

relief, but since then no further action had been taken. I believe that the evidence of Wi Pere is mainly correct. Had he demanded consideration as a matter of right, or with a disposition to repudiate the arrangement made in 1869, and confirmed before the Commissioners on the 30th June in the same year, I could not have entertained the question; but, as he has thrown himself and hapus on the compassion of the Government, I shall have a recommendation to make in their favour. There is no doubt in my own mind that the question has been brought under the special notice of various Native Ministers, and that the Natives have been led to believe that they would have relief afforded them, but from one cause or another it has never been given effect to.

Te Muhunga.—With regard to Te Muhunga Block, Wi Pere, on behalf of himself and Natives, claims all the land in excess of the five thousand acres given up; he also claims an exclusive right to a part of same block. Wi Pere deposes to the fact of the arrangement made by the agent for the Crown and the Natives. He admits the fact that on the 4th August, 1869, certain surveyed blocks were given, he explains, not in their entirety, but with the understanding that the five thousand acres were to be taken out and the balance handed back the Natives; this has special reference to his own individual claim. They were also promised that twenty-five acres was to be allowed for each of their three burial-places. This promise had never been carried out, but their burial-places had all passed into the hands of Europeans, who were occupying the land. In one of these burial-places (Kaitaratahi) hundreds of Natives had been buried, and it is being used now. Pauapa Waihopi had arranged with the European purchaser to buy back this place. The reserve of twenty-five acres on the Ormond plan, marked as a Native reserve, is not a burial-place at all but the residence of a woman named Atereta te Ruru. With respect to his own private block, called Waitawake, he does not advance an ancestral right, but he claims it by virtue of deed of gift, dated the 3rd August, 1841; that he was persuaded by the Crown Agent to allow it to be included on the understanding it was to be granted to him, but Mr. Atkinson, the Crown Agent, left the district soon after, and never returned. The place known as “the orchard” is a part of this block. Mrs. Gannon and Arapera Pere (Wi Pere’s wife) confirm this statement. With regard to the orchard, he has always maintained possession of it. The late Sir Donald McLean promised that it should be Crown-granted to him, but no grant has yet issued. It was by virtue of his understanding with Mr. Atkinson that he applied to the late Sir Donald McLean for a portion of the wood reserve (part of the same block) to be given up to him, and that Mr. Locke was instructed to see what part of it was available, with a view to handing it over to applicant. Mr. Locke admits that the late Sir Donald McLean did give instructions, but that it could not be carried out on account of an arrangement that had been made with the military settlers that they should have a right to cut timber there for ten years.

With regard to the Muhunga Block, I find on reference to minutes of proceedings of Commission of 1869 the following entry (page 2): “In reference to the first block (Muhunga) it was agreed that the block should contain five thousand acres, subject to the subsequent determination of boundaries on survey;” and on the 4th August I find the following: “The Crown Agent (W. S. Atkinson) stated that he proposed to lay before the Court the block called Te Muhunga, including Whatahaki, Wairerehua, Waitawake, and Te Hapua, and to state that it had been definitely arranged between himself and Mr. Graham on the part of the Natives that this should be taken by the Crown as part of the land to be occupied in satisfaction of the Crown’s rights over rebel claims.” Mr. Preece confirmed the “above statement.” . . . “Mr. Atkinson stated that there would be a small reserve of not exceeding twenty-five acres, being a Native burial-ground within the limits of the block, but he was not sure that the position indicated on the plan was accurate.” I find, from papers handed in by Mr. Locke, that the areas of the blocks referred to above, after actual survey, were as follows: Muhunga, 3,518 acres; Whatahaki, 111 acres; Wairerehua, 902 acres; Waitawake, 444 acres; Te Hapua, 374 acres: total, 5,349 acres; less for burial-place, 25 acres = 5,324 acres. From computation handed in by the Chief Surveyor of the district I find the area of the Muhunga ceded block to be 5,415 acres. These figures will make it appear that the Crown has ninety-one acres in excess of the area definitely ceded. I cannot take into consideration the Native reserve of twenty-five acres within the Muhunga Block, as from the evidence it cannot have anything to do with the arrangement above alluded to as made before the Commissioners in 1869. That there was some sort of arrangement with Mr. Atkinson, the Crown Agent, in respect to Wi Pere’s individual claim, I have no doubt, but the nature and extent of it it is now impossible to determine, as the principal witnesses are dead.

In the three cases or applications made by Wi Pere, I beg to make the following recommendations:—

Patutahi.—In respect to Patutahi I recommend that five hundred acres of land be set apart in the Patutahi Block, if possible on the Patutahi Stream, of fair average quality (having due regard to fair proportions of flat and hilly country), for the Natives named in the list hereto attached. Grant to be inalienable by sale, lease, or mortgage.

Muhunga.—That the Government purchase back from the Europeans (if it is found that the same have been sold) the three burial-places, Kaitaratahe, Parakiwai, and Wahanui; the area of each burial-place not to exceed five acres.

And that Wi Pere be granted ninety-one acres (the area in excess of the land ceded), such grant to include the orchard, eleven and a half acres, the balance to be made up out of the bush reserve, if the same is available.

Given under my hand and seal this 3rd day of November, 1882.

HENRY T. CLARKE,
Commissioner.

NAMES OF NATIVES in whose interest a Reserve of 500 acres is recommended.

APIATA KAHUKURA, Tapeta Kerekere, Tawaho, Wikitoria Moawa, Te Kauru, Heni te Auraki, Anaru Matete, Peka Kerekere, Wi Pere, Hare Matenga, Nopera Whiti, Roka Patutahi, Poaru, Poraku, Karaitiana Akurangi, Paora Putu, Tamati te Rangi, Horomona Tarakitai, Take Matenga,