

1880, an Order in Council was granted directing a rehearing to take place within three years from the 31st October, 1877.

Here I would call attention to the fact that Chief Judge Fenton, the Native Office, and every one concerned seem to have treated the 31st October, 1877, as the date of the adjudication on this block. As I have already pointed out, no Court was held on that date. An entry is made in the minute-book only when Judge Rogan found the order had not been previously made. But in his certificate he treats it as if the order had been made on the 2nd December, 1876; but no such order was made on that date. The Order in Council granting the rehearing was gazetted and forwarded to the Chief Judge of the Native Land Court, and then arise very peculiar complications. The notices of the rehearing appear in the *Gazette* on the 8th June, stating as follows :—

*Notice.*

Native Land Court Office, Auckland, 20th May, 1880.

WHEREAS, by an Order in Council made on the 4th day of February, 1880, it was ordered by His Excellency in Council, under "The Native Land Act, 1873," "The Native Land Act, 1874," and "The Native Land Act, 1878," that the claim of Renata Kawepo and others to a piece of land called Owhaoko, situate at Patea, heard and determined by the Native Land Court of New Zealand on the 31st day of October, 1877, at Porangahau, Hawke's Bay, should be reheard before the same Court, and that such rehearing shall take place before the 31st day of October, 1880 :

Now, I hereby give notice that a sitting of the Native Land Court will be held at Napier, Hawke's Bay, on the 30th day of June next, for the rehearing of the above-named claim.

A. J. DICKEY, Chief Clerk.

Here, again, it is assumed the order was made on the 31st October, 1877, but now it is at Porangahau! No Court sat at Porangahau on that date. In fact, no one seems able to refer to "the order" without blundering; and for a good reason—no "order" was ever made.

Dr. Buller, who acted for Renata Kawepo, applied to the Chief Judge, Native Land Court, for an adjournment of the sitting, stating that "notice of the sitting had been received late." It will be observed that it appeared in the *Gazette* of the 8th June, the sitting to take place on the 30th June; and, as Renata and the people he represented lived near Napier, the time should be ample. But, if it were not ample, what time had the people resident at Taupo when the case was originally heard? He also stated that the Owhaoko claimants mostly resided at Taupo. As he was not acting for them, but, on the contrary, acting for Renata Kawepo, and for his lessees, the Messrs. Studholme, who ignored the claimants at Taupo, this would seem at first sight to have been very kind of Renata Kawepo's solicitor. His object appears to have been not, however, to obtain any redress for these Taupo claimants, but to get an adjournment of the Court, and that without consulting the claimants who resided at Taupo or any person acting for them. Notwithstanding the enormous delays they had already been put to about their rehearing, Judge Fenton adjourns the Court *sine die*, and inserts the following notice in the *Gazette*, 23rd June, 1880 :—

*Notice.*

Native Land Court Office, Auckland, 10th June, 1880.

NOTICE is hereby given that the sitting of this Court, advertised to be held at Napier on the 30th instant, will not be so held, but is postponed to a future date.

F. D. FENTON, Chief Judge.

Some conversation or correspondence seems to have taken place between Judge Fenton and either Renata Kawepo or the people acting for him. They stated to him that the rehearing had already taken place; and when he asks Mr. Dickey, the Clerk of the Native Land Court, whether this is the case, Mr. Dickey properly replies "that those stating that the case had been heard would perhaps give the date of such rehearing." At this time Judge Fenton was in Wellington, and the people who suggested to him that the case had been reheard must