

to have this investigated. It was gazetted to be heard at Mangonui, the same time as Muriwhenua Block. When the matter came before the Court the Government said that the island belonged to them. Ever since that we have petitioned the Government to return to us this land. The reason for the petition was because they knew they had not sold to the Government. From the time the Natives were represented in Parliament they asked that the matter should be dealt with, and in the absence of elders (by death) I took up the matter. The replies from the Government were that the land belonged to the Government, and it is in my time that I have asked for an inquiry. I made the petition because I was assured by my elders that the island had never been sold. Our elders told us that the island had been set aside as a sacred spot. I put this before the Commissioner now, and ask, how did the Government acquire this island? There is no denying the fact that if my elders stated what was true it will be for the Government to prove the opposite. We claim it, and unless the Government can show how they got it I repeat we claim it as ours. If the Commissioner says the land was taken by some law of the Government, we still claim it as ours by right, and we will substantiate the right. There are only a few elders alive at present, but there is one of the elders in Court here who knows of the history of the sale. He can state this land was never sold by our elders, and I ask the Commissioner to hear him and any others I may find to assist me. I produce a memo. from the Chief Surveyor stating that our title to this land is extinguished, as the land was taken as a lighthouse reserve by *Gazette* on the 6th March, 1875. If that memo. shows how the Government got possession of this island, then I object. In conclusion, I would ask the Commissioner if the Government took possession of this island for their own benefit.

The Commission adjourned until 10 a.m. the following day.

KAITIAIA, 11TH MAY, 1907.

*Rewiri Hongi* further states: I told the Commissioner yesterday that there was a person here who had been present at the sale of Muriwhenua. He was one of those who assisted the surveyors in locating the boundaries. In sending the petition to the Government we do not wish it to be understood that we want the land back, but that the Government should recognise that the land is ours, and we ask for some compensation in recognition of our ownership—I will say £300. If the Commissioner agrees to our request, we ask further that certain portions be set aside as sacred, or that we shall be allowed to exhume and to remove the bones of our dead. We ask that, if the Government insist on their claim, we should be allowed an opportunity to combat it—if the Government have taken possession of this island and set up a claim to it, that we should have an opportunity to rebut their claim. We are quite sure that there was nothing left undone when the lands were disposed of. If the Government have any documentary evidence to show, then we will be glad to be allowed to examine it.

*Mehana te Rau* (sworn) states: I give evidence in corroboration of what the previous witness has stated. At the time the survey of Muriwhenua was made I was living at Kapowairua. Ngatitemoroki [Hapu] came up to be present at the locating of the boundary-line. Rewiri, with us, met them at Motuwi, when a meeting was held for the purpose of pacifying the people and arranging the boundaries. We agreed on the matter and in the morning the survey was commenced. The whole party slept at Pitokuku. Rewiri said then that as we were taking this line he would not allow the island to be included. Hamihana asked that the island should be included. This was objected to by Rewiri, who said he would not allow his sacred places to be interfered with. Hamihana then said, "Are you going to obstruct us?" Rewiri replied, "No, I do not wish to obstruct you, but I wish to observe my sacred spots." Hamihana then consented to leave the island out of the purchase. It was from that arrangement we understood the island still belongs to the Natives. When the lighthouse was erected it was at the time when Hone Mohi was a member of Parliament, and a petition was sent in then. We received a reply from Hone Mohi asking us what we wanted for the island, and subsequently he said the matter was in dispute. He said the reason why the matter was disputed was because there were so many petitions from all parts. I have always thought the land belonged to us.

*Hare Raharuhi* (sworn) states: I will first offer up a prayer to God thanking him for having moved the Government to have this Commissioner appointed. I will now refer to the petition as sent in by our elders. After their death we continued to petition for this island. As the Government would not reply to our petition, we visited Auckland to find out the position. We found at the Native Land Court Office that there was nothing to show that the Government owned this land. We concluded that the island certainly belonged to us. The island was not sold when Muriwhenua was sold to Mr. Samuel Yates. I support the evidence of the last witness that this was set apart as a *wahi tapu*. I will say with Rewiri that the Government should grant us £300. I do not think that we are asking too much. The Government have had the use of it for at least twenty-eight years.

*Wairama Maihi* (sworn) states: I will first refer to the original survey of the land. It was about two years before I went to school. Maihi (my father) went to point out the boundary-lines with Ngatitemoroki [Hapu] about 1865 or 1866, and I heard from Hamihana and a number of our elders that this island had been left out of the sale. I heard the dispute was so serious that they carried guns, and they were prepared to battle over it. That is why the meetings were called, as mentioned by Mehana. It was by mutual consent that the island was left out. It was on that arrangement that this line was allowed to be taken for Muriwhenua. I heard it was Mr. Campbell who surveyed the block. Ngatitemoroki and our elders all participated in the sale of Muriwhenua. The sale of Muriwhenua was made to Mr. S. Yates and to Mr. Jones. Subsequently I heard from