

I am directed to report as follows:—

That this case is one that only a Court of law could settle, though the question involved is very simple—namely, is Turei's name to a deed of sale? The trustees of the estate could easily act in the matter if so inclined.

28th August, 1880.

[TRANSLATION.]

No. 160, of 1880.—Pukapuka-inoi a HEREKA TIRIPA TUREI me etahi atu.

E KI ana nga Kai-pitihana ko ratou nga tamariki a Turei, ko ia tetahi o nga tangata oroto i te Karauna karaati o Mangaaruhe (Haake Pei) a i whakaturia ratou hei kai-riiwhi mo to ratou papa; e ki ana ratou i riro noa to ratou whenua i te pakeha i runga i nga korero tinihanga a te kai-whakamaori, a te Wakena, i ki hoki taua Wakena i te tuatahi he rihi te mea e tuhia ana no muri ka ki he hoko ke ia; e ki ana ratou na tetahi Kai-whakawa o te Kooti Whenua Maori i mea kia tonu ratou ki te Hupirim Kooti, engari kaore ratou e pai ki tena huarahi, no te mea kaore ratou e pai ki te whakawa, ki te whakapau monei ranei.

Kua whakahaua ahau kia ki penei:—

Ma te Kooti anake o te ture tenei mea e whakatau, ahakoa e marama noa atu ana te tikanga o roto, ara; kei roto ranei te ingoa o Turei i te pukapuka, kaore ranei? Otira ka taea no atu e nga kai-tiaki te whakahaere mehemea e pai ana ratou.

28 Akuhata, 1880.

No. 360 of Session II., 1879.—Petition of ARAMA KARAKA HAUTUTU.

PETITIONER complains that certain money, the property of the sons of Wi Apo, has not been accounted for, and blames Mr. Sheehan for it. He prays for investigation.

I am directed to report as follows:—

That the Committee has investigated this petition with great care and patience. They have examined the petitioner and a large number of witnesses. They have also carefully read the evidence taken before the Public Accounts Committee in 1877 on the petition of Mr. Brissenden, some of which has a direct bearing on the questions before them. The difficulty of arriving at a definite conclusion has been greatly increased by the fact that no accounts, journals, or cotemporary records of any sort were kept by the trustees, Mr. Sheehan and the petitioner, Arama Karaka, or anybody else connected with the matter; and the only documentary evidence which could be obtained was a deposit receipt and some cheques produced by the Bank of New Zealand at Auckland, which, however, left the application of the money open to dispute. There is no doubt that the amount paid to Wi Apo's trust estate was the sum of £400 in cash. At the time of payment (13th May, 1874) £100 was kept back. According to A. Karaka this deduction was to recoup him for the survey, which had been paid for by him previously. According to Mr. Sheehan and Mr. Brissenden's account, it was to meet a refund due to Mr. Stannus Jones in respect of an abandonment of lease of part of the Pakiri Block. According to Mr. Nelson, £50 was for Stannus Jones, and £50 for Arama Karaka himself. This deduction being made for somebody, leaves £300 lodged at the Bank of New Zealand on 13th May, 1874, in the joint names of Mr. Sheehan and A. Karaka. In December, 1874, a cheque was drawn payable to order, signed by both trustees, for the purpose of paying Mr. Gittos' expenses connected with Wi Apo and his brother, and there remains at present £80 to the credit of the trust-account at the bank. The above statement leaves £200 to be accounted for. Leaving out Arama Karaka's evidence, which we consider entirely unreliable, Mr. Sheehan says that he and Arama Karaka signed a cheque for £200, dated 14th May, 1874, of the proceeds of which Karaka kept £150 to pay for the survey, and handed him (Mr. Sheehan) £50 for Mr. Jones on account of the cancelled lease before mentioned. Mr. Brissenden says that he paid this money in his own office, in bank notes, to Karaka, which notes he had personally obtained on his own private cheque, given in exchange for Karaka's cheque on the trust fund, being no doubt the cheque above mentioned. Mr. Nelson says that he got Brissenden's cheque for the £200, went to Oliver's shop in the town, found A. Karaka there, took him with him to the bank, drew the money in notes, and gave them in full to Karaka in the presence of a Mr. Hargreaves, and that he knew nothing of the way in which Karaka disposed of them. There is also a great conflict of evidence as to the amount paid to Jones, the amount paid on account of survey, and to whom paid, and on other matters. It seems pretty certain that Arama Karaka himself received the proceeds of this £200-cheque; but whether to recoup cost of surveys paid by him, or towards the expenses of maintaining Wi Apo and his brother, or to repay Jones his advance, or some and which of these objects or any other, is quite unproved by the evidence. It seems to the Committee, however, that there is no evidence to show that Mr. Sheehan handled any part of the £200. The Committee, however, thinks it its duty to call the attention of the Legislature to the expediency of providing some direct control on the part of the Government over trusts in which Natives are concerned, either as trustees or beneficially. Probably it would be well that such trusts should be administered by the Public Trustee. But, at all events, the evidence in the case proves that, in the interests of the Natives, a periodical audit of such trusts by a Government officer should be established.

28th August, 1880.

[TRANSLATION.]

No. 360 of Session II., 1879.—Pukapuka-inoi a ARAMA KARAKA HAUTUTU.

E KORERO whakahe ana te Kai-pitihana mo etahi moni a nga tama a Wi Apo, kaore i whakamaramatia te ngaronga o aua moni, a e whakahe ana tera ia Te Hiana mo aua moni. E inoi ana te Kai-pitihana kia rapua taua mea.

Kua whakahaua ahau kia ki penei:—

Kua ata rapua e te Komiti tenei pitihana. Kua uiuia nga korero a te Kai-pitihana me a etahi atu kaikorero tokomaha. A kua ata tirohia hoki e te Komiti nga korero i korerotia i runga i te