

the beginning of the present century. To those efforts we shall refer later, but suffice it in the meantime to repeat that there is no proof which we can regard as satisfactory of any previous objection or exception having been taken.

9. In 1935 a petition was presented to Parliament by Hone Rameka, Hare Werohia, and a number of others, which by section 16 of the Native Purposes Act, 1937, was referred to the Native Land Court for inquiry. An inquiry was held before Judge Acheson, who, after saying "firmly and definitely that the price was unconscionable and even outrageous," made a recommendation that such portions of the milling timber on the block as are not required for scenery-preservation purposes be milled commercially and a liberal percentage of the net proceeds be paid over from time to time by the State Forest Service to the Tokerau District Maori Land Board as a trust fund to be devoted to community or tribal purposes. This report of Judge Acheson went before the then Chief Judge, who, for the reasons set out in his memorandum to the Native Minister dated 15th September, 1941, expressed himself as being unable to concur in the recommendation. There the matter has remained; but further petitions were presented to Parliament in 1943 and 1944, and we understand that, in consequence of this further agitation, the present Commission has been issued. Our inquiry involves, in substance, a review of Judge Acheson's report.

10. At the inquiry before Judge Acheson, the late Mr. E. C. Blomfield represented Hone Rameka and others; Mr. Hall Skelton represented Tamati Arena Napia and others; and the Crown was represented by Mr. V. R. Meredith, Crown Solicitor at Auckland. In the proceedings before the present Commission, Mr. Hall Skelton appeared "for a Committee of the representatives of the Ngati Whiu and other hapus related to them"; Mr. G. Blomfield for Hone Rameka, Hare Werohia, Tamati Mahia, the Ngati Tautahi, Ngati Tawake, and Ngati Whakaeke; and Mr. Reynolds for the Ngati Uru and the Hokianga branch of the Ngapuhi, the Tamati Waaka Nene people. The Crown was represented by Mr. Meredith and Mr. McCarthy. Mr. O. A. Darby, of the Lands and Survey Department, attended to assist the Commission and the parties in the direction of research of the various old plans, deeds, documents, and files to which reference was necessary from time to time, and he also gave evidence. All the counsel expressed their thanks to Mr. Darby for his invaluable assistance throughout, and the Commission would like to endorse that expression, and also to express its indebtedness to Mr. Blane, of the Native Department, for his admirable and helpful service as Secretary to the Commission.

11. The Tamati Waaka Nene section were not separately represented at the inquiry before Judge Acheson; their interests were included (so Mr. Reynolds informs us) in the "over-all" representation of Mr. E. C. Blomfield; and in point of fact Keina Poata, the principal witness called by Mr. Reynolds in the proceedings before us to give evidence on behalf of the Waaka Nene interests, was called as a witness and gave evidence before Judge Acheson as a member of the Ngati Uru Tribe.

12. In his report, Judge Acheson disregards any question of Native occupation since 1859—and on that point we agree with him—and says that the crux of the whole question was "the price, £240, paid for 7,224 acres of rich kauri forest." No doubt, as the case developed before us, the price paid for the land becomes the crux of the question so far as concerns the interests represented by Mr. Skelton—*i.e.*, the Ngati Whiu Tribe—because (as Judge Acheson himself says) the members of that tribe are bound now