These three decisions, together with that given by Judge Scannell on the 16th December, 1901, later referred to, are clearly sufficient to prove the contention of the petitioner that the names of Ngati-Rangiwewehi and Ngati-Uenukukopako should not appear on the title to the reserves returned to the owners of the Pukeroa-Oruawhata Block.

Dealing with the complaint set forth in clause 12 of the petition, the following facts may be of assistance in determining whether the petitioner's request as set forth in clause (*d*) should receive favourable consideration :—

When the Pukeroa-Oruawhata Block was originally investigated the order was to the Ngati-Whakaue Tribe as a whole, and no names of the members of that tribe were then submitted. Later, owners were determined but relative interests were not then defined. Application for partition was subsequently lodged and dealt with by the Court. Decision as above referred to was given. Shares and areas were by that decision allotted to the six hapus comprising the Ngati-Whakaue Tribe. Lists of the individual members of the six hapus were passed by the Court, but the relative interests of these persons were not defined. The Court, however, proceeded to deal with the many small holdings within the Pukeroa-Oruawhaka No. 1 Block, and made approximately 199 partition orders for these small holdings. I cannot find that any order was made for the residue, which I assume was the Rotorua Township, and then under lease to the Crown.

It is evident from the Crown purchase deeds produced that the Crown did not purchase from the owners on the basis of equal shares, but it is quite impossible for me to say on what basis it did purchase. I have no evidence, either oral or documentary, before me to show what method was used by the Crown in assessing the amount of purchase-money to be paid to the individual owners of the land. It is possible that the Native Land Purchase records may disclose some information.

It was agreed that when Ngati-Whakaue sold an area of 20 acres was to be returned to them, and this was done. The Court, under jurisdiction conferred by Order in Council, determined the owners, together with their relative interests therein. (Copy of decision determining owners attached.) The relative interests of the owners were declared equal. It is against this declaration of "equal shares" that petitioner complains.

The Court did not allot the owners equal shares on its own motion, but in compliance with the request of the Ngati-Whakaue Tribe. Evidence goes to show that after the determination of the owners Ngati-Whakaue held a meeting and decided that the owners should be allotted equal shares. This decision of the meeting was submitted to the Court and confirmed by it without any objection.

The question that appears to arise is, Is it right that a decision of the whole of the Ngati-Whakaue Tribe arrived at after due consideration should be upset twenty-seven years afterwards at the request of one man?

It is noticeable that the present elders of Ngati-Whakaue are not in sympathy with the petition in so far as this complaint is concerned.

Relative to complaint covered by clauses 13, 14, and 15, and clause (*e*) of the petition, the facts so far as I can discover are that an area of approximately 20 acres was to be returned to the sellers of the township. Certain sub-hapus—*i.e.*, Ngati-Tiki, Ngati-Ruamano, and Ngati-Te Kohu refused to sell, but on the offer being made to them of a return of six quarter-acre sections they eventually sold. It was agreed that certain members of the three hapus should go into the quarter-acre sections, and names were settled, but unfortunately the list of such names was lost and up to the present the ownership of the sections has not been determined.

All the Ngati-Whakaue owners of Pukeroa-Oruawhata No. 1 have been included in the 20 acres returned by the Government, and the members of the three hapus, Ngati-Tiki, Ngati-Ruamano, and Ngati-Te Kohu are therefore included. They, in addition to their interests in the 20 acres, receive the six quarter-acre sections. It does not seem logical that those who objected to the sale should now receive a larger share of the returned reserves than those who agreed to the sale in the first instance, and I have no hesitation in saying that the names of those persons of the three hapus who are found to be the owners of the six quarter-acre sections should be deleted from the list of owners of the 20 acres, or, in the alternative (as set forth in clause (*e*) of the petition), the said six quarter-acre sections should be added to and included with the 20 acres, which, as before stated, went to the whole of the owners of the Pukeroa-Oruawhata No. 1 Block.

Besides the copies of the decisions alluded to, I also enclose certificate of title for Pukeroa-Oruawhata for your inspection.

Minutes of inquiry are also enclosed.

Yours faithfully,
A. G. HOLLAND, Judge.

His Honour, the Chief Judge, Native Department, Wellington.

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