

9. That in February, 1858, I was appointed Assistant Native Secretary in the Middle Island. Among other duties I was instructed to complete any outstanding questions and lay off reserves which had been agreed to between Chief Commissioner McLean and the Natives residing in the Province of Nelson (subsequently altered to Nelson and Marlborough).

10. Messrs. Domett, Brunner, and Heaphy were at that time the Commissioners of Native Reserves. They resigned, and I was appointed sole Commissioner in their place.

11. I subsequently arranged all matters relating to all classes of Native Reserves in the Provinces of Nelson and Marlborough. In 1862 I interviewed Maka Tarapiko and the Ngatikoata as to the northern boundary of the Whakapuaka Block as given by them to Wiremu Katene te Manu. The Whangamoa River was the boundary according to their statement, but they said that Chief Land Purchase Commissioner McLean had made a stipulation that they were to have a piece of 100 acres on the south side of the Whangamoa River. Wiremu Katene te Manu agreed to this, and I caused the survey of the 100 acres to be made. Paras. 206 to 210.

12. That I subsequently arranged with Mr. Domett, Commissioner of Crown Lands, and Mr. Brunner, Chief Surveyor for Nelson, the exact boundaries of the Whakapuaka Reserve. Para. 212.

13. That in 1864 I resigned my office as Commissioner of Native Reserves, as Sir George Grey had given me another appointment at Auckland. My cousin, Alexander Mackay, was appointed Commissioner of Native Reserves in my stead.

14. That from 1847 to 1864 I never saw any of Paremata te Wahapiro's family or descendants living at Whakapuaka or did they to my knowledge ever make any application to me in respect of that block. Para. 214.

Sworn at Auckland, in New Zealand, this twelfth day of January, 1905, before me— } JAMES MACKAY.

C. L. CLAYTON,

A Solicitor of the Supreme Court of New Zealand.

196. In the matter of the Whakapuaka Native Block and of the title of Huria Matenga thereto :—

I, Alexander Mackay, of Wellington, in the Provincial District of Wellington, in the Colony of New Zealand, formerly a Judge of the Native Land Court, do solemnly and sincerely declare :—

1. That for many years, from the year 1864 to the year 1882, I was acting as Commissioner of Native Reserves and Native Commissioner at Nelson in the district in which the Whakapuaka Block is situate. That sometime prior to my being appointed Commissioner of Native Reserves I lived at Horoirangi otherwise known as Drumduan immediately adjacent to the Whakapuaka Block and became personally acquainted with many of the Natives living at Whakapuaka, and among the number I knew intimately Wi Katene te Puoho, or Wi Katene te Manu as he was sometimes called, and his daughter Huria or Huria Matenga.

2. That after my appointment as Judge of the Native Land Court I held Courts at Nelson, and am fully conversant with all the Native claims and titles to the lands in the Nelson District. In the allocation of the lands included in the territory conquered by the Ngatitōa and their allies, the Ngatikoata were the primary owners of the lands in the northern part of the South Island, which included Whakapuaka, and the Whakapuaka Block was a gift from the Ngatikoata to one Kahoe for her son Wi Katene te Puoho, or Wi Katene te Manu as he was sometimes called. Kahoe was a Native woman partly of the Ngatitōa Tribe, and originally came from Poutama, a place owned by the Ngatitama. She married in the first instance Te Taku, at Poutama, and by him had one son—namely, Paremata te Wahapiro—and two daughters—namely, Miriama, or Konehu as she was sometimes called, the wife of Pitama te Iwikau, and Kahiwa, known also as Kuini—the first-named died at Whakapuaka leaving no children, the last-named was murdered by her Maori husband in a hut near the iron gate, the present entrance to the Whakapuaka Block, leaving no children. When her first husband (Te Taku) died, Kahoe married Te Puoho, who was Te Taku's elder brother, and by the latter marriage with Te Puoho she had one son—namely, Wi Katene. Para. 215.

3. The Ngatikoata Tribe in the first instance offered Whakapuaka to Te Puoho as an inducement for him to remain in the Nelson District instead of carrying out his expressed intention of leaving and proceeding southward, because he (Te Puoho) was annoyed at all the available territory being appropriated before his arrival from the North Island. Para. 216.

4. Te Puoho, however, determined to proceed with a party farther south, to appropriate land in that direction, and this led to his death at Tukurau, and the capture by the Ngaitahu of his stepson, Paremata te Wahapiro, who was with him. One of the war party who escaped brought word of Te Puoho's death to Te Kahoe, who was then living with her son, Wi Katene, son of Te Puoho, with a party of the Ngatitama at Te Parapara, near Collingwood. It was not known at that time whether Paremata te Wahapiro was killed or not, or what had become of him, until he returned to Whakapuaka about the early part of 1844. Para. 217.

5. In the meantime, Kahoe, who was related to the Ngatikoata, being left without lands for her son Wi Katene, and being mindful of the offer previously made by the Ngatikoata to Te Puoho before he went southward, interviewed the Ngatikoata Tribe and sought a fulfilment of their offer, with the result that the concession was finally made and the Whakapuaka Block was given by the Ngatikoata to Kahoe for her son, Wi Katene. That it has always been recognized by the principal men of the Ngatikoata as an absolute Para. 218.