

They also find that the Government had negotiated for its purchase, and had paid money under an agreement for such purchase, and, further, that the money was paid to, and the agreement made with, the persons to whom the land was afterwards awarded by the Court which adjudicated upon the title. It appears that the Government were prepared to complete the payment for the land within nine days of the time at which the Court determined the title, and that Mr. Cooper's attempt to purchase was made almost immediately after the Court gave its decision. Mr. Cooper asserts that he did not know at that time that the land had been proclaimed, and was equally ignorant that money had been paid by the Government upon it. The Committee cannot understand this want of knowledge on the part of Mr. Cooper, and have arrived at the conclusion that his so-called purchase was an improper transaction, and, being bad in law, was equally so in equity.

The block of land known as Waingaromia No. 2 stands in a different position. The negotiations for the purchase of this block by Mr. Cooper, and negotiations by the Government for the purchase of a larger block called Tauwhareparae, appear to have been going on at the same time, and these blocks respectively overlapped each other to a large extent. The block of land under negotiation by the Government had been notified in the *Gazette* of 4th March, 1876, as being required for public purposes. At a sitting of the Native Land Court held in 1876 the title to these blocks was investigated, and it appears from the decision of the Court that the persons with whom Mr. Cooper had negotiated were the principal owners of Waingaromia No. 2. It seems on the other hand that the persons with whom the Government had been in treaty for Tauwhareparae, and to whom payments had been made, were not owners of that portion of it known as Waingaromia No. 2 (the block claimed by Mr. Cooper), except to a limited extent. In consequence of the decision thus arrived at by the Native Land Court, an order was made for the issue of a memorial of ownership, and this order is still in suspense, the memorial of ownership not yet having been issued. Immediately after the decision of the Native Land Court as above stated, and within the period prescribed by law, applications for a rehearing were made by persons dissatisfied with the decision of the Court. These applications were in due course referred to the Chief Judge of the Native Land Court, who, after consultation with the presiding Judge, reported to the Government that the rehearing ought not to be granted. The Government, however, have not yet decided whether or not a rehearing shall be allowed, and this non-determination on the part of the Government appears to be the reason why a memorial of ownership has not yet been issued. In the meantime any attempt on the part of Mr. Cooper to deal with the land under the Land Transfer Act is barred by a caveat which has been entered on behalf of the Government.

The Committee are of opinion that nothing can be worse than the state of suspense in which all the parties to this case are situated at the present time, and therefore believe that steps should at once be adopted to put an end to it.

The Committee recommend (although they have arrived at this conclusion with some reluctance) that, as a means to this end, the rehearing for which applications have been made should be granted by the Government, and an early day fixed for the sitting of a Court to rehear and determine the claims in connection with the land to which a title is asserted by Mr. Cooper.

18th October, 1878.

[TRANSLATION.]

Te Pukapuka-inoi a ROPATA KUPA.

E KI ana te kai-inoi i hokona e ia, i te marama o Mei, 1877, etahi whenua i nga Maori i te takiwa o te Tai Rawhiti ara i te County o Cook, a ruritia ana aua whenua me te mohio tonu me te whakaae o te Kawanatanga. E ki ana hoki te kai-inoi kahore i taea te whakaotinga o te whakatuturutanga o tona take ki aua whenua he mea arai hoki e te Kawanatanga i runga i ta ratou panuitanga i ki nei kua utua e ratou he moni mo aua whenua, a e tono ana te kai-inoi kia whakaorangia ia i te mate e pehi nei i a ia i runga i taua tikanga.

Kua whakahaua ahau kia ki penci atu ki te Whare:—

Ka nui te ahua raruraru o nga tikanga i putake ai tenei pukapuka-inoi; a i tino manawanui te Komiti ki te whiriwhiri i nga ahua katoa o tenei mea i kitea ai e ratou te tika ki ta ratou mahara.

Ko tetahi whenua e whakahuatia ana i roto i te pukapuka-inoi nga ingoa o roto ko Ngatawaka-waka ko Puremunga-hua, ko Matatuotonga, kua kitea e te Komiti kua panuitia i runga i nga ritenga o "Te Ture mo nga Mahi Nunui me te Whakawhitiwhiti mai i nga Tangata o Tawahi, 1871." Kua kitea hoki e te Komiti kua timata te whakarite a te Kawanatanga kia hokona taua whenua ki a ratou, a kua utua e ratou te moni ki nga tangata i whakatikaia e te Kooti ki taua whenua ko aua tangata hoki nga tangata i whakarite i nga tikanga o te hoko ki te Kawanatanga. E kitea ana kua rite te whakaaro o te Kawanatanga kia utua te toenga o te moni i roto i nga ra e iwa i muri iho o te whakataunga a te Kooti, a ko ta Te Kupa whakamatauranga ki te hoko no muri tonu o te whakataunga o te Kooti. E ki ana a Te Kupa kahore ia i mohio i taua wa kua oti te whenua te panui, kahore hoki ia i mohio kua utua e te Kawanatanga he moni mo taua whenua. Kahore e marama ki te Komiti tenei mohio kore a Te Kupa, ko ta ratou whakaaro tenei i he taua mahi ana i kiia nei hoki i he ki to te Ture ki to te tika hoki.

E rere ke ana nga tikanga o Waingaromia No. 2. Kotahi ano te wa i korerotia ai te hoko o tetahi whenua nui, ko Tauwhareparae te ingoa, e te Kawanatanga e Kupa hoki a e kai nui ana tetahi o enei whenua ki roto i tetahi. Ko te whenua i whakahaerea nei te hoko e te Kawanatanga i panuitia ki te *Kahiti* o te 4 o Maehe, 1876, kia mohiotia ai e hokona ana mo te iwi. I te nohonga o te Kooti Whenua Maori i te tau 1876 ka whakawakia nga take ki enei whenua a kitea ana i runga i te whakataunga a te Kooti ko nga tangata i whai take ki Waingaromia No. 2 nga tangata i whakarite i te hoko ki a Kupa. E kitea ana ano hoki ko nga tangata i whakarite i te hoko o Tauwhareparae ki te Kawanatanga, i tango hoki i te moni kihai i whai take nui ki tera wahi o Tauwhareparae e mohiotia nei ko Waingaromia No. 2 (te whenua e kiia nei e Te Kupa nona) engari he iti to ratou paanga. I runga i tenei whakataunga a te Kooti whakaputaina ana te pukapuka a te Kooti kia mahia te pukapuka whakamaharatanga take, a kei te tarewa taua pukapuka whakahau a te Kooti—inahoki kahore ano i puta noa te pukapuka whakamaharatanga take. I muri tonu o taua whakataunga a te Kooti i roto hoki i