

all opposed to the office. Apart from this I think I am safe in saying the majority of the Natives are quite content with the present condition of affairs. To do as the petitioner asks—that is, that this reserve be taken from the control of the office, would open up the way to a destruction of the policy that has taken us many years to establish and that has been a great success, notwithstanding the statements of the petitioner. The petitioner has no grievance. She has let some of this land without right. Her interest in this reserve is challenged, or rather, a portion of it, and if the will under which she holds is opposed, it will be awkward for herself and the office too. I will put in the file showing the whole of the dealings of the office with regard to this reserve, and a letter dated the 24th August about the impending dispute and contest of shares.

*Heni te Rau (Mrs. Brown)* : You said that you had to accept the Native Land Court order?

*Mr. Poynton* : Yes ; it would never do to pass a Native grant unless the Court said it was right.

*Heni te Rau* : Can your Department show records of any investigation with regard to this particular block ?

*Mr. Poynton* : We have never paid any rents. There has been no necessity for us to ascertain who the owners are. You have been drawing rents for some time. We would not go on our own idea as to who the owners were. We would ask the owners to ascertain through the Native Land Court and then pay the shares. At present there has been no necessity for an application.

*Heni te Rau* : You heard me say a little time ago that this list was put in without any ascertaining of the right of those people to be in it, and I applied to Judge Edgar in the matter. Your Agent distinctly said the Land Court had no power ?

*Mr. Poynton* : I wish to contradict the petitioner when she stated yesterday that the first knowledge she had of the matter being under the Public Trust Office was in 1902. In July, 1900, she saw me and asked that the reserves should be divided. It was then pointed out that that could not be done. The respective shares could be determined, but not the division.

*Heni te Rau* : I think you are referring to a clerical error with regard to a particular piece of land. I made an application to the Court to rectify that.

*Mr. Poynton* : This is the letter. [Mr. Poynton then read the letter, dated the 24th August, to the Committee, and placed the document in the hands of the Committee.]

*Heni te Rau* : My remembrance is that that was to rectify an error that had been made in 1887. The Court had made a mistake and put two shares, which I can prove, into three divisions instead of the one. The Ngapuhi woman I put in myself and gave her my shares. I wanted to make an alteration to remove that 5 acres into another piece. Under section 39 I put an application in to the Chief Judge and told him to do this. I did this, and when I appeared before the Court to rectify it, it was Mr. Fisher that then appeared and said the Native Land Court had no right to deal with it, but that the Public Trustee had ; therefore, I called and saw the Public Trustee. Then you said that I had not lived on this land at all.

*Mr. Poynton* : I said, for some years. It is a good many years since you lived there.

*Heni te Rau* : You have already heard me tell the Committee that I was put in possession of that land in 1877 or 1878 ?

*Mr. Poynton* : I do not know when the possession was obtained by the Natives. Your statement last year was that there was little-enough ground there for the Natives already on it, and you had no desire to rent it. You had let a considerable portion of it and you were drawing very good rents.

*Heni te Rau* : It was my own. I was put in possession.

*Mr. Poynton* : It is a part of the grant.

*Heni te Rau* : Up to 1892 that land was practically ours and we could do with it as we liked. We were put there by my people.

*Mr. Poynton* : It was a reserve set aside by Sir William Fox, and it was in the same position as the other reserves.

*Heni te Rau* : Did you not know that that piece of land was surveyed ? When I got the subdivision my son cut the furze and all the noxious weeds off it. My son occupied it, and fenced it, up till when he was drowned. After that I had to lease it, and leased my homestead with this particular piece of land.

*Mr. Poynton* : We are ascertaining who are the owners of the grants, and say each grantee is the owner and has a right to be protected.

*Heni te Rau* : You heard my statement yesterday that yourself and myself had arranged to meet Mr. Fisher in the presence of the people to see whether I had the right ?

*Mr. Poynton* : Yes ; they all met there.

*Heni te Rau* : And yet there was nothing said against me. Tiwai said, "There is no one here to dispute your right to that piece of land unless it is Roimata, and she is not here."

*Mr. Poynton* : She has an interest in this reserve ?

*Heni te Rau* : Yes ; illegally.

*Mr. Poynton* : But still she is there.

*Heni te Rau* : According to the subdivision of these interests, when you speak of including a number of interests I am entitled to 80 acres. Taking out that interest, what do I hold ? Haurangi's interest is only for 20 acres. Sixty acres remain to me, and I am only leasing 54.

*Mr. Poynton* : You must admit that your 54 acres are on a beautiful flat and the other part is a disgrace to the occupants. It is covered with gorse or furze from 6 ft. to 10 ft. high. It is not fair to put your 54 acres against the other part.

*Heni te Rau* : Then, with regard to this dispute he talks about. I am entitled to 80 acres. Take out the 20 acres he is speaking of and it leaves me 60 acres. Out of that 60 acres I lease 54. I improved that land, and therefore I am deficient of my share of 16 acres. Then, again, Mr. Poynton, you said I had a succession order under a will to this person Haurangi. Are you aware that it was not granted to me under a will at all ?

*The Chairman* : I think it would be as well not to go into that question. If the Public Trustee says it is to come forward afterwards, it would not be to your interest to have it brought forward now.