

added to the original list of seventy-seven. On inquiring into these statements, we ascertained these objections to the names in the Crown grant were not made during any of the sittings of either the Native Land or Appellate Courts, but have all been raised since the decision of the Appellate Court. In the case of the grantees who were said to be the offspring of Taranaki slaves, it was admitted that their names had been intentionally brought forward by the claimants in the Compensation Court, in order to increase the area to be awarded to them, and to proportionately diminish that to be confiscated to the Crown for the interests of those who had joined in the war. If these people had no claim, which we are far from saying, then the insertion of their names in the Compensation Court list was a fraud on the Crown, who became the loser, and it is a decided gain to the Tainui and Ngatitahinga Tribes. And there is no justice in reducing the area awarded to these people, and giving it to the people who joined with them in deceiving the Crown Agent. If any land was deducted from these people it would properly belong to the Crown. It was urged that Wahu Kereopa, the name of whom appeared in the Compensation Court list, was a rebel. After very careful inquiry, we found that although his father, Kereopa, was the leading man of those of the Tainui people who joined in the war, his two sons and the mother remained loyal. The name of the younger brother, Hami Kereopa, was added when Mr. Bush compiled the list of names for insertion in the Crown grant. The Ngatitahinga people also contended that he was a rebel. It came out in evidence that Wahu Kereopa was engaged in supplying milk to the troops stationed at Raglan, and that Hami Kereopa was employed as a stock-driver by some of the contractors who provided meat for the troops at Te Awamutu. In the other instances where the grantees were stated to have been rebels we received no satisfactory evidence that such was the case. It was universally admitted that Mr. Bush's list of names was made out after meetings which had been duly convened and lasted for considerable time, and that the proceedings were approved by the assembled tribes; in fact, there were no dissentients at that time. The Ngatitahinga were the chief complainants to us in this matter; they evidently were of opinion that the large number of the Tainui claimants had been instrumental in the shifting of their boundary northwards from the intertribal boundary of Waipohutukawa and Taumatakoi, and therefore means should be taken to diminish their shares. It is our opinion that it is rather late in the day to open up this question, especially when it is considered that at the sitting of the Appellate Court in 1894 forty-five of the original grantees were dead, and succession orders had been issued to their heirs. We were further informed that since 1894 there have been many deaths, and there are not more than five or six survivors of the original eighty-eight.

The names of the three loyal Natives who were included in the Compensation Court list, but omitted in the Crown grant, are Mohi te Rukuwai, Rota, and Eruera. Mohi te Rukuwai belonged to the Tainui Tribe. He died shortly after the sitting of the Compensation Court in 1866. He had two sons, both of whom were included in the Crown grant in their own right; their names are Te Waaka and Karaka. Te Waaka died, and was succeeded by his son Te Paki Waaka. Karaka is since dead, and Te Paki Waaka would probably be the proper person to succeed to his interest and that of Mohi te Rukuwai. Rota and Eruera were the sons of a loyal Native named Heta-raka. Rota is dead, and left no issue, but probably would be succeeded by surviving brothers and nephews. Eruera is living. We are of opinion that the omission of these names should be rectified, but the manner in which the question should be dealt with is set out among other recommendations made at the conclusion of this report.

Had the course recommended by the Crown Agent in 1872 been adopted, and a sitting of the Native Land Court held under the Act of 1867 to ascertain the names of the persons entitled to be placed in the Crown grant of Te Akau Block, or had it been dealt with under the provisions of "The Native Grantees Act, 1873," which came into operation on the 1st January, 1874, and which Chief Judge Fenton was always averse to doing, a great deal of after-trouble would have been obviated.

We would most respectfully beg to recommend to His Excellency the Governor that legislative authority should be conferred reversing the decisions of the Appellate Court of 1894, and the Native Land Court, which in 1897 subdivided Te Akau No. 3 Block into Nos. 3A and 3B.

We are of opinion that Honana Maioha has substantiated his claim to the land in the neighbourhood of Horea, at the southern end of Te Akau Block, and we would most respectfully recommend to His Excellency the Governor that a Crown grant should be issued to him without restriction for an area of 1,485 acres, commencing on the sea-coast at the south-west angle of the block awarded to him by the Appellate Court, thence by a straight line to an angle of the main road near to Pangonui Creek, thence crossing the road to that creek, thence by it to the shore of Raglan Harbour, thence to the mouth of the said harbour, and thence along the sea-coast to the point of commencement. This piece of land to be known as Te Akau No. 1 Block.

With reference to the claims of the Tainui or Ngatikoata Tribe to Te Akau Block, we would most respectfully beg to recommend to Your Excellency that an area of 15,212 acres, commencing on the sea-coast at Waipohutukawa, bounded thence towards the north by a straight line ending at Taumatakoi on the eastern boundary of Te Akau Block, thence along that boundary to Puketutu on the shore of Raglan Harbour, thence by the said harbour to Pangonui Creek, thence crossing that creek to the northern boundary of Te Akau No. 1 Block to Te Kaha on the sea-coast, thence by the sea-coast to the point of commencement, may be granted to the thirty persons named in the paper hereunto annexed and marked as Appendix C, or to such representatives of those of them who have died as may have been appointed or may hereafter be appointed by the Native Land Court to be their successors, this piece of land to be known as Te Akau No. 2 Block. We would further beg to recommend that if a Crown grant be issued for the said piece of land, the names of the successors of the late Mohi te Rukuwai may be added to those of the thirty persons or their representatives above alluded to,