

*Lake*” in contra distinction to “Chart No. 2 of *Port Napier* and Roadstead.” Mr. Knight, when addressing the commission of 1920, made reference to Pelichet’s plan. He was endeavouring to show that the area of Whanganui-o-Rotu was tidal in 1851, yet with Pelichet’s plan and field-book available to him all that he could say was—

Rear entrance of present opening was an island with a pa upon it. The plan shows various depths of water. Inside the entrance there was 5 to 6 feet of water at low water in one spot. Produce Admiralty chart of Hawke’s Bay district made in 1849 to 1855. At entrance depth given as 2 and 3 fathoms. That would be 12 to 18 feet. This is conclusive that at date of purchase the inside waters were tidal. Therefore the Natives must fail in their claim.

126. I think it is sufficient comment to say that Mr. Knight was an exceedingly zealous officer and one who could be depended upon to overlook nothing that would confound Native claimants to land held in his opinion by the Crown. If the most that he could find on Pelichet’s plan to support his case was a reference to 5 to 6 feet of water inside the entrance, then it is safe to assume that Pelichet’s plan did not contain all or any of the arrows (feathered or otherwise) depths and current speeds that are shown on chart No. 1. It is also well to remember that the entrance (Ahuriri) referred to was as much the mouth of the Tutaekuri River as anything. In Bousfield’s plan of 1865 the channel of that river is distinctly shown.

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2. *Chart No. 2* : We submit this chart not previously produced. This chart shows the entrance to the Lagoon on a larger scale, the details can be ascertained more readily from this No. 2 chart.

This chart shows the entrance was tidal in 1865. It also shows a breakwater and an unfinished breastwork which may have had some influence on the opening. I think Mr. Pfeiffer reads too much into the Chart when he adds in his certificate that it shows that both ebb and flow of the tide have a strength of 6 to 7 knots. Ahuriri was the outlet of a number of streams as well as the Tutaekuri River, which at times carries a considerable volume of water. (According to Mr. Dodson, para. 97, it was the normal opening for the six Hawke’s Bay rivers.) It is only reasonable to assume that the ebb would be stronger than the flow. In certain times of flood there would be no flow of the tide at all, although the water of the river and lagoon would be backed up by the rising tide.

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3. We produce also the *Government Gazette* for the Province of Hawke’s Bay issued on the 10th January, 1861, on page 3 of which will be found a short description of the mud flats lying to the south of Scinde Island. We draw particular attention to the words “Shallow salt water lagoons” and “low tide” as indications that the area to the south of Scinde Island was tidal.

129. The description referred to is one by the Provincial Surgeon, and is dated 31st December, 1860. The full quotation is as follows :—

South of the Island (Scinde Island) and in its immediate vicinity is a large extent of morass and shallow salt-water lagoons, of from 1 to 2 feet in depth, which exposes at low tide a large surface of mud flat from which arises a variety of noxious and pestilential gases, at times excessively fetid and almost intolerable.

Napier Town proper is situated on a shingly flat which is nearly on the sea-level. The salt water freely percolates through this, and at the depth of a few feet the rise and fall of the tide may be observed by digging a hole in the surface.

The exhalations from this porous crust can scarcely be considered compatible with the preservation of health, neither is it so, and when the town has increased, considerable apprehension may be entertained that they will prove a fertile source of fevers, agues, diarrhoea, rheumatism, &c., especially when the difficulty of draining be taken into account : fortunately, the island itself contains an abundance of space for the occupation of many thousands of souls.

130. A reference to chart No. 1 will show that in 1865 there were four non-tidal salt-water lagoons between the town of Napier and the tidal water to the south. These doubtless were the “shallow salt-water lagoons” referred to, as it is a characteristic of their type that they become most objectionable when their waters fall in unison with