

agreed to by Rongowhakaata and Tutangahauite and Tetangamahaki, after which it was handed over to the Europeans.

By Mr. Locke: I meant, by other tribes against whom the Government were to protect our land, strange tribes who might desire to take it, as the inhabitants of the district had been killed. It was immediately after the fight at Waerengaahika that negotiations for ceding land to the Government were begun by Major Biggs. At the time when the division of these lands took place Mr. Richmond stated that he would remove all the soldiers, and that the Natives would have no protection against the Hauhaus. It was settled then that the piece of land referred to should be set apart as a site for a barracks. It was after the fight at Ngatapa that these matters were spoken of. The meeting at which this arrangement was settled was in the carved church at Whakato; Mr. Richmond was present. I only know of one meeting at Whakato at which Mr. Richmond was present. The question of the land for a site for a barrack was also talked about with Mr. Richmond, at Mr. Bradley's hotel; this took place during the fight at Ngatapa, which was in November, 1868. These were the only times when this question was discussed with Mr. Richmond. Mr. G. Cooper was present at the meeting at Whakato; I think Mr. Locke was also present, and also Major Biggs. Major Biggs was killed before the fight at Ngatapa. At the meeting held at Rawiri, on the other side of the river, it was decided to cede the land to the Government. Mr. Graham was present at that meeting. I think in that case he was acting for the Government. I think he was sent over from here to hear what the Natives had to say, and was acting for the Government. Mr. Atkinson was here at the time; he was acting for the Government: he was not present at that meeting. That was the meeting at which the land was given as payment for the guilt of the Hauhaus. The Government was asking for this land to be given as payment for the guilt of the Hauhaus; they claimed through the expense incurred in sending troops here. I do not know that the demand was made to carry out the conditions of the deed that had been signed. All I know is it was demanded in payment for the Hauhaus. I was acting with the Government at that time. I never held the deed I mentioned in my hand. I never read it; I have heard it read by others. I am not sure that I was here at the time the back lands were handed back. I do not know of the back lands having been handed back. I remember when Henare Matua came here; I was here then; the cause of the disturbance which occurred then was on account of the Commission Court dealing with the lands instead of the Native Land Court. I was not here at the time a meeting was held with the leading chiefs, when the back country was given back and the Commission was done away with, and the lands were thrown open to be dealt with by the Native Land Court. I cannot state what part of Te Arai it was to be ceded. I know where the five thousand acres of Patutahi was; it is the flat land now occupied by the Europeans. I remember the first Commission Court sitting here, when Judges Monro and Rogan were here. I do not know what lands were applied for when the Court sat. I was present at the opening of that Court. Mr. Atkinson may have been there. Mr. Graham was present; he came from Auckland to act on behalf of the Maoris to relieve Mr. Preece; he was acting for the Maoris at the Commission. I know of nothing done by the Commission affecting Patutahi and these lands; to the best of my belief the cession to the Government was before, and the Commission sat afterwards.

By the Commissioner: Rapata Whakapuhia is dead. He died a few years ago.

Mr. Harris's (Eruera Harete's) case closed.

Mr. S. Locke, sworn: There was a deed of cession made in December, 1868. [Mr. Locke hands in printed copy of deed of cession, printed under the authority of the Government, dated 18th December, 1868. Deed read, signed by 278 persons, nearly all witnessed by Mr. Atkinson, and in every case by Mr. Wyllie.* Mr. Locke also hands in acceptance by the Governor of the land ceded and declaration of the extinguishment of the Native title over it, dated the 27th February; 1869; also, a Commission appointing Judges Monro and Rogan a Commission to inquire into titles for the purpose of carrying out the provisions of the deed of cession.] That Commission sat at Turanganui about June, 1869. Mr. Atkinson at that time was acting here as Resident Magistrate and Government Agent; one of his duties was to endeavour to arrive at a settlement of this question. He found it practically impossible to pick out the portion belonging to the Hauhaus from the vast piece of land ceded, and after a great deal of discussion an arrangement was come to between him and Mr. Graham, acting on behalf of the Natives, to accept a portion in liquidation of all Government claims. [The original minutes of the proceedings of the Commissioners' Court from the 29th June to the 10th August, 1869, handed in by Mr. Locke. First day's proceedings read by Mr. Locke. Original sketch-plan produced before the Commission Court held in Turanganui in 1869, handed in by Mr. Locke; also plan of actual survey of Patutahi Block made by Mr. Bousefield, dated April, 1873. Also other papers relating to Mr. Harris's claim.] Mr. Locke then stated, in reference to the Patutahi Block, that according to these original minutes the Government were entitled to 57,000 acres, but their actual possessions are only about 47,000 acres; the surrounding lands have all passed the Native Land Court and have been dealt with. With regard to the block in this case called the Tapatohotoho, the Government obtained possession of the exact area mentioned in the minutes; further, that the arrangement that ten acres should be set aside as a cemetery has been carried out. The block called Tapatohotoho, in this case, is the same as Te Arai, mentioned in the minutes of the Commission held in 1869.

Court adjourned.

Wednesday, 18th October, 1882.

COMMISSIONER'S COURT resumed at 10 a.m. Present and place the same.

Mr. Harris (Eruera Harete) requested that time might be allowed him for the purpose of examining papers put in by Mr. Locke, for which purpose he asked that his case might be adjourned until 2 p.m.

* Both are dead now.—H. T. C.