

meeting of the Land Court was held at Tologa Bay, when the proprietorship of the Natives referred to was confirmed, so far as the 160 acres were concerned. That the petitioner has been in possession of the land from December, 1874, to 10th March, 1879. That, at a date not named by petitioner, the Governor notified that under "The Immigration and Public Works Act, 1871," it was his intention to negotiate with the Natives for the lands of which the petitioner's was a portion. That at the end of two years a further official notice was given to the effect that Government had paid money upon the said land. That in consequence of these Proclamations the petitioner has been subjected to trespasses on the part of various Natives. That at a meeting of the Native Land Court, held on 10th March, 1879, the ownership of the land was adjudged to sixty-three Natives, including the eight first referred to. That in consequence of this official action, petitioner has lost £6,000. Petitioner claims damages, and also to be put in possession of the land.

I am directed to report as follows:—

The facts established show that, several years before the petitioner began to negotiate with the Natives, the Government had had dealings in regard to the land, of which Mangarara No. 2 forms a part. The land had been ceded to the Government, but had been returned to the Maoris. Afterwards the Government desired a portion for settlement purposes, in connection with a proposed township at Tologa Bay, and bought out certain European claims. It was during this stage that Muloolly entered into competition with the Government, with apparently a full knowledge of what was being done. The Natives negotiated with both parties, and took consideration-money from both. In neither case were the payments secured by law, and, indeed, were made on both sides with a full knowledge that no legal title could be received until the lands should be passed through the Native Land Court. Immediately before the sitting of the Court, which adjudicated upon the land on 3rd May, 1879, an offer was made on behalf of the Government to pay Muloolly the sum of £500 to retire from the transaction. This sum was calculated upon the basis of £300 original cost and £200 for improvements. This offer was made at the urgent request of Mr. Muloolly, who upon his part demanded first £1,500 and afterwards £800. He refused to accept the offer, and the case accordingly went into Court, with the result that instead of the names of only eight original grantees being inserted, the order of the Court contained sixty-three names. The position of the case now seems to be that both the Government and Mr. Muloolly have paid away large sums of money on very questionable security. The petitioner has satisfied the Committee that by the most recent order of the Native Land Court his title to the land in question is invalid, and that it would be impossible for him to make it good. But the Committee does not consider that the Government is responsible for the unfortunate position of the petitioner, and cannot therefore recommend that compensation be awarded to him.

21st July, 1880.

[TRANSLATION.]

No. 45 of Session II., 1879.—Pukapuka-inoi a MAIKARA MARURI.

E ki ana te Kai-pitihana i tetahi tunga o te Kooti Whenua Maori i Turanga, i te 24 o Noema, 1873, whakataua ana tetahi whenua ko Uawa Nama 1, ki etahi Maori tokowaru kaore he here i runga; i te 23 o Tihema, 1874, ka hokona e te Kai-pitihana i aua Maori tetahi wahi o taua whenua. I Akuhata, 1875, ka kimihia e te Kai-pitihana nga pukapuka o te Kooti Whenua Maori, a i tona kitenga i te whakataunga i runga iho nei hokona ana e ia nga paanga o nga Maori ra ki nga eka 160 o taua whenua. Ko te pukapuka hoko i whakatikaia e te Komihana arai tinihanga a i whakapiria ki te pane Kuini. No Hurae, 1876, ka tu te Kooti Whenua Maori ki Uawa, whakataturutia ana te putaketanga ki nga eka 160, i runga tonu te Kai-pitihana i taua whenua e noho ana mai ano i Tihema, 1874, ki te 10 o Maehe, 1879. Na tetahi panui a te Kawana, ko te ra i kore i te Kai-pitihana, i raro i "Te Ture mo nga Mahi a te katoa me nga Iwi Heke, 1871," i mea he whakaritenga ano tana ki nga Maori mo te whenua e uru ra ki roto te piihi a te Kai-pitihana. Na mutu ake nga tau e rua i muri iho ka puta ano tetahi panui penei na, kua utu moni te Kawanatanga i runga i taua whenua. I runga i taua panui eke atu ana nga Maori ki runga ki te piihi a taua Kai-pitihana. No te tunga o te Kooti Whenua Maori i te 10 o nga ra o Maehe, 1879, ka whakataua te take o te whenua ki nga tangata e 63 ko taua tokowaru o te tuatahi ra etahi. No runga i tenei whakahaere a te taha Kawanatanga e £6,000 i pau a te Kai-pitihana. E tono ana te Kai-pitihana kia utua ia mo ana moni, kia hoatu hoki taua whenua ki a ia.

Kua whakahaua ahau kia ki penei:—

E whakaatu mai ana nga korero kua maha noa nga tau i mua atu i te whakaritenga a te Kai-pitihana ratou ko nga Maori, i pa ai te Kawanatanga ki te whenua e uru na a Mangarara Nama 2 ki roto. Ko te whenua i tukua ki te Kawanatanga, erangi he mea whakahoki ki nga Maori. No muri ka hiahia te Kawanatanga ki tetahi piihi hei whakakaingatanga mana apiti atu ki te Taone i meatia kia tu ki Uawa, hokona ana nga paanga o etahi pakeha. No tenei takiwa ka uru ake a Maruri ki te whakataete ki te Kawanatanga me tona mohio ki nga mahi kua whakahaerea. I uru atu nga Maori ki tetahi taha, ki tetahi taha, a i tango moni i tetahi i tetahi. Kaore i whakamanaia e te Ture aua utunga moni a ia taha. Notemea i mohio tonu aua hunga me Kooti rawa te whenua katahi rawa ka tika i te ture te utu moni. I mua tata tonu i te Kootitanga o taua whenua i te 3 o Mei, 1879, i whakaae te taha Kawanatanga ki te hoatu kia £500 ki a Maruri kia unu ia i a ia ki waho o taua whenua. Ko taua moni i whakaritea i runga i te £300 i utua mo te whenua me te £200 i pau i runga i nga whakapainga o runga. I whakaaetia atu enei moni kia hoatu i runga ano i te tohe a Maruri, i tono hoki a ia kia £1,500 e hoatu ki a ia a no muri i mea ia kia £800. Kaore ia i whakaae ki te tango i ta te Kawanatanga heoi tae ana taua whenua ki te aroaro o te Kooti whakataua ana kaore i te tokowaru ra anake engari i whakaurua e 63. Na ko te takoto o taua mea i naianei, ano kua utu te Kawanatanga me Maruri i etahi moni nunui i runga i nga take kore whaitikanga. Kua marama ki te Komiti i runga i nga korero a te Kai-pitihana kaore ona mana ki te whenua e meatia nei i runga i te ota whakamutunga a te Kooti Whenua Maori, e kore e taea e ia te whakamana tona take ki reira, erangi e mea ana te Komiti kaore he tikanga ki te Kawanatanga te rarunga o te Kai-pitihana, heoi kaore he whakahau kia whakaputaina he utu ki a ia.

21 Hurae, 1880.