

and a private meeting of all parties concerned was held, at which the Chief Judge attended by request. The question resolved itself into this: should the grant of land (6,000 acres) be cut off in open Court after adjudication, or should the petitioners withdraw their appeal, allow the land to go to their opponents, and receive a conveyance for their share. One lawyer maintained that his clients could only be safe by having their names inserted by the Court, and then have the land awarded to them on subdivision; the other contended that this would advertise his rival as the winner of the great Whakamaru case. This rivalry of these legal gentlemen seems to have prevented an amicable settlement. These facts could not be considered by the Court, for it had been agreed that the negotiations, if they failed, should be without prejudice. Both Judges state that there would have been considerable risk had the petitioners withdrawn their claims from the cognizance of the Court. The Judges state distinctly that their final decision, which was adverse to the petitioners' claims, was given upon the merits, and was arrived at unanimously, the Native Assessor agreeing in the judgment. The Committee is at a loss to understand why 6,000 acres out of a block of 17,000 to 20,000 should have been offered to the petitioners if they had no claim. The land promised is said to have been the best in the block, and it seems remarkably queer that such an amount should be offered merely to facilitate the passing of the remainder to Europeans. It had been arranged that 2,000 acres should be conveyed, with restrictions, so that the petitioners could have dealt with only 4,000 by way of sale. The claimants and counter-claimants, though belonging to three different hapus, are related, all being of the Ngatiraukawa, all claiming by conquest and continuous occupation. The common rights from conquest were admitted, but continuous occupation was disputed. It would be impossible for the Committee to review the case in minute particulars, but there seems to be a case made out that the petitioners have been hardly treated. The Committee assumes that the Court pronounced according to the evidence openly adduced, but, with the evidence regarding the private conference before it, the Committee considers that the arrangement should be carried out by which the petitioners should receive a substantial interest in the land. The Committee recommends the Government to apply to Parliament to give power to grant a rehearing in this case.

3rd September, 1883.

[TRANSLATION.]

No. 72.—Pukapuka-inoi a APERAHAMA TE KUME me etahi atu e 8.

E WHAI kupu ana nga kai-pitihana no te mea ko te ratou whenua e karangatia ana ko Maungaiti he wahi no te Whakamaru poraka i whakataua nei ki etahi atu i muri iho i nga whakawakanga e rua e te Kooti Whenua Maori. I whakawa ano a Kapene Haimona i runga i tenei keehi i te tau 1880 a ka whakaaetia kia whakawakia tuaruatia, a i tu taua whakawa i Kemureti i tenei tau. E ki ana ratou i whakaae te Patetere Kamupani Whenua kia hoatu kia 6,000 e kao te whenua e whakahuatia nei ki te mea ka whakamutua e ratou te whakahaere o tenei keehi. E mea ana hoki ratou kahore te kooti i whakaae kia unuhia tenei keehi, ko tona mutunga whakataua ke tia ana. E tono ana ratou kia whakawakia tuaratia.

Kua whakahau ahau kia ki penei:—

He keehi whakawakanga tuarua tenei, ko te whenua e whakahuatia nei wahi iti ka tae ki te 17,000 ki te 20,000 eka ranei. I runga i nga korero i korerotia ka kitea ko nga panga o nga Maori ki taua whenua i whakataua nei e te Kooti i mua kua tata te pau i te hoko a te pakeha. I runga i te whakaaro kia tere te pahitanga o tenei whenua i roto i te kooti kia ahei ai te hokori o te tapae ka mea nga Maori nana nei i hoko ka tukuna atu ano etahi tikanga no te meatanga kia whakahokia atu nga whenua o te kai pitihana i tae nei ki te 6,000 eka me etahi moni ka whakaae te kai pitihana, heai ka tu he runanga o nga tangata katoa e whai take ana i tae mai ano hoki te Tumuaiki i runga i te tono a taua hunga. Heoi ka tau te patai ki tenei me tapahi ranei te 6,000 eka i roto i te kooti i muri iho i te whakawakanga, me unu ranei te kai pitihana i tana tono a ka tuku i te whenua ki ana hoariri me te tango i tetahi pukapuka tapae mo tana hea. Ko tahi te roia i mea he oi te mea e ora ai ana tangata ma te tuhi tonu i o ratou ingoa e te kooti, i muri iho ka whakatare i te whenua kia ratou i runga i te tikanga wehewehe, ka mea hoki tetahi roia i rite tenei ki te panui kua riro te keehi nui o te Whakamaru i tana hoariri. I runga i te tohe a enei rangatira roia kia mana a ia take kihai i taea te whakarite i tenei mea. Ekore e ahei enei korero pono te whakaara e te kooti ta te mea kua oti te whakaae ki te he enei whakaritenga kaua e waiho hei take whakahe tetahi i tetahi. I mea ano nga Tiati e rua kua puta tetahi raruraru nui mehemea i unu nga kai pitihana i a ratou keremu i te aroaro o te kooti. E tino marama ana te ki a nga Tiati ko ta ratou whakataunga whakaotinga i rere ke nei ki te keremu a nga kai pitihana, i tukua i runga i nga take a i whakae tahi raua me te Ateha Maori hoki ki te whakataunga. Kahore e marama te Komiti he aha i tangohia ai te 6,000 eka i roto i te 17,000 eka tae atu ki te 20,000 eka, ka mea kia hoatu ki te kai pitihana i te mea kahore ana kereme. E ki ana ko te wahi i meatia kia hoatu ma te kai pitihana ko te wahi pai rawa o taua poraka, a e rere ke ana ki te titiro a te Komiti he aha ranei i hoatu ai e ra eka kia tere ai te rironga o te toenga ki nga pakeha. I meatia kia rua mano eka me tuku atu ki nga kai pitihana i runga i te here, na noho ana e wha mano eka anake hei hoko ma nga kai pitihana. Ko nga kai tono me nga kai tawari ahakoa e wehewehe ana o ratou hapu e toru e kotahi tonu ana to ratou iwi ko Ngatiraukawa, a e tohe tahi ana ratou ki taua whenua i runga i te take rau patu me te ahi ka, i whakaaetia te uru o nga kai pitihana ki te rau patu engari i tautohe tia to ratou ahi ka. E kore rawa e taea e te Komiti te whiriwiri nga take katoa o tenei keehi, engari, e whakaarohia ana i tau ano etahi ki runga ki nga kai pitihana. E mea ana te Komiti i haere ano te whakatau a te Kooti i runga i nga korero i takoto mai ki tona aroaro, engari, ko nga korero me te whakaritenga i waho e whakaaro ana te Komiti me whakamana ano taua whakaritenga kia riro ai ki nga kai pitihana tetahi panga tuturu i roto i tera whenua. E whakahau ana te Komiti kia tono te Kawanatanga ki te Paremete kia tukua he mana ki a ia hei whakatu whakawa tuaruatanga mo tenei keehi.

3 Hepetema, 1883.