

strongly of opinion that the Natives have no claim whatever above the ordinary level of the lake, and that the Native Land Court certificate of Wairarapa Lakes of the 10th September, 1884, more than satisfied any claim that then existed.

JAMES MACKENZIE, Chief Draughtsman.

No. 74.

FOR the information of His Honour Judge Mackay: I do not see how, in the face of the deeds-receipt of purchase, which describes the boundary of the portion affected as follows: "Thence to Paharakeke, thence into the Rumahanga River, thence following the Rumahanga to the Wairarapa Lake, thence through the Wairarapa Lake to the sea." If the boundary is fixed as now claimed by the Natives, the block would not be bounded by the Ruamahanga River at all.

9th June, 1891.

JOHN H. BAKER, Chief Surveyor.

P.S.—As the land affected has been sold by the Crown and granted to Europeans, admitting this claim on behalf of the Natives would appear to me a very dangerous precedent.—J. H. B.

MEMORANDUM.—To render a survey or plan receivable in evidence in proof of boundary it must be shown to have been made under competent authority. Mr Malcolm Frazer's map, at the best, is only a diagram showing the relative position of the several purchases in the Wairarapa district. If there is no better authority for the boundaries of the blocks, it is not worth much. Moreover, Mr. Marchant, in his memorandum of the 22nd July, 1881, admits there is a doubt about the ownership of the tract of land between the lake and the flood-line claimed by the Natives. Hiko or Tamaihi-koia, one of the principal owners of the Turanganui Block, subsequently sold the Kunnenga Block to the Government in 1853, and he was one of the vendors of the Taheke or Puata Block to the Government in 1862. Both of these blocks are within the alleged boundaries of the Turanganui purchase, and the lands were acquired with the full knowledge that such was the case by the Commissioner who made the aforesaid purchase. A foot note to the deed of the Kumenga Block shows that Hiko sold that block on behalf of himself and his people. The names alluded to by Mr. Mackenzie are probably those attached to the receipt for the payment of the £400 in 1855; if so, it cannot be accepted as evidence of who took part in the sale of the Turanganui Block in 1853, excepting so far as the names can be identified with those of the original vendors who are actually known.—A. MACKAY. 9th June, 1891.

No. 75.

DEAR SIR,—

Wellington, 9th June, 1891.

*Re* Wairarapa Lake: We are instructed to inform you that Mr. A. Sinclair, of Burnside, Lower Valley, Wairarapa, can give most important evidence as to the Wairarapa Lake and the lands around the lake not included in the original sales to the Government. He states, amongst other things, that when a block of land on the margin of the lakes was purchased by Walker and Giles that the Government entered into an agreement with them, in which it was agreed that if the Natives afterwards disputed the title the Government were to pay back the purchase-money. He further says that this land was afterwards sold to Barton, and by Barton to McLeod.

Our Mr. Menteath regrets that the memorial has not yet been sent in, as he has been delayed in Greytown. He will send it in a day or two.

We are, &c.,

MENTEATH STAVELEY.

No. 76.

MESSRS. MENTEATH and STAVELEY informed that there was no time now to examine the witness alluded to, as the Commission is practically closed. The only matter now delaying the report being forwarded to his Excellency the Governor was the non-receipt of the memorial to be sent in by Mr. Menteath. The only course now open would be to have Mr. Sinclair's evidence, if necessary, taken before the Parliamentary Committee, on one being appointed to deal with the question.

9th June, 1891.

A. MACKAY.

No. 77.—WAIRARAPA MOANA SOUTH.

District of Wairarapa, Provincial District of Wellington.—At a sitting of the Native Land Court of New Zealand, held at Greytown, in the said district, on the 26th day of October, 1882, before F. M. P. Brookfield, Esq., Judge, and R. Tapsell, Assessor, *ex parte*, the Native Minister, on behalf of Her Majesty.

WHEREAS in pursuance of "The Native Land Act Amendment Act, 1877," the Hon. William Rolleston, the Native Minister of the Colony of New Zealand, on the 14th day of February, 1882,\* caused application to be made to the Native Land Court to ascertain and determine what interest in the piece of land called Wairarapa Moana South, in the district aforesaid, had been acquired by or on behalf of Her said Majesty.

Now, upon hearing the agent of the applicant and others, and upon evidence taken, it appears to the Court that Her Majesty has acquired an absolute estate of inheritance in seventeen undivided interests in the piece of land described and delineated on the back hereof, parcel of the said block being the undivided interests of Hiko Piata, Hemi te Miha, Ruihi te Miha, Ani Hiko, Arihia Ngawhawha, Wi Kingi, Tutepakihirangi Hoani, Rangitakaiwaho, Ngairo Takatakaputea, Hariata Amoake, Te Waka Tahuahi, Wi Paraone Paharo, Paiura Watarauhi, Hemi Epanaia, Hori Taha, Hohepa Aporo, H. M. Rangitakaiwaho, and Komene Piharau. And the Court doth hereby declare that such interests, when ascertained, shall be held in freehold tenure by Her Majesty as from the 14th day of February, 1876.

As witness the hand of F. M. P. Brookfield, Esq., Judge, and the seal of the Court, this 26th day of October, 1882.

F. M. P. BROOKFIELD, Judge.

[Same order for Wairarapa Moana North.]

\* 14th February, 1881. *Vide* letter of that date to Chief Judge, Native Land Court.