George Grey.*] You went to Mr. Clarke and protested against the sale of the land?—Yes.

468. You thought it was a theft?—I said I thought it was dishonesty.

469. Was this before the sale was completed, or after it was completed?—They had begun it.

470. Was it completed?—It was not completed, but the Natives had gone to Mr. Clarke.

471. What did Mr. Clarke say?—He did not say anything.

472. Had the other Natives any power or right to force Mrs. Douglas to sell her land if she did not wish to do it?—I do not know about that.

473. Had she a right to do what she liked with her own land?—It rests with her; but it rests with us as well, if we all united in the course we intended to pursue.

474. Could you force her to sell for as small a sum as you pleased?—We would have considered her claim.

475. *Hon. Mr. Nahe.*] In case you and Mrs. Douglas were in a block of land, and you sold your share and she did not sell hers, and in selling yours you received the whole of the money, if she afterwards sold would you ask for a share of hers?—I should leave that to her.

POMARE examined.

476. *Hon. Sir George Grey.*] When did you arrive here—what day?—On Sunday last.
477. Where are you staying?—In a house belonging to the Governor.
478. Did you come up here on a claim by Mrs. Douglas to land?—I did.
479. About the sale of the land?—Yes.
480. Have you been talking to any one about it since you have been here?—No.
481. Do you recollect all the circumstances connected with the sale?—Yes.
482. Have you talked to Mrs. Douglas about it since you have been here?—No.
483. Has Mrs. Douglas any claim to the land?—She has.
484. In right of whom?—From her father, Te Rangī.
485. Has she a large claim?—Yes.
486. Were you one of those who sold it to Captain Morris?—Yes, I joined in with those who sold. Those who sold were in the lease, and I joined in with them.
487. How much did you get for it?—£2,000 was the price agreed upon.
488. How much was paid in money?—£1,900; the other £100 was deducted by Captain Morris for debts.
489. Was £1,900 paid in money?—Yes.
490. What was the nature of the debts?—I do not know. They were debts of others.
491. Why was Mrs. Douglas's name not included as that of an owner of this land?—Because she was absent.
492. Were you present at any meeting?—Yes, at the meeting at Maungatapu.
493. Were you present at any meeting between Mr. and Mrs. Douglas and Mr. Henry Clarke?—I was not.
494. Who asked you to sell the land to Captain Morris?—Captain Morris.
495. Nobody else?—There was a word by another person against selling.
496. Who was that?—The party of fifty Natives. He will tell you about it himself.
497. Did you sign any paper asking the Government to give leave to sell the land to Captain Morris?—It was the people who were in the lease who signed the letter that was sent to the Government.
498. Only the people in the lease?—Only the persons whose names were in the lease.
499. Did you never ask the Government for leave to sell the land to Captain Morris?—No.
500. Did you ever tell the Government you did not wish the land to be entailed upon the Natives, but wished it to be sold to Captain Morris?—I did not.
501. *Hon. Mr. Nake.*] Was this land sold to Captain Morris confiscated land?—No; the confiscated land is separate from this.
502. Is not the land within the boundaries of the whole district that extends up to Wairakei, and which is called the confiscated boundary?—It is.
503. What Court was the case heard before—was it the Native Land Court or the Compensation Court?—It was heard before the Native Land Court. I was not present at the investigation of the title. I was absent. The people whose name appear in the lease were those who were present at the investigation.
504. How many are there who are aware that this woman, Mrs. Douglas, has an interest in the land sold to Captain Morris?—Those who have come here know, and those who are left behind know. There are numbers who know.
505. Were you all absent at the time of the investigation of the title to the land to which Mrs. Douglas lays a claim?—Yes; we were amongst the Hauhaus.
506. Were the persons who attended the Court persons who knew of Mrs. Douglas?—Yes.
507. Was she absent?—Yes; she was at Mercury Bay.
508. Had she been present would her name have been inserted as one of the owners?—Certainly; her father was the owner of the land.
509. Why did the people who were present not have her name put in?—Because there was some confusion about it. It was the people of Ngatihe who brought the case before the Court. Mr. Clarke knows about it.
510. Was your name put in?—Yes; it was put in at the meeting held at Maungatapu. Mr. Clarke knows about it.
511. You were not put in by the Court?—No.
512. Is it competent for you to put in a person's name, not the Court which is investigating the case?—It was done because Ngatihe gave back the land to us, and Mr. Clarke held a meeting at Maungatapu, at which meeting the land was returned to us.
513. Where was Mrs. Douglas at that time—at the meeting at Maungatapu?—She was away at Wairoa, at Tauranga.
514. Did you not think you ought to put her name in?—We left her name out by accident. We forgot her.
515. *Mr. Tawiti.*] Is your statement correct that the Ngatihe gave back the land to you only?—Yes, they did.
516. It was returned, then, to the tribe of this woman, Mrs. Douglas?—Yes.
517. Were there any of your younger sisters among you?—No, there were not.
518. Were there any brothers?—No. If the Committee likes, I will state how closely I am connected.
519. She has no "own" brothers?—No; they are dead.
520. If you knew and acknowledged the claim of Mrs. Douglas, why did you not have her name placed in the list of owners?—We forgot her.
521. Are you sure you did not see Mr. and Mrs. Douglas go to see Mr. Clarke?—I saw them on the way, but I did not see them actually meet him.

522. *Mr. Rolleston.*] Did the owners that are down in the grant get all the money that was agreed to be paid to the tribe by Captain Morris?—Yes; those in the lease.

523. If they forgot this woman's claim, knowing she had it, ought they not to make good to her her share?—I do not know about that.

524. Supposing she now established a claim, should you have any interest in the claim?—I should.

525. How is that?—Because I was not present at the investigation, for one thing. It was other people who brought the case before the Court.

526. Have you any promise from her for consideration from her if she establishes a claim?—She would give me consideration if her claim was established.

527. *The Chairman.*] Does she say so?—That is only my opinion.

528. *Mr. Rolleston.*] Have you any promise from her or her husband in the matter?—No.

529. *Hon. Mr. Fox.*] In case you do succeed in establishing a claim, do you mean to ask her or her husband for something?—I will.

530. You expect to get it?—I expect to get it, because I look upon her as my sister or cousin.

531. *Mr. Carrington.*] You having sold your claim, what right have you to expect to get anything further?—I was not the real seller of the land. The people who had the lease sold the land.

532. But you admit you sold all your right and interest in it?—I joined in with the others who had the lease. On that ground I was a party to the sale.

533. Then do you consider it just you should put in a further claim?—Yes, because I was not present at the investigation. It was at the meeting at Maungatapu that my name was put in. It was put in by *Mr. Clarke*. I told him to put it in.

534. *The Chairman.*] How much money did you receive?—I do not know. I was drunk at the time. It was my sisters who took charge of the money. It was night when the money was paid. £5 was the exact sum I received in my hand. I bought a plough with it.

535. *Mr. Clarke* (through the Chairman.)] Who supplied me with the list of people entitled to the land?—I did.

536. Te Korohiti's name was not included?—Her name was not included.

537. At the subsequent meeting, when the final certificate was drawn out—that was at the Courthouse at Tauranga—who gave me the names?—It was every one gave his own name.

538. *The Chairman.*] In the fifth paragraph of the petition it is stated *Mr. Clarke* assisted Captain Morris to obtain the land. Do you know anything of any assistance given by *Mr. Clarke* to Captain Morris?—No; I knew nothing of that.

539. You state that *Mrs. Douglas's* name was omitted by accident, through forgetfulness?—Yes, she was absent at the time, and we forgot her.

540. Was there any other reason? Was not this the reason: that it was well known that *Mrs. Douglas* was opposed to the sale of the land, and that therefore her name was intentionally omitted?—We did think, perhaps, she would not sell; but we really forgot her.

541. Did you know that she ever said previously to that that she would not sell?—No, I did not know about that. It was a matter entirely for herself either to desire to sell, or to object to sell.

542. *Hon. Mr. Nahe.*] You say you remember the time when this woman was going to see *Mr. Clarke*. Did you not think she was going there to prefer a claim for the land?—I do not know.

543. Did you not hear afterwards they went to prefer a claim?—Yes, I did hear it afterwards.

544. What did she go to Hawke's Bay for?—She went along with her husband, who went there to seek work.

545. Did she marry him with your consent? Were you satisfied that your sister should marry a European?—Yes; what objection could there be to a European?

546. What is your custom with regard to women who marry Europeans? Have they a right to assert any claims?—Yes.

547. *Hon. Sir George Grey.*] Did you hear that *Mr. and Mrs. Douglas* had informed *Mr. Clarke* that they had a claim to the land?—Yes, I have heard it.

548. You saw them going to *Mr. Clarke*?—I did not actually see them. I heard they were, but *Mr. Douglas* did not invite me to go with them.

549. Did *Douglas* tell you he was going?—No.

550. Did your sister tell you?—No, they went by themselves. *Hamiora Tu* was present when they reached *Mr. Clarke's* office.

551. Did *Hamiora Tu* tell you what passed there?—It was *Mr. and Mrs. Douglas* who told me they had been to see *Mr. Clarke*.

552. Did they tell you what they said to *Mr. Clarke*?—Only what you are aware of.

553. What did they tell you?—They said they had been to *Mr. Clarke* to prefer a claim to two blocks of land called Pukepoto and Ohauti, and that *Hamiora Tu* was there.

554. Was that all?—Yes.

555. Had you any right to force *Mrs. Douglas* to sell the land when she was away?—It was the act of outsiders that sold the land. It was none of those in the lease. We were annoyed at them taking all the money.

556. But had you any right to force her to sell the land without her consent?—We forgot her; we made a mistake.

557. You say the money was paid at Te Papa?—Yes, in the evening.

558. And you were drunk?—Yes.

559. Where did you get the spirits on which to get drunk?—It was in our Maori places in hiding.

560. Who gave you the spirits?—It was a little drop which my sister brought in a bottle.

561. Do you know where your sister got it?—I do not know. I got it in hiding. I saw she had a bottle.

562. Were there any other Natives drunk?—I was the only one who was drunk.

563. Would you have consented to sell your share of the land for £5 if you had had a free choice?—It was my share of the money which *Te Tauaro*, who divided the money, set apart for my hapu.

564. Did you consent to the sale?—I did not originally want to sell, but I joined in the sale because of the conduct of those who joined in the lease. They kept the money, and gave us no share of it. We were vexed and annoyed at their conduct, and determined to sell the land.

565. Did you get no share of the rent?—No; we got a shilling occasionally, which we spent in grog.

566. You never signed any paper to the Government, asking them to take off the reserve on the land?—I did not.

567. Were you ever taken before Major Roberts to be asked whether you had any objection to it?—I did not go before Major Roberts.

568. *Captain Morris* (through the Chairman).] Did you see the money paid by Captain Morris?—Yes.

569. Where was it paid?—At Tauranga—at Te Papa.

570. At what particular place?—In the Government office at Tauranga.

571. Who was present when it was paid?—Do you mean Europeans?

572. Europeans and Maoris?—Mr. Brabant and Mr. Hopkins Clarke were there.

573. In what form was the money paid?—In notes.

574. Was it all paid in notes?—There were some cheques; we call them paper.

575. At what time of the day was it paid?—I forget the hour. It was paid in the daylight.

576. How then do you come to say it was paid in the night?—That was the partition of the money at night.

577. You do not mean to say that Captain Morris paid the money at night, but that the money was divided at night?—I meant the distribution took place at night. Captain Morris paid us the money in the daylight, and we took it away to our kaingas.

578. At the time the money was paid by Captain Morris were you sober?—We were sober when the money was paid; it was only when we got home at night that we were drunk.

579. Was Captain Morris present at the partition of the money?—No.

WEDNESDAY, 18TH OCTOBER, 1879.

TE RANAPIA KAHUKOTI examined.

580. *Hon. Sir George Grey*.] Do you know the land that was sold by the Natives to Captain Morris at Tauranga?—Yes; I know it.

581. What were the names of the pieces of land?—

These places have many names. These are sufficient to tell you about.

582. Have you been summoned here to give evidence about that land?—Yes.

583. When did you arrive here?—Last Sunday.

584. Where are you living here?—At a restaurant opposite here.

585. Where did you go to when you first came here?—I went to the Native hostelry.

586. Who took you away from there?—It was my own desire. I did not care about stopping in that house, and therefore I went to seek for another house.

587. Who took you to the house where you live?—I asked Captain Morris to see Mr. Clarke, for the purpose of seeking for a house in which we could live.

588. Who appointed the house you live in for you?—Captain Morris.

589. What Europeans are living in the same house?—I do not know the Europeans of Wellington.

590. Do you know any European who is living there?—I know them by sight; I do not know their names.

591. Do you know the names of any Europeans living there?—No; I do not know the names of any of them.

592. Do no Europeans you know live in the house?—There are many Europeans living there—the custodian, one waiter, and a lot of others I do not know.

593. Do any members of Parliament live there?—No; I have not as yet seen that any of them live in that house.

594. Do you know Mr. Swanson?—I do not know him.

595. Do you know Sir Robert Douglas?—No.

596. Do you know Mrs. Douglas, the petitioner?—Yes.

597. Has she any rights over the lands that were sold to Captain Morris?—With reference to that question, I wish to be allowed to make a statement to the Committee about that woman. That woman has an interest in those lands, but I was the person who administered the affairs with regard to those lands. It was for me to say whose claim was right or whose claim was wrong in respect of those lands that were sold to Captain Morris. The whole question of the title of these lands was gone into, and we, Ngatihe, got the land. After we got the land in that way we returned it to the Ngaiteahi—to Pomare, , and others. That woman, Mrs. Douglas, is a member of the hapu. We claim the land as being ours, and we assert we are the chiefs of that land. The giving away of that land to our hapus was done with the consent of the Commissioner, and it was those hapus that sold to Captain Morris. We were unable to return on to those lands to take any part in the disposal of them. That is all I have to say about this woman. I do not admit that she has a real claim upon the land. Her claim is simply as being a member of the Ngaiteahi hapu. I do not admit her right to claim through her ancestor.

598. Is that your signature to this letter of 3rd March, 1875?—Yes. [(Copy.) “Tauranga, 3rd March, 1875. To Mr. Clarke,—Friend, we are desirous of selling our piece of land called to Captain Morris. We ask you to ask the Government to consent that that land should be surveyed by us, with the object of selling it to him. Sufficient. From Ranapia.”]

599. Where did you sign that letter?—At Tauranga.

600. Who presented it to you for signature?—Captain Morris. I consented that I would convey that land to him.

601. *Mr. Taiaroa.*] Did you write the letter yourself?—I wrote the letter.

602. *Hon. Sir George Grey.*] Look at it again, and say whether that is your handwriting?—I did not write the body of the letter. It is the signature that I admit.

603. Do you know whose handwriting the body of the letter is?—I am not certain as to the person who wrote the body of the letter, but I appended my signature to it.

604. Did you see it written?—I saw it being written, but I forget who wrote it.

605. Since you have been in Wellington have you been talking this subject over with any persons?—I have not been speaking to any one. I came here and waited patiently until the Committee called me to speak before them.

606. You say you saw the letter written at Tauranga?—Yes. I forget who wrote the letter. Mrs. Douglas has nothing to do with that land referred to in the letter.

607. *The Chairman.*] What tribe do you belong to?—I belong to Ngatihe and Ngaiteahi.

608. You are a relation, then, of Mrs. Douglas?—Yes; I am a sort of relation.

609. Did Mrs. Douglas receive any of the proceeds of the sale of this land?—It was not I who received payment for the land. It was Te Tauaro and Pomare.

610. I understood you to say that it was for you to administer this land?—Yes, as a Government official down to the present time. When these people went back we gave them back the land.

611. Was it not a part of your duty to see that Mrs. Douglas got paid for her right, whatever it was, to this land?—It had nothing to do with me so far as the payment of the land was concerned. I had myself no right to the land. Katikati was my piece. Ketekete was the name of the other piece in which I had an interest.

612. What official position do you occupy?—I was an Assessor.

613. Did Mrs. Douglas ever make any application to you to assist her in having her name placed in this grant?—She did not make any application to me.

614. Do you know of her having made an application to Mr. Clarke, or any other Government official, to that effect?—I do not know that she was able to make any application to Mr. Clarke, or any other Government official. I do not know about her going to him.

615. Had she an opportunity of preferring her claim at the time Major Mair inquired into it?—No; she had not an opportunity.

616. Why? Was it from want of knowledge?—The land was awarded to three—Hone, Tareha, and myself; and we returned it to the Ngaiteahi.

617. Do you consider that Mrs. Douglas was one of the principal people entitled to that land?—I do not consider that her claim to the land is a large one. Her mother belongs to Ngatihinerangi, and her father belonged to Ngaiteahi.

618. *Hon. Mr. Nahe.*] When you gave this land away you gave it to Ngaiteahi. did you not?—Yes; we gave it to Ngaiteahi.

619. Were you giving it to certain individuals, or the whole hapu?—We gave it back to the whole hapu; our object being that it should be a permanent possession for them.

620. What position did Te Rangi hold in the Ngaiteahi hapu?—He was equal to some of them, but there were other men of greater importance than him. Timoti was the principal man.

621. If you consider that Te Rangi held an inferior position, is that any justification of his being deprived of any right he might hold in the land?—No; although a man might hold an inferior position, he is entitled to his rights in the land.

622. If Te Rangi is entitled, then his children are?—Yes.

623. Is it because Mrs. Douglas's mother did not belong to Tauranga that you deny her right? If a person's mother belonged to this part of the country, and the father to Waikato, would that justify the land inherited through the father being taken by other persons,—land, property, goods, or anything else?—According to Native custom, the child would inherit from the father, and would inherit also from the mother; but I deny that this woman, Mrs. Douglas, has a large claim to this land.

624. Has Captain Morris been looking you up during the last two or three days?—No; ask me some more about that.

625. Would he let you go altogether?—We have gone to a nice home to live in, and we have no more reason to see Captain Morris; we are in a comfortable place.

626. *Mr. Taiaroa.*] Is Mrs. Douglas the only child of Te Rangi?—She is the only one living; the others are all dead.

627. *Mr. Rolleston.*] Is it true, as stated in the petition, that Mr. Clarke assisted Captain Morris in obtaining the land?—It is not true. She would have no knowledge of what passed between Captain Morris and Mr. Clarke.

628. *Mr. Woolcock.*] By what means did Te Rangi meet his death? Did he die in the ordinary course of nature, or by accident?—I will have to give you a long answer to that question. I was a man always loyal to the Queen. I took these people away from the Hauhaus, and brought them back to Hairini. After being taken back to Hairini, Te Rangi went to Oropi, to the place where the Hauhaus were living, and he died on the road. No one saw him die: he was found dead.

629. *Mr. Carrington.*] Were there any marks of violence upon him?—No; he was an old man. He had no business to be travelling in the direction he was going. He dropped down dead, I think.

630. *Hon. Sir George Grey.*] I think you said you gave back this land that it might be a permanent possession for them?—Yes. We did return that absolutely as a permanent possession; but they sold it afterwards to Captain Morris.

631. Did you intend them to sell it when you gave it back?—We did not know they would sell it, but when they did come to sell it we found they had sold it. Mr. Clarke had nothing to do with the sale to Captain Morris. It was Captain Morris's own desire to purchase. Mr. Clarke's desire was that the land returned to us should be made a permanent possession for ourselves and our children after us.

632. Mr. Clarke told you that was his desire?—Yes; Mr. Clarke always told me that.

633. That they were not to be allowed to sell them?—Mr. Clarke's permanent word was, we were not to sell our lands, but to keep them.

634. You signed a letter asking Mr. Clarke to petition or ask the Government that they should be allowed to sell land, for the purpose of selling to Captain Morris?—It was not my letter that went to Mr. Clarke. It was the desire of Captain Morris that induced us all to join in the sale.

635. You signed that letter?—It was the desire of Captain Morris to obtain land, and ours to obtain money, that made us sign. What Mr. Clarke always told us was, that we were not to sign to the Europeans, because our lands in Tauranga were of small extent.

636. Well, you asked Mr. Clarke to help Captain Morris to get the land from you?—We did not ask Mr. Clarke; it was Captain Morris asked us, and we consented to what he asked us to do.

637. But did not you write to Mr. Clarke, asking him to do it?—I do not know. I have not written any letter to Mr. Clarke. Others may have done so.

638. Did not you say just now you had written this letter?—Yes; that was a thing that took place shortly before the money was paid; it was in anticipation of a speedy payment of the money. We did not know that Mr. Clarke was going to help Captain Morris.

639. Did you ask Mr. Clarke to help him?—No; we did not ask Mr. Clarke to help Captain Morris. [Letter of 3rd March, 1875, handed to witness.] This letter was about the money; this was the land we kept for ourselves.

640. If the woman had known of these letters to Mr. Clarke, would it not have raised a fair presumption in her mind that Mr. Clarke was asked to assist Captain Morris?—She would not know about it. It would be her husband, Edward Douglas, who would tell her what to do.

641. Did you see the payment made for these two blocks?—Yes.

642. What was the money paid in?—It was notes.

643. Were there any cheques?—No; all notes.

644. Are you sure of that?—It was all in notes; there were no cheques.

645. If any witness said there were cheques, he said what was not true?—Yes; if any one stated that cheques were paid he stated what was false. It was all good money that Captain Morris paid to us.

646. How much was paid?—£2,500; that was Captain Morris's money.

647. Was it all paid at once?—Yes.

648. *Mr. Rolleston.*] When that letter was written, with regard to one of those blocks, to Mr. Clarke, had the arrangement been entered into with Captain Morris, or was the letter written to ask him to help them to make the arrangement?—We had long before entered into the negotiation with Captain Morris, before that letter was written, and the investigation of title took place afterwards, and it was awarded to myself and Tareha. But the land had actually, before that, gone to Captain Morris. He had a lease of it before.

649. *Mr. Carrington.*] How many people ought this money to have been distributed amongst?—There were a great many who received parts of this money, and a great many who were interested. I think they all got a share.

650. *The Chairman.*] How many were there?—It is impossible for me to state, the number was so great.

651. One hundred?—More than 100.

652. Do you think 200?—Yes, 200, including men, women, and children. We are a strong tribe.

653. Had this woman a right to an equal share?—I think she had a lesser claim to the land than some of the others.

654. How much of the £2,500 do you think she ought to have received?—If I had the dividing of the money, I should give her £10. Why should I give her any more? That would be a larger share than some of us got; some of us got 3s. or 4s. each.

655. Do you mean to say that she was not entitled to a larger sum?—I do not think she is entitled to any more than £10.

656. *Mr. Hamlin.*] Were you present at the Courts where Mr. Clarke named the persons who were to be put in?—Yes; Mr. Clarke put in the right names.

657. Is it true that some sisters or cousins of the petitioner were present on that occasion?—I do not know that she has any sisters or cousins; they were not put in it. The right people were put in by Mr. Clarke after we had returned the land to Ngaiteahi.

658. It has been stated in evidence that the husband appeared before Mr. Clarke and stated his wife had a claim, and that regret was expressed she was not in time?—I am not at all aware of the reason why she and her husband went to see Mr. Clarke. I did not see them going to Mr. Clarke.

659. You do not really know whether the petitioner went or not?—I do not believe she went to see Mr. Clarke after the names were handed in for the land. She may have gone to see him later on.

660. Are you aware whether she has ever made application for a rehearing, or redress of any kind?—I have nothing to do with that. It does not rest with me to consent or not.

661. Are you aware whether or not she has made this application to the Court, Mr. Clarke, or the Government?—I am not aware she has made any application to Mr. Clarke to have her title to the land inquired into.

662. *Hon. Sir George Grey.*] Mr. Clarke warned you that you must not sell these lands?—That is what he always told us: not to sell in the District of Maungatapu.

663. When you began to sell to Captain Morris, had you got Mr. Clarke's permission to do it?—Mr. Clarke had not given his consent to us that we should sell to Captain Morris.

664. But you went on selling it?—It was our desire to take his money, and give that land to him.

665. Did you tell Mr. Clarke before you completed the arrangement or not?—The letter about Katikati was written after that arrangement was made with Captain Morris.

666. Was the letter about Pukepoto written after the arrangement was made?—Yes. I am one of the owners of Pukepoto, and before that I had given it over to Captain Morris.

667. When you asked Mr. Clarke to get permission to survey Pukepoto, did you tell Mr. Clarke you had already sold the land?—We did not survey Pukepoto; it was not surveyed by us.

668. When you asked the Government to survey, did you tell the Government that you had already sold it?—We did not write to Mr. Clarke on the subject. It was Captain Morris who urged that those letters should be sent to Mr. Clarke.

669. When he urged that, did Mr. Clarke know that the land was already sold?—It was after that we told Mr. Clarke the land was sold, and he expressed anger with us for parting with our land, because it was gone, and we had none left. Mr. Clarke was very angry with us for this improper action of ours.

670. Was it after the Court had sat and your names were put in that he was angry with you?—Yes; it was after the Court, and after the names were put in.

671. Then up to that time you had concealed from Mr. Clarke that you had sold to Captain Morris?—We concealed it from Mr. Clarke. We did not inform him of it. When he had ascertained that we had sold, his anger was expressed. He was very angry with us.

672. *Mr. Clarke* (through the Chairman).] I want to know whether you remember a meeting of Natives held at Maungatapu in 1871?—I remember it.

673. Was that the occasion on which they returned all this land to Nga ?—Yes.

674. Who was it gave me the names on that occasion to be put in the certificate?—It was and

675. Had Pomare anything to do with it?—He had a say in it.

676. On that occasion did you give me the name of the petitioner?—No.

677. Do you remember a more recent date, when the final certificate was being made out at Tauranga?—Yes; I was the chief present at all these meetings.

678. Was the whole of Ngaiteahi present?—Yes; they were all there.

679. And Nga ?—And all Ngaiteahi.

680. Who gave me the names on that occasion?—It was Pomare, who was the chief of the Ngaiteahi, and we gave them back the land. It was and Pomare who gave you the names.

681. Was Te Tauaro present on that occasion?—No.

682. At the last meeting?—Yes.

683. And he heard all the names given to me?—Yes.

684. Was the petitioner's name given to me then?—No.

685. *Mr. Douglas*.] Do you remember a meeting of the people being held in a whare at Tauranga last winter?—I was presiding chief over all the meetings held.

686. *The Chairman*.] Do you remember a statement being made to Douglas on that occasion with regard to assistance being rendered to Captain Morris about getting this land?—I did not hear that word. The meetings were all called by me, and I presided over them all.

687. Did you ever hear it stated by the Maoris at any time that Captain Morris had been assisted by Mr. Clarke?—That is false. Mr. Clarke never helped Captain Morris.

687A. Were such statements made in your hearing?—No; I did not hear them made.

688. *Mr. Douglas*.] Did my wife's father ever fight against the Europeans on any occasion?—Yes; he was a King Native. They all left Hairini, and I was the only one that remained.

689. Was my father-in-law ever engaged in active hostilities?—Yes, to this extent: that he was an old man who went along with the others to see the fighting that was going on. None of the Ngaiteahi remained loyal except myself.

690. *Hon. Mr. Nahe*.] Is Pita closely related to Mrs. Douglas?—Yes; he is a near relation of hers. They sprang from the one ancestor; from that ancestor descended Te Rangi, and Te Rangi was the elder one of the two. They are both from one ancestor. We are all related—these people in the certificate.

Captain MORRIS, M.H.R., re-examined.

691. *The Chairman*.] I admit that the letter shown to me the other day is in my handwriting. I declined to answer the questions, because I thought I was asked impertinent questions. I wrote up to Preece and Graham and requested them to send me down a Maori letter to the effect that the Natives should get this land surveyed in order that they might sell it, and the letter before the Committee is a copy of the letter that Preece and Graham sent down to me.

692. *Hon. Sir George Grey*.] The other day you declined to answer whose handwriting that was in?—Yes.

693. What was the reason?—Because I thought the question was impertinent. I did not think it referred to the petition at all. The petition was never read to me, and I thought the question impertinent to the inquiry.

694. In what way was the payment made to the Natives? Partly in notes and partly in cheques?—Entirely in notes.

Mr. H. T. CLARKE re-examined.

695. *The Chairman*.] You desire, Mr. Clarke, to make a further statement in connection with this matter?—Yes; the statement I wish to make is in connection with what was said by Hamiora Tu. He said this woman was a member of the Ngatiruahine tribe. It is only just I should state that, if she can prove before the Commissioner that she is a Ngatiruahine, she is entitled to share in the Poheke Block. This land is only held by trustees. This is the most valuable block of the whole. It takes in the whole of the navigable branch of the Waimapu River. I do not think I should be doing right in concealing this.

696. How will the opportunity to prove it arise?—It has yet to be individualized, and the respective claims have yet to be defined. This matter was brought under my notice at Tauranga, and I urged that it was necessary to have all the names of the Ngatiruahines mentioned at once, in order

that it might be known to whom the land belonged. I asked Piabana to send me down a list. He sent me down this list, and I do not see her name in it at all. It might be said hereafter it was not right I should conceal what I have stated. It is all part of one and the same question.

697. *The Chairman.*] It is not the block regarding which the question is raised in this petition?—No, it is not; but it is a part of the same question really: it is connected with it.

698. Do you know anything as to whether the petitioner is a member of this Ngatiruahine tribe?—I do not know at all. Hamiora Tu is my only authority; he ought to know.

699. *Mr. Hamlin.*] Are you aware whether the man she asserts is her father was a member of that tribe?—I am not. Hamiora Tu is my only authority.

700. *Hon. Sir George Grey.*] I see that the two blocks granted to these Natives amounted to 6,547 acres, more or less. What do you estimate the value of the land would have been?—The back part of the land is very rough. I would divide the land into three orders,—the first, or frontage land, would be worth about £1 an acre; 10s. for the second order; and 5s. an acre for the third. That would be our value.

701. What do you mean by "our" value?—What the Government would have put it up for at auction.

702. What do you think it would have fetched at auction?—I can hardly say.

703. How far is it from Tauranga?—I should think about two miles from Te Papa.

704. And do you say the best of the land would only be worth £1 an acre?—I am referring to the time at which this land appears to have been purchased by Captain Morris.

705. When was it purchased?—From the statements of the Natives, they sold it before they asked for leave to be allowed to sell it.

706. When they asked for leave to sell did you know it had been sold?—No.

707. At the time you awarded the land to the Natives, in 1877, what was the land worth?—About 30s. an acre for the frontage land, and a sliding scale as you go back.

[The following letter was translated by Mr. Clarke:—

"To Mr. Clarke,—

"Katikati, 29th March, 1875.

"Friend,—We are desirous to sell our piece of land, by name, to Captain Morris. This is the request from us to you: to ask the Government to give their consent that that land should be surveyed by us, and that we should sell it to him."]

708. *The Chairman.*] Might it not mean this: "To give their consent for the survey of the land, that we may sell it to him?"—They ask that they may be allowed to survey that land and sell it to him.

TUESDAY, 22ND OCTOBER, 1878.

MR. H. T. CLARKE re-examined.

709. *Hon. Sir George Grey.*] You were present when Tutauanui was examined?—Yes.

710. He stated that he sent telegrams to Mr. Clarke and Sir Donald McLean about the land, stating, "I was to hold on to the land, and would not part with it?"—I do not remember receiving any telegrams from him. I have searched, but could not find any. I remember, on one occasion, when I went to Tauranga, after his liberation, that he objected to the action the tribe had taken in respect of this land; but that was not a telegram; it was stated at an interview.

711. After the grant was issued, could not the Native Land Court have divided the land amongst the different claimants?—The Native Land Court has already decided that it has no jurisdiction after the Crown grant is issued. Under the Act of 1865 they could, but under the Act of 1873 they could not. It could have been done by the Commissioner's Court.

712. Would not that have been fair and just?—It would have been much better to do so, but it would be impossible to get at them all. There would always be some to say, "We have been left out," and "We have been left out." When I found out that the Maoris were determined to sell, I said, "Very well; you must give me the names of all the people entitled." Whakatau, Makarauri, Tutauanui, and Pomare gave in the names in the presence of the whole tribe; and before any final action was taken by the Government it was necessary that the names should be verified before Major Roberts. I took a great deal of trouble when taking down the names. There were seventy or eighty present, and I particularly urged them to give me the names of the rightful parties. I was very particular in doing that, because I knew they were going to sell the land, or had sold it. I spared no pains or time about it.

713. You have been unable to find the telegrams which Tutauanui says he sent you?—Yes. He might have sent them to Sir Donald McLean, but I have made diligent search and have been unable to find any. I wish, however, distinctly to bear out Tutauanui's statement that he said he did not approve of the action of his tribe.

WHAKATAU examined.

714. *The Chairman.*] Are you acquainted with the contents of Mrs. Douglas's petition?—Yes.

715. What tribe do you belong to?—To Ngaiteahi.

716. Is that the same tribe Mrs. Douglas belongs to?—Yes.

717. Are you a relation of Mrs. Douglas?—Yes.

718. In what degree?—Her father was related to my father; her grandfather was the cousin of my grandfather.

719. Will you be good enough to tell the Committee what you know about the petition?—It was I who dealt with the land, and my father was the chief of the people, and of the land also; and on his death I was the person who managed the land. It rested with me to think about the persons who did not join in the sale. Mrs. Douglas and others were not participators in the proceeds of the sale, and did not join in it. My elder brother was not willing to join in the sale, and the woman who has just come to Wellington did not wish to join in the sale. There are many others, too, at home, who did not

join in the sale, and did not wish to join in it. They did not join in the lease either. They never took any money at all.

720. I understand that the whole of the people whose names were on the grant joined in the sale. Is that so?—Yes.

721. At any of the inquiries that were made did you endeavour to have these names put upon the list included in the grant?—Some of us did; but my name was put in. I did not cause the title to the land to be investigated.

722. Do I understand you to say that your name was on the grant?—Yes. I was not present at the investigation of the title, but the others said that my father had a right there. Hence my right.

723. Did you not join in the sale or lease, or take any money?—I joined in the sale.

724. With regard to the source of your claim: You derive your claim from your father, the relation of Te Rangi?—Yes. My father was dead before the investigation to the title took place.

725. Had Te Rangi a claim to this land similar to your father?—Yes.

726. Have you any claim to the land other than that derived through your father?—Only through my father. My mother was a Ngaitamarawaho, and belonged to another hapu.

727. We have it stated in evidence that there is no one on the grant whose claim was solely derived from Te Rangi or a similar source—is that true?—Te Rangi was simply a parent.

728. Were Te Rangi's claim and your father's claim derived from the same ancestor?—The whole of the Ngaiteahi descended from the one ancestor, but my father was the man who managed the affairs of the hapu, and the affairs relating to their land.

729. Is Mrs. Douglas's claim through her father as great as yours through your father?—Yes; her claim is equal to mine; they are all equal.

730. Were you aware at the time you took payment of this money that Mrs. Douglas had a claim to it?—Yes; I knew that she and the others whose names had not been mentioned had a claim; but what did I care about them? I was anxious to get the money.

731. Why did you not give them a portion of the money, knowing they had a right to it?—I was not the man who received the money. The man who received the money, with the consent of the Commissioner at Tauranga, was

732. Did you call his attention to the fact that other Natives had claims upon this land, though their names were not in the list?—Tutauanui himself knew about these people; he belongs to the same hapu.

733. Do you know of any efforts Mrs. Douglas has made to have her name recognized as one of the owners?—If I had heard her asking that her name should be inserted, I should have caused it to be inserted.

734. But you knew at that time that she had a right to have it inserted?—Yes; I admitted her right to have her name inserted at the beginning of my evidence. It was I who put the names in when Mr. Clarke went up to get the names.

735. Why did you not put her name in without her asking?—The law did not provide for the insertion by me of their names. Each one was supposed to put his own name in.

736. Did you write a letter to Mr. Clarke, asking him to get the Government to consent to the reserve which was put on the land being sold taken off?—I do not know of asking for the removal of the restriction, but I wrote to the Government to say that I had received money for the land, and wished to sell it.

737. Was that before the grant was issued, or afterwards?—We received no Crown grant. I suppose you keep those things here. I said that my claim was admitted, and that my name was put in through the claim of my father. I did not see the Crown grant; only the lease.

738. Did you sign your name before the land was sold, or afterwards?—It was afterwards that my name was put in the lease as being a person in whose favour the decision had been given by the Court.

739. Where did you get the money paid you?—The money was paid to Tutauanui.

739A. Were you present when it was paid?—Yes.

740. What was it paid in?—The money paid was £1,040—all in notes.

741. What was the total payment for the land?—The actual price of the land was £2,000, but £950 of it was paid to Honi Makarauri's party. We got £1,040, and £10 went in payment of the food for the meeting.

742. Who received the money?—Honi Makarauri and Ranapia, for their party.

743. Who received the money for your own party?—Tutauanui.

744. Who appointed him to receive it?—All the people, although his name was not in the Crown grant.

745. Would you have objected to the land being divided before sale, and each share sold by auction at a fair price?—I would not object to any good thing, if we had known such a good thing was to be obtained.

746. How is it you did not know it was to be obtained?—Because the Maoris were so eager to sell. They did not even wait for the expiration of the term of the lease—twenty-one years.

747. When you knew that some people's names were not put in the grant, did you think they would lose their land for ever, or would still have a claim to their own share?—I did not put my own name in. It was for the Court to settle the names that were to be put in.

748. Did you think the power of putting the names in rested with the Court?—There were only so many names allowed to be put in the Crown grant in those days. There were sixteen names put in one, and two names in another of the pieces that were sold.

749. *Hon. Mr. Nahe.*] What party was it that put your name in?—Mr. Clarke, in his decision, decided in my favour, and in favour of others. I signed my name to the lease.

750. Was that at the time of the investigation?—I was not present at the investigation.

751. Was this land which was given back to you?—The lands given back to us by Honi Makarauri's party were Ohauiti and Pukepoto we had in our own right.

752. If you were now to cause the title to be investigated, would you have Mrs. Douglas's, and the

other names that have been left out, inserted?—Yes, we would. It was not I who caused the land to be leased. It was Honi Makarauri and his party, who did it fraudulently, and afterwards the land was investigated, and we were found to be the rightful owners and the chiefs of the land.

753. Are you going to provide these people with other land instead?—It is for them to apply to the law to be provided with land, and then the law will decide whether I am to provide for them or not.

754. *Mr. Taiaroa.*] Did Makarauri and his party act fraudulently with regard to this land?—Yes, I think so; because they did not come to us, the chiefs of the land, to obtain the lease; they leased it themselves.

755. *Mr. Douglas.*] Do you know that Makarauri was an owner in that land called Ngatihe?—No; they had not a right to that land. When the title was investigated they turned up the land to the original owners of it. If they had known the Ngatihe had a right to the land they would not have given it back to them.

756. Did Ngatihe ever give them any of the rent they received?—We got £5 the year we went to live at Hairini. I did not get any before that.

757. Where was Te Rangi buried?—At Ohauti—the place that was retained for them.

758. Has that land been *tapued* on account of Te Rangi being buried there?—Of course it is *tapu* since he was buried there; it was not before. It became sacred in consequence of his burial.

759. *The Chairman.*] If Mrs. Douglas should get any compensation or land, do you expect to get any of it?—No; it would not be right for me to come in. I have got my share, and have eaten my part.

760. *Hon. Mr. Nahe.*] I suppose the fact of its becoming sacred would indicate that Te Rangi was a chief?—It does not matter whether he is a chief or not. His burial, whether a chief or a person of low degree, would make the place sacred.

761. *Mr. Douglas.*] Was Te Rangi a chief?—I said so. I said we were all equal.

762. Did Te Rangi ever fight against the Government in any way, or was he engaged in rebellion?—A three-legged man could hardly fight against the Queen. He had to use a stick to walk with.

HONI MAKARAURI examined.

763. *The Chairman.*] Have you seen the petition sent by Mrs. Douglas to the House?—No. [Petition read.]

764. Do you know anything about the matter raised in this petition?—Yes.

765. Will you state what you know about it as briefly as possible? What is your position in the district? What tribe do you belong to?—I belong to Ngatihe and Ngaiteahi. I do not admit that woman was the chief to whom that land was restored. I was the chief of all that land. It is the first time I have heard that the land was given back to her. It was not given back to her. She says that Mr. Clarke selected the names of the persons to be put in the Crown grant. Mr. Clarke was merely a listener, or a receiver, on that occasion. The persons who gave the names to him were Pomare and Te Tauaro. There were none of us absent at the time the names were given in for the Crown grant. Mr. Clarke was angry with me and others on account of the sale. He said it was wrong to sell. But when we were determined to sell, he said, "Is there any one absent who should join in it;" and we said there was no one absent.

766. What was the name of Mrs. Douglas's father?—Te Rangi.

767. Was he the chief of a tribe having any claim to that land?—I do not admit that he was the chief of the tribe.

768. Was he a chief of it?—He was a chief, but was not the chief having rights as a chief over the land.

769. Had he any claim upon the land?—I do not know that he had a right to the land.

770. Are you prepared to say he had not?—I say that he had no right to the land. I say that we were present with about forty others, and this woman was present at the same time, and we stated then that no one was left out.

771. You hold yourself responsible for the preparation of this list. You had a good deal to do with it?—Yes.

772. Were there any names in that list of persons who derived their claim from Te Rangi?—Yes.

772A. How do you account for it, then, that Te Rangi had no claim to the land?—Their right was not as derived from Te Rangi.

773. Are there any relations or cousins of Mrs. Douglas in the list?—We are all related to her.

774. Why was not Mrs. Douglas's name put in with the rest?—Because she had no right to the land. The others do not, and I do not, claim through Te Rangi.

775. Do you mean to say there are none of those in the grant who derived their claim from Te Rangi?—None of them. I am one of the grantees, and I do not derive my claim from Te Rangi.

776. From whom, then?—From my own ancestor.

777. Who was he?—Te Matau.

778. Did he belong to a different hapu from Te Rangi's?—Yes; a different section.

779. Did Te Rangi or his tribe ever occupy any portion of this land?—Yes; it was occupied by all.

780. Including Te Rangi?—Yes.

781. Did he occupy it without having any right to do so?—Yes; he had no right to live upon the land of Nga

782. Then he was allowed to live on it on sufferance?—Yes; because his tribe had allied themselves to us.

783. Has Mrs. Douglas any right to any other land through any other ancestor besides Te Rangi?—I do not know about any other ancestors. She claims through Te Rangi, and he is the man I have been talking about.

(Omitted from p. 27.)

RAMARIHI examined.

801. *The Chairman.*] Are you acquainted with the purport of the petition of Mrs. Douglas?—No. [Petition read.]

802. What tribe do you belong to?—I belong to Ngaiterangi and live at Hairini.

803. Are you related to Mrs. Douglas?—Yes.

804. What is the relationship?—I do not know about her mother, but her father was my uncle, the elder brother of my father.

805. Has Mrs. Douglas a claim to this land?—Yes, a real claim.

806. *Hon. Sir George Grey.*] Did you consent to sell this land?—No. I wanted to turn Captain Morris off my land.

807. Did you ever speak to Captain Morris about it?—I told that European about it. I said, "This is the land of my mother." My mother is alive now; my father is dead; both my father and mother had real claims upon that land.

808. Did Captain Morris ever tell you that he would do nothing for you, but referred you to the Government, to whom he paid the money?—Captain Morris said he had the land, and it would never pass into the possession of anybody else. I said, "I do not care about the Government; I will never agree to the land being leased to you."

809. Did you go to Captain Morris to ask him for money due to you?—Never. [Letter read.] I went to Mrs. Grace, who was my teacher, to get her to write the letter for me.

810. Has Mrs. Douglas any claim to the land?—Yes, both of us have a real claim to the land.

811. Have you never parted with your claim?—No.

812. Do you intend to sell it?—No. I intend to keep it for my mother and my children, who have no land.

813. Was your name in the Crown grant?—I was not present at the investigation, nor was I present at the sale.

814. Did you often tell Mr. Clarke of your claim?—I have not told Mr. Clarke.

815. Did you ever write a letter to him?—I wrote the letter to Mr. Clarke, Sir George Grey, and Mr. Sheehan, asking them to stop the Crown grant, and not allow it to be issued to Captain Morris.

816. Did you write a letter the Governor?—Yes.

817. Is that your letter to the Governor about the land of your father's at Pukepoto?—I do not know anything about the Governors. The only Governors I know are Sir George Grey and Mr. Sheehan.

818. Did you write this letter [produced.]?—Yes, I meant it to reach Sir George Grey and Mr. Sheehan. I am an ignorant person; I do not know exactly how to do these things.

819. *Hon. Mr. Fox.*] How comes Pita's name to be at the bottom of your letter? Who is Pita?—My brother.

820. *Hon. Mr. Nahe.*] Did Mrs. Grace write the letter?—I went to Mrs. Grace to get advice as to what I should do about the land because I was ignorant myself. It was a daughter of the Rev. Ihaia Te Ahu, who is staying with Mrs. Grace at school, who wrote the letter. It was Mrs. Grace who advised me what to do. She was my teacher at school, and I thought she was the best person to give me advice.

821. Why did not your relations put you on the land?—Because I was married to a European, and my living with a European was objected to by all my relatives.

822. Did you before object to Mrs. Douglas marrying Mr. Douglas?—I cannot say. I do not like to give an answer that might not be true in this place. They did not object to my marrying a European until I came back to re-assert my claims to the land, which they objected to. They objected to my marrying a European, because my relatives were killed at the Gate Pa by Europeans.

784. Was Te Rangi ever engaged in rebellion?—Yes; he was with the people who were fighting against the Queen, and he died with them.

785. Was he killed in battle?—No, he died naturally. He died on the hill; he was alone.

786. Was he ever engaged in any act of active hostility?—I do not know that he was. He was a very old man.

787. He just stayed away—remained with the war party, but probably did not fight?—I do not know that he did not actually fight, because he was with those people who were fighting against the Government.

788. Had he a gun?—I did not see that he had a gun. Of course I was not there.

789. *Mr. Carrington.*] Did the petitioner not remonstrate, or wish her name to be put down with the rest?—She was at Tauranga at the time. I never heard her make any objections.

790. *Hon. Mr. Nahe.*] What land are you now referring to?—The land which is now claimed is land which Tareha and myself returned. All the land which Captain Morris has got is land which was returned to these hapus by us.

791. Was it given back to individuals or hapus?—It was given back to the hapus.

792. Was the land given back to them because they had no land, and in consideration of the fact that the other land was confiscated for what they had done?—We gave it back because they allied themselves to us; but we carried the case through the Court, and instituted the proceedings. They were the original owners of the land in bygone times, but through a fight with them we took possession of it. I admit that we gave the land to Ngaiteahi to do what they liked with it.

793. *Mr. Taiaroa.*] Are you certain that it was not Mr. Clarke who selected the names to be put in the Crown grant?—It was not Mr. Clarke who selected the names; it was the Natives themselves. Mr. Clarke had only to consent.

794. You say that Te Rangi had no claim to this land? Where is his own land?—At Oropi. That is the place where all the people lived.

795. Has Mrs. Douglas any land at Oropi?—The title to that land has not been investigated. It is claimed by the Ngaiteahi and the Ngatihe, and we are occupying it generally.

796. Would she be entitled to have a claim for that land through Te Rangi?—Yes; she would be entitled to a share through Te Rangi.

797. Why did you give the land back to the Ngaiteahi, when you had taken it from them in bygone times, as you say you did?—It was through our generosity it was returned to them; because we had allied ourselves to them.

798. And you gave it back to them absolutely?—Yes; we did.

799. Mrs. Douglas belongs to Ngaiteahi, does she not?—Yes.

800. Then why is it that her relations are entitled to land, and she is not?—We gave the land back to the chiefs of Ngaiteahi, and if she was left out she was left out by them. It was Ngaiteahi themselves who left her out. That is all I have to say.

APPENDIX.

PETITION.

To the Speaker and Members of the House of Representatives assembled at Wellington.

THE PETITION OF TE KOROWHITI TUATAKA, IN WHICH SHE PRAYS THE ATTENTION OF THE HOUSE TO THE MATTERS HEREINAFTER SET FORTH,

SHEWETH,—

THAT my lands Pukepoto, Ohauti, and Te Karai belonged to persons deceased, of whom I am the true representative.

2. That these lands were confiscated by the Government and subsequently returned to their original owners, but about that time the principal owner died, and the land fell to me and to my younger sisters (or cousins).

3. That Mr. Henry Clarke, Commissioner, chose the persons whose names were to be in the grant for that land. My younger sisters' (or cousins') names were inserted, and mine was left out, notwithstanding that all the Maoris said that I was the principal owner. He (Mr. Clarke) paid no heed to that.

4. That, subsequently, the said land was leased to Captain Morris, M.H.R., and then sold, and he is now seeking to have the sale ratified by the Government.

5. That Mr. Clarke assisted Captain Morris in obtaining the said land.

6. That Captain Morris told my husband, Edward Douglas, that he heard all the Natives admit that I was the principal owner of the said land.

7. That I made an application to Mr Fenton (Chief Judge, Native Land Court), in which I asked him to explain how the land stood; and he replied that it had not been passed through the Native Land Court.

8. That I have made many applications to the Government for redress for my grievance suffered at the hands of Government Office, but nothing has been done.

Your petitioner therefore prays your Honorable House to take her causes of complaint, as above stated, into your consideration, and afford such relief as to you may seem fit.

And your petitioner will ever pray:

TE KOROWHITI (her x mark) TUATAKA,
Wife of E. Douglas, Ferryman, Te Wairoa.

Witness:—E. Douglas.
Wairoa, 19th July, 1878.

MISCELLANEOUS PAPERS LAID BEFORE THE COMMITTEE.

COPY OF CROWN GRANT.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen: To all to whom these Presents shall come, Greeting:

Know ye that for good considerations us thereunto moving, We, for us, our heirs and successors, do hereby grant unto Pomare, Tirika Horo, Toroiri Moiri, Tutauanui Te Tauaro, Te Teira Mahu, Terehia Tumatauenga, Tukere, Ihimaera Te Kamarata, Hohaia Te Tawhiti, Marata Kairawake, Parete Tawaewae, Te Wiremu Tutahi, Petana, Te Heke Taiawha, Miriama Rangiwhakaehu, Taituha te Morehu Ngakiekie, Wiremu Heti Hetara, Paraone Pehiriri, Wirikake Tatare, Te Ranapia Kahukoti, Te Parehina, Matutaera Kaikore, Pita Te Amotutu, Whakataua, Matene Ngahuru, Te Matangi, Katerina Te Aria, Harata Tuarawhati Tuihana, Hemi Taiheru, Peka Titoki, Potaka, Wiremu Raukawa, Wata Araroa, and Hone Makaraui, aboriginal natives of New Zealand, their heirs and assigns: All that parcel of land in our Provincial District of Auckland, in our Colony of New Zealand, containing by admeasurement six thousand five hundred and forty-seven acres, more or less, situated in the Tauranga District, County of Tauranga, and being the Ohauti No. 2 Block. Bounded towards the North by high-water mark of the Tauranga Harbour; towards the North-east by lines, four thousand five hundred and ten links and one thousand nine hundred and eighty-six links, by the Kaitemako Creek, and by lines, eleven thousand seven hundred and twenty-two links and forty-eight thousand five hundred and thirty-five links; towards the South-east by a line, six thousand nine hundred and eighty-three links; towards the South-west by the Waimapu River, by a line, seventeen thousand four hundred and twenty-eight links, and again by the Waimapu River; and towards the West by lines, five thousand and eighty links and three thousand four hundred and sixty one links, by the Pukekonui Creek, and by lines, three thousand two hundred links, six hundred and twenty-four links, nine hundred and forty links, two thousand four hundred and fifty links, one thousand one hundred and sixty-one links, one thousand four hundred and fifty-three links, four thousand two hundred and ninety-six links, and eight hundred links: as the same is delineated on the plan drawn in the margin hereof, with all the rights and appurtenances thereto belonging: To hold unto the said Pomare, Tirika Horo, Toroiri Moiri, Tutauanui Te Tauaro, Te Teira Mahu, Terehia Tumatauenga, Tukere, Ihimaera Te Kamarata, Hohaia Te Tawhiti, Marata Kairawake, Parete Tawaewae, Te Wiremu Tutahi, Petana, Te Heke Taiawha, Miriama Rangiwhakaehu, Taituha te Morehu Ngakiekie, Wiremu Heti Hetara, Paraone Pehiriri, Wirikake Tatare, Te Ranapia Kahukoti, Te Parehina, Matutaera Kaikore, Pita te Amotutu, Whakatana, Matene Ngahuru, Te Matangi, Katerina te Aria, Harata Tuarawhati Tuihana, Hemi Taiheru, Peka Titoke, Potaka, Wiremu Raukawa, Wata Araroa, and Hone Makaraui as tenants in common and not as joint tenants, their heirs and assigns for ever, as from the third day of August, one thousand eight hundred and seventy-one:

In testimony whereof we have caused this our Grant to be sealed with the Seal of our Colony of New Zealand. Witness our right trusty and entirely-beloved Cousin and Councillor, George Augustus Constantine, Marquis of Normanby, Earl of Mulgrave, Viscount Normanby, and Baron Mulgrave, of Mulgrave, all in the County of York, in the Peerage of the United Kingdom; and Baron Mulgrave, of New Ross, in the County of Wexford, in the Peerage of Ireland, a Member of our Most Honorable Privy Council, Knight Commander of our Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the Colony of New Zealand and its Dependencies, and Vice-Admiral of the same; at Wellington, this seventh day of August, in the forty-first year of our reign, and in the year of our Lord one thousand eight hundred and seventy-seven.

No. 19180.

NORMANBY.

Reg. A. 96.

B.

SIR,—

Civil Commissioner's Office, Tauranga, 23rd June, 1865.

In accordance with your verbal instructions given to me when in Tauranga, I have the honor to report upon the present state of the land claims as far as they concern the Natives in this district:—

In the first place, I will bring under your notice the position in which the question was placed when peace was made with the Natives in this district, August 4. When the Natives made their surrender to His Excellency the Governor the Ngaiterangi gave up all their lands into the hands of His Excellency. The friendly Natives were parties to this arrangement, as you will see by reference to records in your office.

Before the Governor declared the terms upon which he would accept the surrender of the Ngaiterangi, I was instructed by the late Ministers, Messrs. Whitaker and Fox, to meet the Natives and try to induce them to give up some specific block of land; but so many difficulties presented themselves, chiefly among themselves, that they abandoned the idea, and adhered to their first determination of giving up all their lands. There is also a record of this in your office.

His Excellency the Governor, in his reply to the Ngaiterangi, told them that he would return to them three-fourths of their land, retaining the remainder as a punishment for their rebellion. The Natives all expressed satisfaction at the liberality of the Governor.

It was afterwards proposed that the block of land to be confiscated was to be that portion of Tauranga between the Rivers Waimapu on the south and Te Wairoa on the north. All their land to the north of the Te Puna the Natives were to be paid for at the rate of 3s. per acre. A deposit of £1,000 was paid upon it, the receipt for which will be found in the Treasury.

With regard to the block of land above described to be confiscated, the Natives, after a little reflection, took exception to the proposition. They stated, with justice, that if it was carried out the

punishment would fall heavily upon some, while others would not lose an inch of land, although equally implicated in the war; for instance, the Ngatihi, Ngatihoko, Ngatimateika, and some other hapus, who claim no land in the block, would not be deprived of any land whatever.

It was also arranged that Ohuki and the Islands of Rangiwaea and Motuhua should be reserved for the Natives: that the claims should be, as far as practicable, individualized, and that they should receive certificates, which should be inalienable. This was not intended to exclude them from other reserves that it might be thought proper to make.

It was distinctly understood by the Natives, at the time that peace was made, that Te Puna would be absolutely required by the Government, but that it should be paid for. The Natives expressed themselves satisfied with this arrangement, as it would place an armed force of Europeans between themselves and the Thames people, who, they greatly feared, would take advantage of their weakened and disarmed condition to renew some of their old land feuds.

The Natives living in that part of Tauranga, most of whom are owners of land at Te Puna and its immediate neighbourhood, are still earnest in pressing the carrying out of this arrangement.

You are aware that Wiremu Tamihana a short time since wrote a letter to Colonel Grear protesting against the occupation of Te Puna. That letter was read by the Tauranga Natives, and they indignantly ignored his right to interfere in the matter, as he has never asserted a claim to land in that locality. It is supposed that he wrote that letter at the instance of some of the Pirirakau tribe (Tauranga) who have never made their submission.

William Rawihana does put in a claim for Omokoroa, a piece of land to the North of Te Puna. This the Tauranga Natives dispute, and state he only resided there on sufferance.

I presume that in carrying out these arrangements all claims will be investigated in the Native Land Court, and it must not be a matter of surprise if, when this inquiry is made, it is found that those Natives who have been in arms against us are very small claimants. I think the greatest claimants will be those who have taken no active part in the war.

It is, I think, to be regretted that all the arrangements were not carried out at once. The matter has been delayed so long that the Natives begin to think that it is only a threat never intended to be enforced. Some Europeans, it is reported, have tried to encourage this hope, with a view to carry out their own land-purchasing arrangements, knowing how injurious such impressions would be upon the Native mind. I have steadily maintained that the Government would certainly adhere to the conditions and promises made at the peace.

With regard to the block of land to the north of Te Puna, upon which Government have paid a deposit of £1,000: You are aware that Te Moananui, of the Thames, has disputed the Ngaiterangi claim to that portion nearest the Ngatitemutu country, one of those strips of debatable land generally found on the borders of all land claims between rival tribes. This was settled by arbitration in December last, but the award of the arbitrators has still to be carried out, viz.: the land to be surveyed, valued, and the amount agreed upon to be divided between the parties.

Most of the difficulties in settling the claims in this district will arise from the fact that the Ngaiterangi claim only by conquest. They did not destroy the original inhabitants, but allowed them to remain as cultivators of the soil, not slaves, subject to the conquerors. Some of the principal chiefs took the best of the women as wives, and in some cases some of the Ngaiterangi women married men of the conquered tribe; the pure Ngaiterangi are now in the minority. The issue of these inter-marriages have, when they have thought it would suit their purpose, ignored their claims through Ngaiterangi, and have fallen back upon the claims derived from the original occupants. This has been the cause of much bloodshed, even down to a very late date, and is now frequently the cause of angry debate.

If any trouble arise in carrying out the plans of the Government it will arise from those who support the claims of the original inhabitants, many of whom have never come in.

Before closing this report I will touch upon two other subjects which will one day be brought under the notice of the Government:—

1. Shortly before His Excellency the Governor met the Ngaiterangi, on the occasion of the peace-making, His Excellency, in the presence of the late Ministers, Messrs. Whitaker and Fox, and myself, Mr. Puckey interpreting, promised that the Arawa chiefs then present should have each a town section. No record, as far as I can remember, was ever made of this; but it is not likely that the Arawa chiefs will forget it.

2. The question of the island Motiti will have to be considered by the Government. The island has been for many years a bone of contention between the Arawa and Ngaiterangi. It was generally supposed that the Arawa had given up all claim to it in favour of the Ngaiterangi; but since the Tauranga Natives took part in the late war against us the Arawa consider that they have forfeited all their right to it, and they now claim the whole island.

At the meeting of Arawa alluded to above the Governor told them that he would hold Motiti until the matter had been properly settled.

The Ngaiterangi are still jealously watching the Arawa, and every attempt at occupation is complained of. If the matter is left in the hands of Te Arawa there is but little doubt that they will occupy and hold it against any force the Ngaiterangi could bring against them.

In considering all these subjects, I would again respectfully impress upon the Government, especially in dealing with questions between the Ngaiterangi and other tribes, that the Ngaiterangi are in a weak and defenceless state, most of their chiefs have fallen; and they are, for the most part, disarmed. Rival tribes and old enemies know this, and no opportunity will be lost in taking advantage of their weakened condition.

When in arms against us they proved themselves brave and honourable enemies, and I trust the Government will protect them against the encroachments of their now more powerful neighbours.

I beg to forward by this opportunity a plan of the Tauranga District so far as it has been surveyed. I have a duplicate plan in this office.

I have, &c.,

H. T. CLARKE,
Civil Commissioner.

The Hon. the Native Secretary, Wellington.

MINUTE BY MR. MANTELL.

For Cabinet :

MR. COMMISSIONER CLARKE's report entirely confirms Mr. Heale's. It shows that the taking of the lands of the Ngaiterangi with the purpose of returning three-fourths was really a boon to that tribe. But the delay has rendered it extremely difficult to carry out the proposal, threat, or promise. I strongly urge the necessity of deciding upon the course to be taken, of finally adhering to such decision, so soon as the Colonial Defence Minister shall have ascertained the extent of our liabilities at Tauranga to the first Waikatos.

W. B. D. MANTELL.

C.

For C., *vide* Appendix A.—20, 1867. No. 64, p. 61.

KIA TE KARAKA,—

Katikati, Maehe 29, 1875.

E hoa e hiahia ana matou kia hokona to matou piihi whenua ko Ohauti te ingoa ki a Kapene Morihi he tono tenei na matou ki a koe kia pataia e koe ki te Kawanatanga kia whakaaetia kia ruritia e matou taua whenua kia hokona hoki ki a ia. Heoi ano,

IHAKA (his x mark) REWHATI.

Contents of document and signature acknowledged.—H. CLARKE, 6th November, 1875.

KI A TE KARAKA,—

Katikati, Maehe 29, 1875.

E hoa e hiahia ana matou kia hokona to matou piihi whenua ko te Karai te ingoa ki a Kapene Morihi he tono tenei no matou ki a koe kia pataia e koe ki te Kawanatanga kia whakaaetia kia ruritia e matou tena whenua kia hokona hoki ki a ia.

Heoi,
NA IHAKA his x mark REWHATI.

Contents of document and mark acknowledged.—H. T. CLARKE, 6th November, 1875.

KI A TE KARAKA,—

Te Puke Maketu, Maehe 17, 1875.

E hoa e hiahia ana matou kia hokona to matou piihi whenua ko Pukemapou te ingoa ki a Kapene Morihi he tono tenei no matou ki a koe kia pataia e koe ki te Kawanatanga kia whakaaetia ki a ruritia e matou taua whenua ki a hokona hoki ki a ia.

Heoi,
NA WIREMU PAKI PIKAU.

Contents of document and signature acknowledged.—H. CLARKE, 6th November, 1875.

KI A TE KARAKA,—

Tauranga, Maehe 5, 1875.

E hoa e hiahia ana matou kia hokona to matou piihi whenua ko Pukepoto te ingoa ki a Kapene Morihi he tono tenei no matou ki a koe kia pataia e koe ki te Kawanatanga kia whakaaetia kia ruritia e matou taua whenua ki a hokona hoki ki a ia.

Heoi,
NA MATUTAERA his mark.

Contents of document and mark acknowledged.—H. P. CLARKE, 6th November, 1875.

KI A TE KARAKA,—

Tauranga, Maehe 5, 1875.

E hoa e hiahia ana matou kia hokona to matou piihi whenua ko Pukemanuka te ingoa ki a Kapene Morihi he tono tenei no matou ki a koe kia pataia e koe ki te Kawanatanga kia whakaaetia kia ruritia e matou taua whenua kia hokona hoki ki a ia.

Heoi,
NA NETANA.

Contents of document and signature acknowledged.—H. CLARKE, 6th November, 1875.

KI A TE KARAKA,—

Tauranga, Maehe 5, 1875.

E hoa e hiahia ana matou kia hokona to matou piihi whenua ko Pukemapou te ingoa ki a Kapene Morihi he tono tenei no matou ki a koe kia pataia e koe ki te Kawanatanga kia whakaaetia ki a ruritia o matou taua whenua kia hokona hoki ki a ia.

Heoi,
NA RETIMANA.

Contents of document and signature acknowledged.—H. CLARKE, 6th November, 1875.

KI A TE KARAKA,—

Tauranga, Maehe 3, 1875.

E hoa e hiahia ana matou kia hokona to matou piihi whenua ko Karai te ingoa ki a Kapene Morihi he tono tenei no matou ki a koe kia pataia e koe ki te Kawanatanga kia whakaaetia ki a ruritia e matou taua whenua ki a hokona hoki ki a ia.

Heoi,
NA HONE MAKARAURI.
RANAPIA KAHUKOTI.

Contents of document and signature acknowledged.—H. CLARKE, 6th November, 1875.

KI A TE KARAKA,—

Maehe 3, 1875.

E hoa e hiahia ana matou kia hokona to matou piihi whenua ko Pukepoto te ingoa ki a Kapene Morihi he tono tenei no matou ki a koe kia pataia e koe ki te Kawanatanga kia whakaaetia ki a ruritia e matou taua whenua kia hokona hoki ki a ia.

Heoi,
NA WHAKATAU.

Contents of document and signature acknowledged.—H. CLARK, 6th November, 1875.

KI A TE KARAKA,—

E hoa e hiahia ana matou kia hokona to matou piihi whenua ko te Karai te ingoa ki a Kapene Morihi he tono tenei no matou kia koe ki a pataia e koe ki te Kawanatanga kia whakaaetia kia ruritia e matou taua whenua kia hokona hoki ki a ia.

Tauranga, Pepuere 28, 1875.

Heoi,
NA HIRIA TIMOTI.

Contents of documents and signature acknowledged.—H. CLARKE, 6th November, 1875.

KI A TE KARAKA,—

E hoa e hiahia ana matou kia hokona to matou piihi whenua ko Pukehouhou te ingoa ki a Kapene Morihi he tono tenei na matou kia koe ki a pataia e koe ki te Kawanatanga kia whakaaetia kia ruritia e matou taua whenua kia hokona hoki ki a ia.

Tauranga, Pepuere 27, 1875.

Heoi,
NA Marata Parete.

Contents of document, signature, and mark acknowledged.—H. CLARKE, 6th November, 1875.

KI A TE KARAKA,—

E hoa e hiahia ana matou kia hokona to matou piihi whenua ko Pukemanuka te ingoa ki a Kapene Morihi he tono tenei na matou ki a koe kia pataia e koe ki te Kawanatanga kia whakaaetia ki a ruritia e matou taua whenua kia hokona hoki ki a ia.—Heoi,

Tauranga, Pepuere 24, 1875.

Na,
MATENE NGAKURU,
MATANGI MATEROA.

Contents of document and signatures acknowledged.—H. CLARKE, 6th November, 1875.

KI A TE KARAKA,—

E hoa e hiahia ana matou kia hokona to matou piihi whenua ko Pukemanuka te ingoa ki a Kapene Morihi he tono tenei na matou ki a koe kia pataia e koe ki te Kawanatanga kia whakaaetia ki a ruritia e matou taua whenua kia hokona hoki ki a ia.

Tauranga, Pepuere 17, 1875.

Heoi,
NA WIREMU TUTAHI.

Contents of documents and signature acknowledged.—H. CLARKE, 6th November, 1875.

KI A TE KARAKA,—

E hoa e hiahia ana matou kia hokona to matou piihi whenua ko Pukepoto te ingoa ki a Kapene Morihi he tono tenei na matou kia koe kia pataia e koe ki te Kawanatanga kia whakaaetia ki a ruritia e matou taua whenua ki a hokona hoki ki a ia.

Tauranga, Pepuere 6, 1875.

Heoi,
NA TATARE WIRIKAKE.
PAREHIWA TATARE.

Contents of document and signatures acknowledged.—H. CLARKE, 6th November, 1878.

Mr. E. DOUGLAS to the Hon. Sir G. GREY.

SIR,—

Mohaka, Hawke's Bay, 15th November, 1877.

Having had almost endless correspondence with the Natives and other Government officers regarding some land belonging to my wife, Te Korowhiti Tuataka, of the Ngaiteahi tribe, near Tauranga, Bay of Plenty, but without having got any satisfaction from one or the other department, I take the liberty and furnish your Honor with a full statement from my first application up to the present time, and hope that your Honor will, by a careful inquiry into my wife's claims to the land, be able to judge whether my exertion to obtain satisfaction for my wife and children deserves your Honor's attention, and the rights of children.

In March, 1871, my wife and her near relations, and well-wishers of my children, requested me to go and see Mr. Clarke, and request him to let the blocks of land, Ohauti and Pukepoto, be put through the Native Lands Court, so that my wife, on behalf of her children, could get her name inserted into the Crown grant, Mr. Jonathan Brown being in possession of the aforesaid land through a temporary lease made out by Mr. Clarke, then Native Lands Commissioner. Having arrived at Mr. Clarke's office, I stated my errand to him in presence of four Native chiefs. Mr. Clarke asked me who my wife was, and her father's name. I told him "Te Rangi Tuataka, of the Ngaiteahi tribe; but he is dead." Mr. Clarke said he knew deceased very well when alive, but said that he thought Te Rangi had a son, whose claim would go before my wife's; but, when told that Te Rangi's son was also dead, he said his children would have a prior claim to my wife; but, when informed that there were no offspring of the son (Te Irimana), he said my wife was the claimant of her father's landed property. Mr. Clarke addressed himself then to those chiefs present regarding the claims of Te Rangi (my wife's father) to the aforesaid blocks of land, to which my wife lays claim, when Hamiora Tu replied that he never knew that any one else but Te Rangi laid claim to those lands, and never heard any one dispute his rights. Mr. Clarke then addressed himself to me, saying, "Well, why did not your wife apply about this before. I quite acknowledge her right, but the land in question has passed the Native Lands Court some years ago [which, of course, proved incorrect, as your Honor will see further on, and I think was only said by Mr. Clarke to mislead me]; so do not bother me; leave my office." Of course I did as I was ordered, without a murmur; for in those days officers of the Native Department were almost despotic. However, Sir, about twelve months or thereabouts after my interview with Mr. Clarke, Captain Morris appeared on the scene, and Mr. Clarke went to effect a new lease for this gentleman from the Natives; but, probably remembering the claim my wife laid to the blocks Ohauti and Pukepoto, everything was kept as quiet as possible until the lease had been effected.

About the same time Mr. Jonathan Brown came to me at Hairini, near Tauranga, where my wife and myself resided, and asked me, in the event of my wife's name being inserted in the lease or the supposed Crown grant, what were my intentions? what would I do with the land? My answer was that I would consent neither to a sale nor lease of the lands. Seeing how things were working, I employed Mr. Warbrick, a licensed Native Interpreter, at Tauranga, to watch the movements, and appear on behalf of my wife's rights in the event of any further meetings being held, and also to give my wife notice of any meetings regarding the aforementioned block of land; and for his services I agreed to pay him £10. But here, I may mention, I was disappointed again, for shortly after Mr. Clarke called a meeting of selected Natives at Maungatapu, for the purpose of getting the names for, as I suppose, a "salted" Crown grant, and formally settle the lease for Captain Morris; and my interpreter, having probably been "tipped," left me as wise as I had been before. Some time after, about fifteen months after Captain Morris had taken possession, I met this gentleman accidentally on his property, and bade him the time of day. He asked me if my name was Douglas. I answered in the affirmative, when he told me that, having heard from Natives and others of my wife's rightful claim in the lands leased by him, he was very sorry she had not got her name inserted along with the rest; it, however, could not be helped now; when I spoke up and said, "If you will assist me it may be managed yet;" but to this he replied it would be totally against his own interests if he did so, and consequently could not comply with my request. In the latter end of 1872, or early in 1873, I left for Hawke's Bay, and, whilst working near Mahia in 1876 heard from several Natives from Tauranga, who were on a visit there, that Captain Morris or his agent were negotiating for the sale of the blocks. I immediately wrote to Judge Fenton, asking whether Ohauiti and Pukepoto had passed the Native Lands Court; to which Judge Fenton replied, "None of those lands you mention in your letter have ever been adjudicated on by this Court." I consequently got my wife to write asking Judge Fenton whether she could get those blocks passed through the Native Lands Court to vindicate her rightful claim, and the answer received was, that it could be done at any time, providing that a proper form of boundaries and application was filled in and forwarded to that office; which was, of course, done; but I learned, immediately afterwards, that Captain Morris or his agent had purchased the blocks of land in question, and £2,000 had been paid. I at once started for Tauranga to inquire into the matter, and on my arrival at Hairini was informed that the money had been paid, but not to the supposed grantees who previously leased the blocks to Captain Morris and signed the lease. I may here mention that only £600 were paid in cash to the Natives; the rest was paid to storekeepers for the Native debts.

On my return to Napier I called at Mr. Sheehan's office for advice in the matter; but, he being absent in Wellington, I left what correspondence I had from Mr. Fenton and others with his clerk at his office. Since then I have been strongly advised to write a full statement to your Honor, which I hope will be approved of, and further hope that your Honor will see the rights of my wife and five children, who, if they had been justly treated, would have a home, but who, as the case stands, have to roam like gipsies—neither home, house, nor habitation. Taking the liberty, and again requesting your Honor to see, or, rather, inquire, into their rights,—I have, &c.,

EDWARD DOUGLAS.

The Hon. Sir G. Grey.

Mr. H. T. CLARKE to the Hon. the NATIVE MINISTER.

I CAN only say that, as far as I am concerned, I support the application made by the writer, and sincerely hope that an inquiry will be made into this matter. If the statements generally are as far from the truth as those relating to myself, Mr. Douglas will have no case.

H. T. CLARKE.

20th December, 1877.

KI A KAPENE MORIHI,—

Maungatapu, Nowema 28, 1877.

He reta tena ka tukua,—atu i runga i nga takiwa whenua o te nei motu o Nui Tireni ki a korua ko Henare Karaka e hoa ma tena korua he pukupuka-inoi atu tena naku ki te Kawana, kia tere mai te whakarite mai aku pihi whenua mehemea ko te pai te Kawana me utu ki te moni mo aua whenua e pai ana ahau kia utua mai ke te moni ko te mea kua kite ahau i nga korero o te nei pire kua tae mai nei ki au i nga roa.

Hepetema 11, 1877.

Kua kite au na kona ahau ka tuku atu i taku Pitihana ki a korua.

Na TOKORUA MATUA,

(Wahine) Na TEKAHUI,

Ko Kotahure.

KI A TE KAWANA e pa tena koe,—

Hairini, Tauranga, Akuhata 20, 1877.

Kia rongo mai koe ki toku whakaaro mo toku whenua ara mo te whenua o toku matua o te Kohiwi. Ko te Heitaru te tamaiti tuatahi, te tuarua ko te Waewae, te tuatoru ko te Ramahiri, te tuawha ko Ane. Ko matau kihai i tango i te moni o te whenua o Pukepoto, o te Hakaroa, o Pukehouhou, o Whananui. Ko Pita anake o matou i tango i te moni o enei whenua. Ko toku hiahia kia whakaputaria mai e Kapene Morihi te whitu rau, ki te kore e puta mai ki a matou tenei moni me whakaputa mai te hawhe o te whenua te waru rau eka, kua tae ahau ki a Kapene Morihi i te tekau ma ono o nga ra o Hune kua ki atu ahau ki a ia kia homai te moni, ki te kore te moni ko tetahi wahi o te whenua, ka whakabokia mai e ia ki ahau, kei te Kawanatanga te ritenga. Ka haere ahau ki a Mita Hapi ka korero atu ahau ki a ia, ka ki mai ia ki ahau kaore i te Kawanatanga te ritenga kei a ia ano te ritenga o tona whenua i hokoa ai e ia.

He kupu atu tenei naku ki a koe mau e tiroiro te mahi a Kapene Morihi, e tinihanga ana ranei ki a matou e aha ana ranei. Ko toku hiahia ko au kai whakahaere tikanga hai korero ki a ia ki taua pakeha. Heoi nga kupu ki a koe. Ka tu he kupu.

[TRANSLATION.]

TO THE GOVERNOR,—

Hairini, Tauranga, 20th August, 1877.

Sir,—Salutations! Do you hearken unto my thoughts with regard to my land—that is, the land of my father, Te Kohiwi. His first child was Heitaru; his second, Te Waewae; his third, Ramahiri; and his fourth, Ane. We never participated in the proceeds of the sales of Pukepoto, Te Kakatoa, Pukehouhou, and Whananui. Pita was the only one of us who received a portion of the money for these lands. I am desirous that Captain Morris should pay us £700; if not, that the half of the land (800 acres) be returned to us. I visited Captain Morris on the 16th day of June last, and told him that if he did not give us the money he should return us a portion of the land. He referred me to the Government. I went to Mr. Hopkins Clarke, and informed him of what had transpired; and he told me that the Government had nothing to do with the matter, but that it rested with Captain Morris, the purchaser of the land.

This is a word of mine to you: Do you consider Captain Morris's action, and judge whether he is practising upon us or otherwise. I am desirous that your administrators should confer with that person in this matter. The words to you are ended.

Poneke, Akuhata 31, 1877.

TENA KOE Kua tae mai to pukapuka mo to paanga ki Pukepoto me etahi atu wahi. Kia rongo mai koe, kua kore kupu te Kawanatanga mo tera wahi inaianei no te mea kua puta nga tiwhiketi me te Karauna Karaati, me ahau atu to tonu ki a Kapene Morihi.

Ki a Ramarihi.

H. T. CLARKE.

Ki a te Rata PORENA, ki a te KARAKA,—

E PA ma, tena korua he kupu atu tenei naku ki a korua mo matou hea ko oku tuakana kia whakaputaina mai e Kapene Morihi te moni ranei te whenua ranei. Ki te kore e puta mai, hei te ra e hoki mai ai a te Karaka ka hamenetia e ahau taua pakeha.

Kia tere mai te whakahoki mai o taku reta i te mea e pouri ana matou i runga i tenei raruraru. Heoi ano

Na RAMARIHI TE KOHIWI.

Kaore ano taua whenua kia Karauna karaatitia, kahore ahau e pai ara matou katoa.

TO DR. POLLEN and MR. CLARKE,—

Sirs,—Salutations to you. This is a word to you respecting my own and my elder brother's shares: That Captain Morris pay the money, or return the land. If this be not forthcoming I will, upon Mr. Clarke's return, summons that European. Be speedy in sending a reply to this letter, as we feel grieved about this trouble. Ended—from

RAMARIHI TE KOHIWI.

That land has not yet been Crown granted—that is, we do not wish it.

KI A HENARE KARAKA, Komihana o Tauranga,—

Hairini, Tauranga, Hune 22, 1877.

E hoa tena koe,—He kupu atu tenei naku ki akoe kua tae au Ki a Kapene Morihi ki te tonu moni ma matou toko wha matou i runga i o matou hea i runga i taua whenua. Ko Pita kua tango i te moni o tona hea ko matou kaore ano i tango moni i runga i o matou hea e ki ana a Kapene Morihi kei te Kawanatanga te moni kua utua e Kapene Morihi ki te Kawanatanga e ki ana a Kapene Morihi me tahuri atu koe ki te Kawanatanga tonu ai kaore hoki he tikanga i ai a taku whenua i kukume ai kotahi mano ake te moni i whakaritea £700 pauna moni. Ki te kore e puta mai te moni ka mau ano ahau ki toku whenua ki te whenua o toku papa o te Kohiwi.

Ki a tere te utu mai o tenei pukapuka.

Heoi,

Na RAMARIHI TE KOHIWI PITA.

[TRANSLATION.]

TO MR. HENRY CLARKE,—

Hairini, Tauranga, 22nd June, 1877.

Friend,—This is a word from me to you. I have been to Captain Morris to ask him for money due to us (four) for our share in the land occupied by him. Pita has been paid the amount due to him on his share, but we have not. On applying to Captain Morris he referred us to the Government, to whom he had paid the money, and therefore could not recognize us. I claim £700 for one thousand acres, this is the amount due to me; if not paid I will take possession of the land Kohiwi, formerly owned by my father.

Be speedy in sending an answer to this letter.

I have, &c.,

RAMARIHI TE KOHIWI PITA.

KI A HENARE KARAKA, KOMIHANA,—

Hairini, Mei 28, 1877.

E pa tena koe kua tae ahau ki a Kapene Morihi ki te tonu moni mo toku hea i te whenua i hokona e Pita o te Ranapia ko ahau i hapa i tenei hokonga whenua e mea ana ahau kia homai e Kapene Morihi te moni maku ki te kore i te moni e homai e ia me homai e ia ko te whenua. Ko toku hea ano e homai ki ahau ki te kore e homai toku hea ka whiua ia e ahau ki te whakawa.

Ki te tae atu tena reta kia koe ki te kite koe i te he tuhituhia mai ki ahau. Ki te tika tuhia mai ano.

Heoi ano.

Na RAMARIHI TE KOHIWI TAKI.

[TRANSLATION.]

TO MR. HENRY CLARKE,—

Hairini, Tauranga, 23th May, 1877.

I have been to Captain Morris to ask him to pay me some money for my share of the land sold by Pita and Te Ranapia, who excluded me from participating in the proceeds.

I want Captain Morris to give me some money, if he refuses to do so I will take him to Court (or he had better give me a piece of the land—my share of it).

If this letter reaches you write to me and let me know whether this is right or wrong.

From

RAMARIHI TE KOHIWI TAKI.

E HOA E WIRIKAKE.—

Tena koe, koutou katoa, tenei kua tae mai ta koutou pukapuka o te 16 Pepuere. He whakaatu mai na koutou tena etahi tangata e ki ana kahore ano i whakawakia te whenua kua retia na, kua hokona na e koutou ki a Kapene Morihi.

Kia rongo mai koutou kua oti tena whenua te whakawa, kua puta te kupu a te Kawana ki a puta te Karauna Karaati. Kua whakaae hoki te Kawanatanga kia hokona e koutou tena whenua ki a Kapene Morihi.

E he ana te tikanga a Whakatau kahore a Te Tauaro e noho noa iho? Mehemea he tangata ia i mau tonu ki te whenua ka ahua marama kau ake ahau. Tena ko tenei i haere ia ki nga whenua hapai mai ai i te putu hei whakangaro i a tatou e he ana taua tu mahara ia na te aroha atu ki aia i mau ai tana ingoa ki roto ki te Karaati.

H. T. CLARKE.

TO MR. HENRY CLARKE,—

Hairini, 16th February, 1877.

Friend,—Salutations to you. We wish to ask you about the land leased by Captain Morris; some of us say that no investigation has yet taken place in respect of that land; but we know that it was long since gone into by the Commissioner's Court; that is to say, by you. The people who say that it has not been investigated are Te Whakatau, Te Tauaroa, and Wiremu Tutahi. We, the grantees, say that it has long since been done; also the names you recently inserted in our deed of sale to Captain Morris.

Our consent has been given, and Captain Morris has agreed to give us the moneys fixed on by us, £2,000, and we have been to sign our names in token of our consent to give up that land to Captain Morris for £2,000. We solemnly agreed in the presence of the Commissioner, Mr. Brabant. That is all that we have to ask you. Reply quickly to our letter.

TATARE WIRIKAKE and OTHERS.

These are the persons whose names are in the Crown grant. Now, friend, Te Whakatau and Te Tauaro are acting as Hauhaus. We do not wish the Hauhau element to be introduced, because the land belongs to us.

[TRANSLATION.]

KI A HENARE KARAKA,—

Hairini, Pepuere 16, 1877.

E hoa, tena koe,—He ui ta matou ki akoe mo te whenua i te reti a Kapene Morihi e ki ana etahi o matou kaore ano i whakawakia taua whenua ko matou e mohio ana kua oti noa atu i te Kooti a te Komihana ara au.

E hoa ko nga tangata e ki nei kaore ano i whakawakia ko te Whakatau, Te Tauaro, Wiremu Tutahi ko matou ko nga tangata i roto i te Karauna Karaati e ki atu ana kua oti noa atu me nga tangata hoki i tuhia houtia nei e koe ki te pukapuka o te hoko a matou ki a Kapene Morihi ko ta matou whakaae kua oti me te moni i whakaritea e matou e £2,000 pauna kua whakaae hoki a Kapene Morihi kia homai taua moni ki a matou na kua tae matou ki te tuhituhi i o matou ingoa whakaae kia tukua atu taua whenua ki a Kapene Morihi mo nga moni e £2,000 mano pauna i oati pono matou ki te aroaro o te Komihana ara o Paramena, kaati ta matou ui atu ki a koe. E hoa kia tere te utu mai i ta matou reta.

Na Tatara Wirikake
Ranapia Kahukoti
Matutaera
Ngahira Hiria
Parehuia
Pita

Parete Tawaewae
Matene Ngakuru
Marata
Netana
Heke Ihaka Pomare.
Hone Makarauri.

Ko nga tangata enei i roto i te Karauna karaati. Na e hoa ko te whakaaro a te Whakatau a te Tauaro kei runga i te whakaaro a te Hauhau. Ko matou e kore e pai ki tenei tikanga Hauhau tatemea no matou tenei whenua.

Te Papa, wahi o Tauranga, Pepuere 12, 1877.

KI A Te Karaka, Henare,—He kupu tenei naku ki a koe kua pupuri maua ko taku tamaiti i te whenua hoko a Kapene Morihi te putake he pani maua kahore maua matua a maua whanaunga i muri tata i a koe nei. Ka pahure atu na mehemea ki ti whakaae mai koe tuhia mai ki te marama i a koe tetahi wahi a taku kupu whakahokia mai. Heoi ano. Ki a Henare Karaka,

KATERINA ABIA.

Major ROBERTS to Mr. H. T. CLARKE.

SIR,—
 Resident Magistrate's Office,
 Tauranga, 6th November, 1875.
 I have the honor to forward herewith the enclosed documents, which have been signed by the Natives whose names appear in the margin,* and who have been individually examined, and the contents interpreted to them by Mr. Hopkins Clarke, to which they acknowledge.
 I have, &c.,
 F. W. ROBERTS,
 Resident Magistrate.
 Under Secretary, Native Department, Wellington.

HON THE NATIVE MINISTER,—

When I next visit Tauranga I will, if you approve, see whether the Natives named have a sufficiency of land for their own purposes; if so, I will recommend that no restriction to alienation be imposed.

14th January, 1876.

H. T. CLARKE.

Approved.—DONALD McLEAN, 17th January, 1876.

Inquiry made and answer satisfactory.—H. T. CLARKE, 14th January, 1876.

CLAIMANTS to Ohauti No. 2:—Pomare, Tirita, Horo Toroiri Moiri, Tutauanui, Te Tauaro, Te Teira Mahu, Terehia Tumataunga, Tukere, Ihimaera Te Kaumarata, Hohaia Te Tawhiti.

Claimants to Pukehouhou, Kahotea, and Te Karae:—Marata Kairaweke, Parete Tawaewae, Te Wiremu Tutahi, Netana, Te Heke Tarawha, Miriama Rangiwhakaehu, Taituha Morehu, Ngakiekie, Te Tauaro.

Claimant to Te Heke:—Wiremu Heti Hetara.

Claimants to Pukepoto:—Paraone Pehiriri, Wirikake Tatare, Te Ranapia Kahukoti, Te Parehuia, Matutaera Kaikore, Pita Te Amotutu, Whakatau.

Claimants to Tongaparaoa:—Parete Tawaewae, Matene Ngakuru, Te Matangi, Katerina Te Aria, Harata Tuarawhati, Tuihana Peka Titoke, Potaka, Wiremu Raukawa, Waata Akaroa, Hone Makarauri, Ranapia Kahukoti.

MR. LEWIS,—

I think these papers should be brought under Mr. Clarke's notice.
 21st April, 1875.

H. HALSE.

THE HON. NATIVE MINISTER,—

I would suggest that the Natives signing these papers be brought before Major Roberts, R.M., in order that the Government may have an official intimation of the desire of the Natives to sell the lands referred to.

20th May, 1878.

H. T. CLARKE.

Approved: DONALD McLEAN, 22nd June, 1875.

Forward to Major Roberts, R.M., Tauranga.—H. T. CLARKE, 22nd June, 1875.

THE HON. NATIVE MINISTER,—

The position of the lands referred to is this: When I first commenced to inquire into these claims, as Commissioner of Tauranga Lands, I gave them (the Natives) to understand that I would recommend that the alienation should be restricted; to which they raised no objection. Since I made my inquiries, and decided the names of the owners, they have been pressing me not to recommend restrictions to be imposed, as they wished to sell. I told them I would do as they wished, provided they made their request to me in writing. This they have now done; but I shall be glad if you will approve of my proposal to have the Natives examined before Major Roberts, R.M. I would add this, that a very little of the land is fit for Native purposes; it is hilly and broken.

20th May, 1875.

H. T. CLARKE.

Mr. Commissioner H. T. CLARKE to the Hon. the NATIVE MINISTER.

SIR,—

Native Office, Wellington, 14th October, 1876.

I have the honor to enclose for your approval certificates, as per schedule, of lands investigated by me in the District of Tauranga, by virtue of my appointment as Commissioner under "The Tauranga District Lands Act, 1867 and 1868," and the title ascertained; and to request that grants may issue as recommended at foot of each certificate, in accordance with the provisions of the 2nd section of the first Act above cited.

I have, &c.,

H. T. CLARKE,
 Commissioner.

The Hon. the Native Minister, Wellington.

True Copy.—W. J. MORPETH, Native Office, 2nd November, 1877.

* Ihaka Rewhati, Wiremu Paki Pikau, Matutaera, Netana, Retimani, Hone Makarauri, Ranapia Kahukoti, Whakatau Hiria Timoti, Marata, Parete, Matene Ngakuru, Matangi Materoa, Wiremu Tutahi, Tatare Wirikake, Parehuia Tatare.

SCHEDULE of Lands recommended to be granted under "The Tauranga District Lands Act, 1867 and 1868."

Name of Block.	No.	Parish.	Area.	Grantees.	Sex.	Description.	District or usual place of Residence.	Nature of Grant.
Waikoura ...	16	Katikati	A. B. P. 824 0 0	Te Wharenui Kereti, Moananui Harawira, Kotai Whero, Te Herewini Hohepa	...	Aboriginal Natives	Tauranga	Grant, without restrictions.
Oturoa ...	17	"	2,060 0 0	Te Kai and Wiremu Parera	...	Aboriginal chiefs	"	"
Paretata No. 1..	15	"	1,527 0 0	Kiko Harawira Kotai, Timi Te Rua, and Te Kaimai	...	Aboriginal Natives	"	"
Paretata No. 2..	14	"	3 0 8	Hori Tupaea, Akuhata Tupaea, and Mere Taka	"	"
Omanuwhiri ...	4	"	1,317 0 0	Te Kuka, Akuhata te Kimihi, and Pirihi	...	Aboriginal Natives	"	"
Ohinetama ...	5	"	1,412 0 0	Enoka Te Whanake	M	Aboriginal chief	"	"
Wairaka ...	6	"	713 0 0	Te Wharenui, Harawira Tahere, and Kereti Te Moananui	...	Aboriginal chiefs	"	"
Tuingara ...	7	"	337 0 0	Raimona Te Muri, Te Whawhai, and Hohepa Hikutaia	...	Aboriginal Natives	"	"
Pukekaahu ...	8	"	1,310 0 0	Hemi Paama, Hohepa Paama, Puimanuka (otherwise known as Kiepa Te Amohau)	...	Aboriginal Natives	"	"
Okotare ...	9	"	767 0 0	Kiepa te Amohau (<i>alias</i> Puimanuka)	M	Aboriginal chief	"	"
Purakau No. 1..	11	"	1,170 0 0	Puimanuka (otherwise known as Kiepa te Amohau), Te Kuka Te Ninihi, Paikea Tu Kopepe, Hohepa Hikutaia, and Hemi Paama	...	Aboriginal Natives	"	"
Purakau No. 2..	12	"	44 0 0	Turere	...	Aboriginal chief	"	"
Panepane ...	13	"	143 0 0	Hori Ngatai, Renata Tomi, Keita Te Aria, Hamuera Te Paki, and Honi te Mapi	...	Aboriginal Natives	"	"
Motuhua Island ...	"	"	249 0 0	Te Kuka Te Mea, Te Puru, Hamiora Te Tinipau, Hohepa Tangatahou, Motu Kura Te Rangitami, and Akuhata Tupaea	...	Aboriginal Natives	"	Alienation to be restricted without consent of the Governor first obtained.
Ohaniti No. 2, Pukehouhou, Kahotea Te Karei, Te Hika, Pukepoto, Tonga, Paraoa, and Rau-tahi	...	"	6,547 0 0	Pomare and others	...	Aboriginal Natives	"	Grant, without restrictions.

Recommended,—

H. T. CLARKE.

Approved,—

DONALD McLEAN.

By Authority: GEORGE DIDSBURY, Government Printer, Wellington.—1879.