

1881.

NEW ZEALAND.

NGATIKAUWHATA CLAIMS COMMISSION

(REPORT OF THE; TOGETHER WITH MINUTES OF EVIDENCE).

Presented to both Houses of the General Assembly by Command of His Excellency.

No. 1.

The UNDER-SECRETARY, Native Department, to Mr. F. M. P. Brookfield.

SIR,—

Native Office, Wellington, 6th January, 1881.

I have the honor, by direction of the Hon. the Native Minister, to forward herewith a Commission signed by His Excellency the Governor in Council, and issued under the seal of the Colony, appointing you and H. T. Kemp, Esq., of Auckland, to be Commissioners for the purpose of inquiring into the alleged claims of certain Natives to land in the Waikato.

The file of Native Office papers (N.O. 80 1786) bearing on the subject is transmitted herewith.

The remuneration for your services when engaged on the Commission will be at the rate of three guineas a day, with expenses of transit in addition.

I have, &c.,

T. W. LEWIS,
Under-Secretary

F. M. P. Brookfield, Esq., Solicitor, &c., Auckland.

Enclosure in No. 1.

ARTHUR GORDON, Governor.

To all to whom these presents shall come, and to Frederick Morris Preston Brookfield, Esquire, and Henry Tacy Kemp, Esquire, greeting:

WHEREAS Tapa te Whata, and other persons named in the Schedule attached hereto, on or about the nineteenth day of July, one thousand eight hundred and seventy-seven, addressed a petition to the House of Representatives of New Zealand, wherein they alleged,—

1. That, in the month of August, in the year one thousand eight hundred and sixty-eight, they received copies of two *Kahitis* (*Gazettes*), notifying that a sitting of the Native Land Court would be held on the third day of November, one thousand eight hundred and sixty-eight, at Cambridge, Waikato, and also that another Court would be held on the fourth of the same month, at Bull's, Rangitikei.

2. That, because they had claims to lands which were to be disposed of before the Court at Waikato, as well as those to be disposed of before the Court at Bull's, they were in a difficulty on account of the closeness of the dates published in the *Kahiti*.

3. That they then wrote to Mr. Richmond, Minister for Native Affairs, at Wellington, and asked him, "Are we to remain to attend the Court at Rangitikei, or are we to go to the Court at Cambridge?"

That Mr. Richmond replied, "The Government have noticed the clashing of the Courts; but do you remain at the Rangitikei Court, and the Cambridge Court will be put off to a future day."

4. That, in accordance with what the Native Minister said, they remained at the Rangitikei Court.

5. That a long time afterwards they heard that no adjournment of the Cambridge Court had taken place, and that the land to which they had claims had gone to other people.

6. That they applied for a rehearing of the case of the land, and that the Government replied, "The time allowed by law within which a rehearing can take place has passed by; you will have to make your application to Parliament."

7 The petition further prayed that relief might be granted by allowing an investigation of their title to the land in question:

And whereas the Native Affairs Committee of the House of Representatives, to whom the said petition was referred, reported on the seventeenth day of August, one thousand eight hundred and seventy-seven, as follows:—

"That it is clear that the petitioners did not attend the Court held at Cambridge in consequence of a request from the Government that they should remain at the Rangitikei Court, a distinct assurance that the claims before the Cambridge Court to blocks of land in which they were concerned would be adjourned, being made by the Government at the same time. That the Committee are of