

(c) The Court recommends that these quarterly payments continue quarterly for as long a period as the forest is milled commercially, but not less than the minimum specified above, to ensure that the tribes will have a regular source of tribal income for tribal and community purposes.

(d) The Court cannot see its way to recommend that any part of the forest be returned to the Natives, because the Court feels that the Natives were seriously blameworthy for allowing eighty years to pass before bringing on their case against the Crown, and also because the Court feels that Wi Hau, Hare Napia, Arena Napia, and other Ngatiwhiu leaders were parties to the injustice done to the real owners of the land.

(e) In the opinion of the Court the unconscionable bargain made between the Crown's agents and certain Native chiefs in 1859 should be rectified even at this late stage lest the honour of the Crown should be besmirched. At this late stage it will be impossible for any Court to ascertain exactly the names and shares of all living persons entitled to claim through deceased elders who were the true owners in 1859. Therefore the Court holds that it will meet the equities of the case if tribal and community needs of those sub-tribes found by the Court on further inquiry to be entitled to the 7,224 acres can be met out of the percentage of net profits referred to above. The Court, in view of the long delays and the actions of Ngatiwhiu chiefs, cannot see its way to recommend individual payments to any one except by way of recoupment of expenses paid for this case.

As witness the hand of the Judge and the seal of the Court.

[L.S.]

R. O. V. ACHESON, Judge.

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