

173. The remainder of the report contains nothing of moment or interest in this present case. The list of the twenty-six chiefs written in the margin of the Commission were as follows :—

- |                              |                             |
|------------------------------|-----------------------------|
| 1. Te Wahapiro.              | 14. Pitiroi Paea.           |
| 2. Nopera te Ngiha.          | 15. Tamati Hauhau.          |
| 3. Rapata Wainui (Hurumutu). | 16. Waka te Kotua.          |
| 4. Te Whawharua.             | 17. Tamihana te Rauparaha.  |
| 5. Hohepa te Maihengia.      | 18. Matene te Whiwhi.       |
| 6. Mokau (Rangihacata).      | 19. Hoani te Okoro.         |
| 7. Te Hiko.                  | 20. Horopapera.             |
| 8. Rewiri Puaha.             | 21. Riwai te Ahu.           |
| 9. Wi te Kanae.              | 22. Hohaia.                 |
| 10. Horomona.                | 23. Te Karira.              |
| 11. Rawiri Hikihiki.         | 24. Rawiri te Onenuku.      |
| 12. Mohi te Hua.             | 25. Eraia te Hunga.         |
| 13. Tungia.                  | 26. Peti te Rau-o-te Rangi. |

174. The schedule of succession shows Tipene Paramutu [*sic*] of *Whakapuaka* to be the successor to Te Waha Piro. It also shows Kereihi Tipene of *Whakapuaka* (Tipene Paremata's wife) as a successor to Tamati Hauhau. Attached to the report as Enclosure No. 5 is a letter dated 11th August, 1853, from the Land Commissioner (McLean) to the Civil Secretary. The first paragraph of this letter runs as follows, and puts in a nutshell, the day after it happened, what was subsequently put on record by McLean's report of 7th April, 1856 :—

I have the honour to transmit to you the original deed of sale executed by the principal chief and people of the Ngatitua Tribe yesterday, for the whole of their claim to the Middle Island, *excepting Rangitoto or D'Urville Island and such other places as may be actually required by the Natives, within the limits of the purchase as reserves, for their own use and occupation.*

175. With regard to the alleged existence of an arrangement between Huria Matenga and other members of the Ngati Tama Tribe to the effect that Huria would fight a representative action against Ngati Koata and when successful include her relations, much has been said. Mackay says the idea is ridiculous and preposterous and incapable of belief. The Native Affairs Committee of 1896 says that the allegation is denied by Huria, and leaves it there. Para. 133 (6) and (8).

176. As stated before, such arrangements are common, but that does not mean that one was in existence in this case. The allegation of an arrangement appears to have exercised the minds of a later Committee (Native Affairs Committee of the Legislative Council in 1903), which passed a resolution directing the Chairman to request the Minister of Justice—

to instruct the Stipendiary Magistrate at Nelson to examine Huria, in the presence of the petitioners, their solicitors, or agents, and with full liberty to the petitioners, their solicitors, or agents to cross-examine her, and that the Magistrate put in writing for the information of the Committee her answers to the following questions a question of similar import.

The text of this resolution was passed on to the Minister of Justice by letter dated the 29th October, 1903.

177. It was pointed out to the Chairman of the Committee by the Minister of Justice (under date the 30th October, 1903) that “ the Stipendiary Magistrate would have no power to compel the attendance of Huria, or compel her to answer the question,” and that, although the Minister was willing to assist the Committee in every possible way, he was reluctant to place the Magistrate in a false position.

178. Notwithstanding, the examination was proceeded with, the following being the minutes of Mr. H. W. Robinson, the Stipendiary Magistrate who conducted the inquiry :—

In the matter of the petition of Atiraira Nopera under the consideration of the Native Affairs Committee of the Legislative Council at Wellington.—Nelson, November 16th, 1903, at the Magistrate's Court Room.

Notes of evidence taken before Henry Wingman Robinson, Esquire, Stipendiary Magistrate, under authority of the Honourable Henry Williams, M.L.C., Chairman of the said Committee.

Mr. Wilford appeared on behalf of Huria Matenga ; Mr. Ellison appeared on behalf of Atiraira Nopera.

Ngawaina Hanikamu and Wi Katene Tipu. James William D'Blois of Nelson was sworn as Interpreter.

It was agreed that Mr. Wilford should put the questions 1, 2, and 3 as set out in the letter of the Chairman of Committee dated the 5th November, 1903.

The questions and answers were as follows :—

Huria Matenga was then asked the questions.

*Question No. 1 :* Did you promise or represent directly or indirectly at or before the time when the Whakapuaka Block was awarded to you that you would admit the petitioners into the title to the block, or that you would provide them with land, parcel of the block, for their maintenance ?

*Answer :* No.

*Cross-examined by Mr. Ellison—Question :* Did you see Wi Katene, junior, at the Court at Nelson about the time the title to the block was heard ?

*Answer :* I don't remember.