

436. *The Chairman.*] Did Heperi ever apply to you for rent?—Never.

437. *Hon. Mr. Bryce.*] How long were you upon this land before it was adjudicated upon?—I took my first sheep up there in 1868.

438. What sort of agreement had you with the Maoris?—I had a sort of memorandum, reduced to writing, in which they agreed to pass the land through the Native Land Court and give me a lease for that portion which I now occupy, at a certain rental.

439. What Natives signed this agreement or memorandum?—All the Natives, I think, that are now contained in the lease, with the exception of Renata Kawepo.

440. Now contained in the memorial, you mean?—Yes.

441. That would be four out of the five?—Yes.

442. Were there more than these four?—Yes; I dare say there were.

443. Many more?—Yes; I dare say there were some ten more.

444. And Renata Kawepo was not amongst them?—No.

445. Is not that rather curious, in face of his now being pronounced principal owner?—Well, I cannot say as to that. I am not sufficiently cognizant of the Maori custom in the way as to their tenure of land, but I thoroughly believe myself that Renata has a very considerable claim there.

446. Would it not have been a matter of deep offence to Renata that they should have dealt with this land without consulting him or having his name on the lease?—No, I do not think so, because I have had a previous experience to the same effect.

447. Who were the others on the memorandum? Can you give their names?—No, I cannot.

448. Could you supply the Committee with the names?—I do not know. It is possible I might; but I have not got them here. I will try and get them by telegram.

449. *Mr. Stewart.*] Can you tell us whether Heperi was in it?—I cannot answer that, because the deed is not in my own possession. It might be in the hands of my lawyer.

*Hon. Mr. Bryce:* If Captain Birch could get the names on this original informal memorandum, it would be instructive to the Committee.

450. *Mr. Stewart.*] Who prepared it?—I wrote it out myself. Afterwards it came into Mr. Wilson's custody, I think. If anywhere, it is there. I think he has possession of all my papers.

451. *Hon. Mr. Bryce.*] You have read this letter on page 3, presumed to be signed by Heperi and others?—I have read it.

452. Do you know who "the others" are that this refers to: I mean generally?—Yes, generally, I do: the other Natives resident in Patea who are not named in the lease, or most of them.

453. Now, do you think the ten you have referred to who have signed this memorandum formed part of these twenty-five here referred to in this letter?—Yes, I think so.

454. You do think so?—Yes; why not?

455. It occurred to me to ask, because they are not in the present deed. Well, then, at any rate, at one time, Captain Birch, you appeared to consider these twenty-five, or these ten of them, as being owners of the land?—No, that does not follow, I think.

456. They signed your memorandum?—Yes; but all sorts of people sign these papers.

457. Yes; but you took your lease from them?—After the thing had been investigated by the Native Land Court I took my lease from the Natives named in the memorial of ownership.

458. But you must have considered them to be owners?—Well, my knowledge is that people's names do get down on memoranda of that sort who have no earthly title to get there. I cannot speak with knowledge as to their being owners or not.

459. I want to know if you thought they were owners?—I thought some of them were owners; in fact, I did not know the relative strength of the rights of any of them.

460. *Mr. Montgomery.*] You got as many as possible, I suppose?—Yes.

461. *The Chairman.*] I suppose, to be on the safe side, you got as many as possible to sign it?—As many as possible.

462. *Mr. Stewart.*] I suppose those people interested in the land thought they had an interest in the rent?—I do not know.

463. Had these people who signed the lease, or the twenty-five referred to here, been residing on or near the land?—They had been residing near it. As far as my communication with the Maoris goes, the people who are chiefly owners, who are owners of the land, are represented in the memorial granted to them by the Court. There are two tribes there—the Ngatiwhiti and the Ngatitamas. The Ngatiwhitis were all in my lease, and the memorial of ownership was granted to them; but the Ngatitamas, who are their relations, are not ground owners, as far as I have been able to ascertain.

464. *Hon. Mr. Bryce.*] Are these people connected with Renata?—The Ngatiwhiti belong to him.

465. To what tribe does Heperi Pikirangi belong?—The Ngatitama. The Ngatiwhiti are, I understand, a hapu of Renata's tribe.

466. Is it by virtue of his connection with these people that Renata claims ownership in the land?—Yes; by virtue of his descent.

467. Which he holds in common with the others?—Yes.

468. Do you know anything about this Donnelly?—I know Mr. Donnelly—yes.

469. Do you know whether he and this Heperi Pikirangi and this party of twenty-five are in any way connected or intimate?—There is no doubt there is a connection between Renata and Donnelly. He is married to a niece of Renata. But I believe they are not on the best terms.

470. *Mr. Montgomery.*] You took your sheep there in 1868?—Yes; in January, 1868.

471. After you had that memorandum or agreement signed?—Yes.

472. Did you pay rent?—Yes.

473. From that time?—The agreement was that I was not to pay rent till I got the land from the Court.