

To F. D. Fenton, Esq., Chief Judge, Native Land Court, Napier.
 THIS is a request from us, the persons applying for a rehearing of Owhaoko, that the claim for a rehearing contained in our letter to the Government of the 31st January, 1878, may be cancelled.

We have seen the *Gazette* notifying that that land will be heard at Napier on the 29th October. Let it (our application) be entirely cancelled.

Topia Turoa.
 Hohepa Tamamutu.
 Perenara Papanui.
 Rawiri Kahia.
 Te Rangitahau.
 Te Rehu te Keka.
 Te Heuheu.
 Paurini Karamu.

Written at Taupo on the 25th October, 1880.

The document is in the handwriting, I am informed, of a clerk to Dr. Buller. Three have signed—Topia Turoa, H. Tamamutu, and Te Rehu te Keka. The other signatures are in the same handwriting—namely, that of Hohepa Tamamutu. Dr. Buller, in enclosing it to Judge Fenton, wrote as follows:—

SIR,—

I have the honour to forward herewith a formal withdrawal of the application of Topia Turoa and others for a rehearing of the Owhaoko case, together with an explanatory letter from Hohepa Tamamutu, who signed all the names to the original application. The withdrawal is signed by Topia Turoa and by Hohepa Tamamutu, on behalf of himself and the others.

I have, &c.,

W. L. BULLER,
 Solicitor for Applicants.

His Honour Judge Fenton, Napier.

The following is the translation of the explanatory letter referred to. It is in the handwriting of Dr. Buller's clerk, but signed "Hohepa Tamamutu:—

FRIEND,—

Tokaanu, 25th October, 1880.

It was I who signed the names of Hohepa Tamamutu, Perenara te Papanui, Rawiri Kahia, Te Rangitahau, Te Rehu te Keka, Te Heuheu, and Paurini Karamu, which appear in the letter sent by us to the Marquis of Normanby on the 31st January, 1878. I also signed their names to the document cancelling the application for a rehearing. Ended.

From your friend,

To Mr. Fenton.

HOHEPA TAMAMUTU.

Witness to signature—W. L. Buller, Solicitor.

I do not think this letter is of any consequence, because, independent of the petition to the Marquis of Normanby, there had been petitions by other Natives who had demanded a rehearing.

Dr. Buller seems to have received from Topia Turoa and Hohepa Tamamutu a retainer in the matter of the rehearing. Why there was need of a retainer in a case which was withdrawn by them, I cannot understand. The impropriety of a solicitor or counsel accepting a retainer from both sides I need not point out.

On the 1st November the Court sat at Napier, and the question of this Owhaoko Block came before it. The newspaper report says,—

NATIVE LAND COURT, TUESDAY, 1ST NOVEMBER, 1880.

A SITTING of the Native Land Court was held yesterday in the old Court-house, before Chief Judge Fenton, Judge O'Brien, and Mita Hikairo, Assessor.

The first case called on was the Owhaoko rehearing. The Chief Judge, addressing Dr. Buller, said he had received a communication from the Natives who applied for the rehearing, expressing a desire to withdraw.

Dr. Buller explained that he held a retainer from those Natives, and was instructed to appear and withdraw the application.

The Chief Judge said he was in doubt as to how such a course would affect the present title.

Dr. Buller replied that he intended to ask the Court, in dismissing the claim, to affirm the original judgment, and argued that the Court had power to do this under the provisions of "The Native Land Court Act, 1880."

The Chief Judge said there was something in the Interpretation Act to prevent this being done.