

576. *The Commissioners*: You are quite entitled to the use of the road; but probably the best thing for you to do, under the circumstances, would be to sell the piece of land, as it is only 29 acres, and employ the money in buying another piece of land near there, or else try to buy the eel-weir with it. If you see the road fenced you are entitled to remove the fence, but, if there is a gate there, it is no trouble for you to go through the gate.

577. *Wirihana*: I wish that the Crown grants for these lands be given to me.

578. *Ngahina* said: I wish to speak about some acres at Topitopi, where there is an eel-weir. It adjoins Section 28 of the Native reserve leased by Major Heaphy at Whenuakura. When we assembled at Whenuakura I spoke to Major Brown about it.

579. *Major Brown*: I spoke to Mr. Syme, and he said he would allow the Natives to go to the weir, and they were offered the right-of-way through the land.

580. *Ngahina*: Major Brown said, "Leave it for the present, until the lease has expired, and then you will get it back." In 1878 Taurua and I went to Wellington. We saw Mr. Sheehan, Major Brown, and Mr. Williams, and spoke about this place to Mr. Sheehan. I showed him on the map the reserve, and the place where this eel-weir was. A large map was then brought out and compared with mine; and Mr. Sheehan said, "You must leave it until Major Brown and Mr. Williams return up the coast, and they will see about it." I returned here and waited all through that year and up to the present time, but Major Brown has never said anything about it. I have now brought the matter before the Commission, and ask that the Government lease may be cancelled.

581. *Major Brown*: Mr. Wilson was willing to exchange the piece of land adjoining the eel-weir for a portion of that land, on which there is a fall of water. That was before he went to England.

582. *Ngahina*: We could not agree to that, because the part he wanted was in a reserve, and the eel-weir and the swamps were reserved to us apart from that.

583. *The Commissioners*: This is a lease given by the Government of a piece of land reserved by them, and we have no power to alter the terms of that lease. Major Brown will do what he can to see whether any arrangement can be made; but, if the Natives are not willing to give up anything on their part in exchange, the matter must remain as it is until the end of the lease.

584. *Ngahina*: What we wish is the piece leased by the Government this side of the eel-weir, and that it should be left vacant for our use.

585. *The Commissioners*: We will do our best for you, because eel-weirs ought to be preserved to you as far as possible. Perhaps we may be able to arrange it; at any rate we will try.

586. *Ngahina*: I have a second eel-weir at Kaitanga. My brother put up an eel-weir there, and remained fishing there through that year. Mr. Nicholson was annoyed about this. This is the second year that we have had this eel-weir in use. It was destroyed one night by Europeans. That is all I have to say.

587. *Major Brown*: In reference to this, I may say that there were two compensation awards, of 400 acres each, which were located there for Mere Awatea and Erueti te Pewa. Mr. Nicholson paid £1,000 to the credit of Mr. Worgan's account in the Bank of New Zealand at Wanganui. This is Worgan's account to me; I have got it in his handwriting. I received a note from Mr. Worgan telling me that Mere Awatea had not received half the £1,000, and he threw the blame on Captain Wiriana, of Wanganui. What she received did not amount to £500. Mr. Wilson says it was Mr. Worgan's fault. Then Mere Awatea and some of her relations went on Nicholson's land and squatted there. They wanted to find out where the balance of the money had gone to. Then Mr. Nicholson told me he had destroyed the eel-weir because they had gone on his land; that was why he was put out. I then tried to arrange with Mr. Nicholson to give him Government land inland of this place, in order to induce him to give up this piece; but he refused to agree to that. It is possible that Mr. Nicholson would now be willing to make the exchange. Mr. Parris was to have inquired into this matter regarding Mere Awatea and Erueti te Pewa when at Wanganui, but the Government did not send him the necessary papers, and the result has been that no inquiry has yet taken place.

588. *The Commissioners*: The statement made regarding Mr. Worgan's transactions is one that must be inquired into. It was a mistake that the papers were not sent to Mr. Parris and inquired into at the time, but now an inquiry will be made.

589. *Ngahina*: At the time Mr. Worgan bought this land from Mere Awatea, he deceived her. She objected to the sale of the land. He deceived her by selling the land to Mr. Nicholson. The land had been previously sold to John Duncan. That was the sale Mere Awatea agreed to. It was after that sale that Mr. Worgan sold it stealthily to Mr. Nicholson. After it was sold he got Mere Awatea and persuaded her to take about £500. She retained the Crown grant and would not give it up, because she wished to have the whole of the money paid before she gave up the land. She then came to us, still claiming the remaining portion of her land. She then came to Matangirei and told us about the matter. I approved of what she did, and she gave me the Crown grant. That was in the year 1876, when I and Komene and several others went on to this land. We went to claim the land because the money had not been paid, and we still held the Crown grant. We then went up there with Mr. Wilson, who lives at Whenuakura, and I sent one of my people to bring Mr. Nicholson out to see us. He came, and then he and Mere Awatea had a conversation about it. He got very angry when she told him that she still held the land. We then went on to a piece of land near the bush, and began to cultivate it. Mr. Nicholson then came up and put out our fires. Mere remained there with her children, and made it their *kainga*. He put the embers from the fire under a tree that was growing there and burnt it down. Some of us came back to our *kaingas*, and Nicholson got the police to arrest us. The police arrived in the evening, and served a writ upon Tete, and gave me a summons. I wrote down all that took place then, and the Magistrate afterwards asked for it. Mr. Nicholson made his statement, and when he got to where he told of our having burnt the timber and destroyed the fence, the Magistrate asked me to give my statement. I then presented the paper on which I had written all that happened from the time we went up till the time we came back. After the Magistrate had seen all I had put down, I asked if he could not postpone the case. After I had made my statement, Mr. Wilson, the person who went up with us, was called and his evidence heard, and the Magistrate said the matter would be taken before the Supreme Court at New Plymouth. Mr. Nicholson sent