

*The Commissioner* : Have none of these had any awards of the Court?

*Te Tipi* : No.

*The Commissioner* : I will ask you the same question as I have asked the others. What do you wish done in the matter? Do you wish the whole 3,000 acres given back to the Natives, or do you wish these children to have their share of it?

*Te Tipi* : My desire is that, if we are awarded any land, it shall be cut out and awarded in one lump to us.

*Mr. Hutchen* : As I stated that Charles Bayley was the claimant for whom I am appearing, there is no necessity for me to bring my case up again now?

*The Commissioner* : No; you have, in fact, given in your list. You say that Mr. Bayley did not participate in any awards of the Compensation Court?

*Mr. Hutchen* : That is so, sir—neither he nor his ancestors.

*The Commissioner* : Do you know when these persons died?

*Mr. Hutchen* : Yes, sir. Haurangi died on the 27th December, 1885. The other two have died since then—Matire in December, 1896, and Rihī Mohio on the 22nd January, 1898. None of them had any issue.

*The Commissioner* : Mr. C. Bayley, I presume, was a half-caste. What was the name of his father?

*Mr. Hutchen* : Percy S. Bayley.

*The Commissioner* : And the mother?

*Mr. Hutchen* : Henrietta Uruhina, who was the daughter of Haurangi—that is to say, Mr. Charles Bayley is the grandson of Haurangi.

*The Commissioner* : You, therefore, claim that Mr. Bayley should succeed to their interests?

*Mr. Hutchen* : Yes; Matire and Rihī Mohio were nieces of Haurangi, and Mr. Bayley claims to succeed to them through Haurangi, they having no issue of their own.

*The Commissioner* : Do you know the name of the father and mother?

*Mr. Hutchen* : Muia and Te Aripō; and Muia was either brother or sister of Haurangi.

*The Commissioner* : You have heard the questions I have asked the others. What do you wish done in the matter?

*Mr. Hutchen* : Well, on behalf of Mr. Charles Bayley I should prefer that, if the land was granted in pursuance of this Commission, the land should be individualised by the Commissioner and his own share granted to Mr. Bayley.

*The Commissioner* : That is to say that if he is entitled to three shares they shall be cut out and given him in one area?

*Mr. Hutchen* : Yes.

FRIDAY, 12TH MAY, 1905.

The Commission resumed at 10 a.m.

*The Commissioner* : Mr. Kensington, before hearing your address I shall ask the Natives a question. I understand a claimant has arrived from Nelson. I wish to know whether any Ngatimutungas are now at Parihaka?

*Hone Tuhata* : There is one Native at Parihaka named Matoha.

*Mr. Martin* : I think that some one should be sent to Parihaka to publicly announce that this Commission is sitting.

*The Commissioner* : I understand from you, Mr. Martin, that some Natives arrived from Nelson?

*Mr. Martin* : Karewa Riwai has come from Nelson, and will give his list of names in later.

*The Commissioner* : I will now mention to the Natives that, although I have received lists of claimants, there is nothing to preclude any Natives who have claims from coming in here at any time during the sitting of the Commission, and the same will be duly considered.

*Mr. Kensington (Under-Secretary for Lands)* : It appears to me, Mr. Mackay, that the Ngatimutunga went to sleep for about thirty-six years. Now Mrs. Brown says to them, "Wake up out of your sleep and put in a claim. You can then go to sleep again, and I will look after your interests," because for all these years the Ngatimutunga have never made any claim to this land which is now the subject of the Commission. Of course, it is very kind of Mrs. Brown to act, and quite disinterested of her to bring forward these claims, because I understood her to say yesterday that the whole or part of this land was for absentees. Now, it is a well-known fact that when land was set aside to meet claims for compensation (in many cases) as in this particular one, a block of, say, 3,000 acres, was set apart to meet absentee claims. It did not follow, however, that the whole block would be awarded, but only twenty, thirty, forty, or a hundred Natives might be able to prove that they were absentees and entitled to a share in the land. Now, Mr. Commissioner, you must remember yourself many cases in the Waikato compensation award of this nature. There is one in my mind, Miranda, where 5,000 acres were set apart to meet certain claims, and out of that block at the present day only 500 acres have been awarded. Now, I will just go very shortly into the whole history of this case. You all know that the Compensation Court sitting at New Plymouth in 1866 disallowed the claims of the Ngatimutunga, Ngatiawa, and many other tribes, in consequence of their long absence from the country. With this decision they were all very dissatisfied; so in September, 1867, a meeting of the absentees took place in Wellington. There were about three hundred present, and Mr. Richmond, the Native Minister, drew up a scheme for admitting them to compensation on the same scale as the Wanganui judgment, this being on a basis of and giving a proportion of 16 acres to each absentee. Now this is the point I wish particularly to emphasize: that the basis of any recommendation which the Commission may make to the Government will be 16 acres and no more to each absentee.

*The Commissioner* : In the case of death, I presume, the descendants will have claims.