

Mr. Sheridan to some considerable extent satisfied the Court that it would have been a moral impossibility to return to each hapu all, or indeed any, of its kaingas—(1) because reserves were only provided for Natives who sold the whole of their individual interests in the land to the Crown, and were paid in full, no deduction being made from the purchase-money on account of such reserves : (2) because there was a large number of owners who did not join the sale, for whom eight separate blocks, which included a number of the kaingas of the hapus to which these non-sellers belonged, were cut out by the Court on the definition of the interests acquired by the Crown, and which kaingas consequently could not be included in the vendors' reserves. Thus it became necessary under these circumstances to give the kaingas in certain reserves to others than the former owners in some instances.

Reserve C contains 3,130 acres, and was set apart for sixty-five original owners.

Reserve D contains 1,410 acres, and was awarded to twenty-three original owners. No grants have yet been issued to these owners.

The Ngatitukaiaora reside at Otaki and other places distant from Taumarunui, and, as they attended a former inquiry into this matter before Judge Holland at the latter place, at considerable expense and inconvenience, only to find that the Court could not proceed for want of jurisdiction, no very great importance should be attached to their failure to appear. Probably want of funds had something to do with their absence on the present occasion, though Mr. Thorp urged that their non-appearance was due to indifference as to whether effect was given to the request of his clients or not.

On inspection of the locality alleged to have been the kainga Te Maire, there did not appear any evidence of recent occupation beyond a small hut in a poor state of repair and empty, although traces of remote occupation, cultivation, and clearing were apparent.

To exclude Te Maire from Reserve D, as requested by Mr. Thorp, would, in Mr. Stevenson's opinion, take nearly all the flat land, probably one-third of the whole reserve, from Ngatitukaiaora, a course which I hesitate to suggest without a great deal more information as to the capabilities of the land which would be given in exchange.

Mr. Thorp asked for 550 acres of D to be transferred to C, the portion to be taken being described as follows : From the river a strip 40 chains wide adjoining the eastern boundary of D, to run back a sufficient distance to give the required area. This was to be compensated for, an equal area being taken from C along the eastern boundary thereof.

In my opinion this would not be a fair exchange. The area taken from D would be far too large, and would include the best of the land. As both Reserves C and D are in my opinion too large to be beneficially occupied or dealt with by the Native owners, I am inclined to concur in the suggestion made by Mr. Sheridan (and subsequently acquiesced in by Mr. Thorp) that the two reserves should be thrown into one title, and remitted to the Native Land Court for partition on the basis of the relative interests set out in *Kahiti* No. 20, of the 15th May, 1895, cited in the notice under your hand above referred to, a copy of which is attached hereto.

Appended are also copies of the evidence taken before Judge Holland and before me, and plan of the reserves W.D. 1371.

In any case legislation will be necessary if any alteration is decided upon.

I have &c.,

The Chief Judge, Native Land Court, Wellington.

W. E. RAWSON,

Judge, Native Land Court.

*Approximate Cost of Paper.*—Preparation, not given ; printing (1,400 copies), £1 10s.

By Authority: JOHN MACKAY, Government Printer, Wellington.—1911.

Price 3d.]