

The RESIDENT MAGISTRATE, Kaipara, to the Hon. the NATIVE MINISTER.

SIR,—

Auckland, 19th January, 1872.

I have the honor to call your attention to a serious difficulty which has arisen in connection with the working of the extensive saw mills lately built at Kopuru, on the Wairoa River, in the Kaipara District, by Mr. Graham, of Fort Street, Auckland.

These works have been erected on a block of land purchased by Messrs. Walton and Graham from the Provincial Government of Auckland in the usual manner some years ago, and are in charge of a gentleman named Walker.

Adjoining the allotment just named (or separated from it by a small creek named Makaka) is one for which Winiata holds a Crown grant, and which he obtained by purchase through me some years ago, when without any land of his own in this neighbourhood, he was squatting on Government land, and liable at any moment to be ejected.

A short time since Mr. Walker had employed a party of labourers in cutting a drain on Mr. Graham's land, which was intended to lead water from the creek before mentioned for the use of the mill. Winiata, by force, obstructed this work, on the ground that the land was all his. At Mr. Walker's request I proceeded to Te Kopuru in the endeavour to arrange with Winiata to allow the work to be proceeded with. After reminding Winiata of the circumstances which led to his possession of the land defined in his Crown grant, and showing him clearly that he had no right to interfere with the progress of any work carried on by his neighbours, he defiantly replied that the land was his in accordance with the original surveys, and that he would disregard the Crown grant, which was wrong, accusing me at the same time of being partial to Messrs. Walton and Graham.

Finding Winiata determined, right or wrong, to oppose the operations, I told him that I should advise Mr. Walker to proceed with the works. He replied that he would order the drain to be filled in as quickly as it was made.

On my advice Mr. Walker set the labourers to work on the drain again last Monday week, when Winiata, true to his word, ordered his Natives to fill it in again, placing flax at the bottom, thereby virtually taking possession of the land.

Mr. Walker again appealed to me, and I deemed it most advisable to require Winiata's attendance before myself and Aperahama Taonui. Winiata appeared in answer to the complaint, and as Mr. Walker could not produce the Crown grant (it not being in his possession), Winiata was called upon to make a statement of his claim to the land for the purpose of reporting the case to the Government. He said that in the original sub-division of the land the boundaries of the allotment purchased by him were cut on the ground, and included the land now claimed by Messrs. Walton and Graham, and that it should have been included in his grant. I enclose herewith a rough sketch, which will perhaps better explain the position of Winiata's claim.

It was pointed out to Winiata that I was the original purchaser of his allotment, and at the time of application to cause the land to be advertised for sale, Mr. Warner stated to me that the place was reserved from sale for a township, but a portion of the land would be advertised at my request, making the Makaka Creek the boundaries, as it would be unfair to allow one person to monopolize both sides of the creek; that this condition was accepted by me, as I was anxious to secure Winiata a place to retreat to as he was occupying Crown land which had become the property of a settler, and he was liable to be ousted therefrom.

To all this Winiata became unreasonable and insulting to me, and concluded by stating that he would hold to the land until he got £300 compensation, and then would hold to his exclusive right to the creek. As I was a party to the purchase of this land and am opposed to Winiata's claim for compensation (which appears to be a scheme set up by him to extort money by using force to impede works which have probably cost £30,000, and the stoppage of which will be very detrimental to the prosperity of that district), I am satisfied that any further action that I could adopt in this case would not tend to settle this difficulty, and respectfully suggest that Mr. Kemp, or some other person, should be appointed to settle the question pending between Winiata and Mr. Graham.

As Winiata appeared careless about his salary, and as he has recently become offensive, I presumed, without authority, to defer paying him his salary for the past six months, until this matter shall have been settled.

I have, &c.,

J. ROGAN, R.M.

No. 20.

WALTER GRAHAME, Esq., Auckland, to the GENERAL GOVERNMENT AGENT, Auckland.

SIR,—

Fort Street, Auckland, 20th January, 1872.

I have the honor to inform you that, on the commencement of operations in connection with my saw mill at Kopuru, the Native chief Winiata stopped the workmen and claimed as his the five acres of land bought by Mr. Henry Walton under Crown grant, dated 9th November, 1871; Registered No. 6530B, and afterwards conveyed to me.

This interference will be a serious loss to me, as all the machinery is in place, and, but for this interruption, would have been at work.

I have, &c.,

(P.Pro. WILLIAM S. GRAHAME,)

WALTER GRAHAME.