

## No. 83 of 1882.—Petition of ALLAN O'NEILL.

PETITIONER states that, in the year 1873, Okiwi Ngatara, of Ohinemutu, borrowed from him £750 for the purpose of paying the costs of survey, &c., incidental to establishing a claim of Ngatara to Patetere No. 2; that, as security, Ngatara gave petitioner charge over his title to said land; that several times the petitioner has applied for a repayment of the advances but could never get the money; that on the 7th April, 1876, judgment in his favour was got in the Supreme Court for the debt to the amount of £938 10s. 10d.; that on the 11th May, 1877, the charge against the land was registered in the office of the Native Land Court, Auckland; that petitioner frequently attended the sitting of the Court to protect his interest, but the hearing of Patetere No. 2 was always adjourned; that he has since learned that the hearing of Patetere No. 2 was dismissed finally by the Court because it was found that the land was included in the Tokoroa Block, for which an order for memorial of ownership had been made; that petitioner could not pursue the matter because Government had issued a Proclamation over Patetere No. 2, and Tokoroa; that Ngatara is interested in other blocks; and that petitioner cannot get his claims satisfied owing to Government having issued Proclamations over the lands of which Ngatara is part owner. Petitioner prays that Government should either pay him the amount of Ngatara's debt, with interest, or cause the same to be a first charge upon Ngatara's lands.

I am directed to report as follows:—

That a similar petition was considered by the Public Petitions Committee in 1876, when it was referred to the Government for inquiry. In 1879 petitioner again applied for redress, when this Committee recommended inquiry into the facts. The petitioner himself has produced no evidence beyond a copy of the judgment in his favour for the sum of £938 10s. 10d.; but, from evidence obtained by Government and furnished to this Committee, it would seem that petitioner has no equitable claim against either the colony or the unfortunate Native against whom he has obtained judgment.

28th June, 1882.

## [TRANSLATION.]

## No. 83 of 1882.—Pukapuka-inoi a ARANA O NIIRA.

E ki ana te kai-pitihana no te tau 1873 ka namaia e Okiwi Ngatara i a ia nga moni e £750 hei utu mo te ruri me etahi atu mea e tuturu ai he take mo Ngatara ki Patetere No. 2; na hei tohu utu mo aua moni a te kai-pitihana. i meatia e Ngatara kia tau ki runga ki tona paanga i roto i taua whenua; he maha noa atu nga tononga a te kai-pitihana kia utua ona moni kaore ano he moni i hoatu ki a ia; no te 7 o nga ra o Aperira, 1876, ka whakataua e te Hupirimi Kooti taua nama ki a ia tae ana ki te £938 10s. 10d.; no te 11 o Mei, 1877, ka rehitatia taua moni ki runga ki te whenua i roto i te Tari Kooti Whenua Maori, i Akarana; he maha nga taenga o tera o te kai-pitihana ki nga tunga Kooti ki te tiaki ano i a ia i roto i taua whenua engari ko te mahi a Te Kooti he neke anake i te Whakawa o Patetere No. 2; no muri nei katahi ia ka rongo kua tino tukua e Te Kooti a Patetere No. 2 ki raro notemea hoki i kitea kei roto ke taua whenua i te Poraka o Tokoroa, a kua puta he pukapuka tuhinga whakamaharatanga take; na kaore i kaha te kai-pitihana ki te whakahaere i te taha ki a ia notemea kei runga te panui a te Kawanatanga i Patetere No. 2 me Tokoroa; kei te whaitake ano a Ngatara ki roto ki etahi poraka, a kaore e rite te kereeme a te kai-pitihana i te mea kua panuitia katoatia e te Kawanatanga nga whenua e uru ana a Ngatara. E inoi ana te kai-pitihana ma te Kawanatanga e utu te nama a Ngatara ki a ia me nga hua hoki o runga i aua moni—tetahi ma te Kawanatanga e mea kia tau aua moni hei utunga tuatahi i runga i nga whenua a Ngatara.

Kua whakahaua ahau kia ki penei:—

I tukua mai ano tetahi pitihana penei me tenei ki te Komiti o nga Pitihana o te Katoa i te tau 1877 tukua atu ana hei whiriwhiringa ma te Kawanatanga. I te tau 1879 ka pitihana mai ano te Kai-pitihana a kiia ana e tenei Komiti kia rapua nga tikanga o te pitihana. Kaore te kai-pitihana i whaaki mai i etahi korero, heoi ano ko te tuku mai anake i te kape o te whakataunga a Te Kooti mo nga moni e £938 10s. 10d., engari i runga i nga korero kua tukua mai e te Kawanatanga ki Te Komiti e kitea ana kaore he take e tono ai te kai-pitihana kia whakaritea tona kereeme e te Koroni e te Maori ranei i whakawakia nei e ia.

28 Hune, 1882.

## No. 97 of 1882.—Petition of HENARE TE MOANANUI and PARETENE TE MANU.

PETITIONERS state that there was a dispute as to the ownership of the island of Hauturu, between the Ngatiwhatua and the Ngatiwai, to which latter tribe the petitioners belong; that Hauturu was adjudged to the Ngatiwai, but the other tribe has set up claims to it and petitioned the Queen. The petitioners pray that the decision of the Land Court in their favour may be confirmed.

I am directed to report as follows:—

That this question of the ownership of Hauturu, or Little Barrier Island, was before the Committee last year on the petition of Hemara Tawhia and others of the Kawerau tribe, when it was recommended that Government should spare no effort to bring the dispute about ownership to a satisfactory conclusion. This report was dated 18th July. Shortly afterwards, Government received memoranda from Judge Monro and Chief Judge Fenton (both of whom had heard the case, for it was twice before the Court) in the strongest terms condemning the conduct of Hemara Tawhia and his friends, whose claims are described as "most trumpery." It seems that the Ngatiwhatua have sent a petition to the Queen, but there is no official record of the event or of its fate. It is evident that a mere legal decision is not likely to settle this case satisfactorily, and the Committee would therefore recommend Government to continue its efforts to arrive at a peaceful solution, either through purchase or in some other way.

28th June, 1882.