

trace can be found of the presentation of any such petition as we are now informed was presented in 1902; nor can any trace be found of any such petition in subsequent years. The Stout-Ngata Commission visited the district in March and April, 1908, and sat at Kaikohe, Whangaroa, and other places. On the application of one Henare Tuporo, the reserve of 200 acres on Manginangina was considered and was reported by the Commissioners as land for sale. In consequence of this, the land was subsequently vested in the Tokerau District Maori Land Board, and was eventually sold by the Board to the Crown.

29. The main block into which we are now inquiring was apparently not brought in any way before the Stout-Ngata Commission. It should, however, be said that, although the duty of the Commission was to inquire into and report as to what areas of Native lands there were which were unoccupied or not profitably occupied, the owners thereof, and the nature of such owners' titles and the interests affecting the same, the Commission considered that the definition of "Native land" in the Native Land Settlement Act, 1907, excluded papatupu lands from the Commission's jurisdiction. Consequently, if the block was (as in effect is now claimed), papatupu land, the Stout-Ngata Commission would have had no jurisdiction to deal with it. Nevertheless, the reports of the Commission show that they ascertained the areas of papatupu land in the various districts and the names of blocks the titles to which had not been ascertained or properly ascertained, and it seems remarkable that, if the Maoris thought then that they had a substantial grievance, it was not brought before the Commission and the land claimed to be papatupu land. If it had been, of course, the Commission would have had to say that the land was not within its jurisdiction owing to the deed of 1859, but it was almost certain to have referred to the complaint in its report.

30. But, assuming even the possibility of the matter having been mentioned to the Stout-Ngata Commission, and of the Maoris then being told what the legal position was, and that it was in consequence of this that a petition was prepared (though not presented), there had still been a lapse of just on fifty years, and even after that nothing was done (with the exception of an incident in 1911 to which we shall refer presently) for a further period of twenty-seven years—that is, until 1935—when a petition was presented to Parliament.

31. It has been suggested that Mr. Hone Heke may have had the petition in 1902 or later and did not present it because he was then informed of the deed of 1859. That, we think, is an idle suggestion. It cannot be suggested that Mr. Hone Heke, Sir James Carroll, Mr. Ngata, and other Maori Members of Parliament of that period did not well know their rights in connection with the presentation of petitions and the powers of Parliament to redress real grievances. We think it extremely likely that the Maoris are now confusing this matter with the subject-matter of some other petition in which they may have been interested and which was actually presented to Parliament.

32. Nothing was done until March, 1911, when one Poi Te Huriwai—nobody appeared to be able to tell us who he was or whom he represented—made an application for the investigation of title of land which he called "Te Takapau o Korohaere." He left the description of the land in his application unfinished, and there was no plan; but, as far as can be ascertained, this land which he calls Takapau was located in the south-west portion of Manginangina and comprised only a fraction of the whole block. No minutes can be found in the Native Land Court books referring to this application, the only note being, on the application itself, the word "Dismissed."