

know that this land was not given. If it can be shown that Kawiti did give it, then we are wrong. From that time and after the battle at Ruapekapeka we have always had possession. The animus by Maihi was due to the taking of that portion by the mission people, and he died in enmity to them. During all that time his animus was owing to their having taken that other portion. We have always believed that the land belonged to us. We do not know how the Government took it. It is clear that the land is ours from the facts that we lived there and died whilst in possession. There was about 600 acres; I should say from a view that there is about 300 acres.

*Hoterene Kawiti* (sworn) states: I will say this land Opuā belonged to us. Our people who lived on this land were Uriwhakareia and Rapana. It was only after the railway-line was laid they ceased living there. We heard that the land was taken by the Church people, and Maihi Brown asked the Native Minister, Mr. Sheehan, to give him back that land. The reply made by Mr. Sheehan, as far as I heard, was that the Government had spent a lot of money over the block at Opuā. Mr. Sheehan proposed to Maihi that a portion should be returned. Maihi replied, "No." Both Mr. Sheehan and Maihi are dead, but we have upheld the petition ever since. We presented our petition through Hone Heke; his reply was that a Commission would be set up to inquire into the matter, and now the Commissioner has come to inquire into this matter. I state that this land was never taken by the Church people. The boundary of the land given to the Church people was from Te Awahapa to Waihihi. The portion the Church people were given was from Te Awahapa to Paihia (near Waitangi); the balance of the land from Te Awahapa to Opuā was Maori land. Our elders strove to get this land back, and on their death we have taken up this matter, and we ask how the Government have taken this land. The petitions of my elders are recorded before Parliament. I ask the Commissioner how the Government became possessed of this land—how it was handed over by the Church people. This land was not sold like other lands, for hoop-iron. Paihia only was given by the Natives. The mission people have no claim to this land; this land belonged to the Natives, and it is only lately that they have left it.

*Te Atimana Wharerau* (sworn) states: I will speak of Opuā, and I will say that it is Maori land. This land was not sold: from Te Ahuatia to Tuakainga, Te Maraeaute to Waipuna, on to Opuā, Ongarumai, Te Werawera Rotopouri. Those are the names on the boundary of the Maori land. At Whangae Creek—that is where the line goes. That land is Maori land. These are the boundaries of the Maori land. From Tohuatua to Te Hiwi and Te Paki, that was the land that was given to the mission. This land was not sold to the Europeans; the only land sold was to the mission, and it was bought for hoop-iron. The names given by me are the real boundaries. The only portion we know was from Te Ahuatia to Opuā, and Te Opuā side was not given. Our elder Maihi Kawiti always contested the title. When he died the matter was left over. I can only repeat it is Maori land. Whether it was taken by the Government through lies being told to them, or merely confiscated, we do not know. Maihi applied to the Government, but received no reply. They would not return this land, notwithstanding he contended with the Government for a long time. I cannot give the area.

OMAPEPE, 20th May, 1907.

Waimamaku, No. 2.

*Iehu Moetara* (sworn) states: Before giving evidence I may say I am glad the Government has appointed you to make this inquiry. I can only speak as a young man, and my elders are dead. I would ask who are the petitioners. I am sorry that owing to the short notice I was unable to produce Wiki te Paa: if he had been here he would have put the matter more plainly before the Commissioner, because he was included with our elders in the petition when they took the matter in hand. The boundaries of this land were first made externally, and subsequently a portion was cut off and set aside as a flax lease. The portion that we claim contains our sacred places; it is there our people are buried, and the Government must know that we would never have consented to sell our sacred spots, because during the time of our elders it was a most important matter with them, and they certainly have withheld such spots from sale, and we say that the boundaries which we now claim embrace the places where our dead are buried. I do not say that the whole of this land is sacred; the area was [is] a reserve, and there was sufficient land inside the reserve to support those sacred spots. There were some portions of this land reserve that was used by our elders for cultivations, and the Government have already consented, during the time of our elders, to return 50 acres for our *wahi tapu*. On the Commission coming here to make this inquiry, we ask that the Government shall recognise our right to our sacred spots, because we know that our elders would not have sold them. We ask that the land should be returned to us, as there must have been some mistake. Our sacred places have not been sold, and we want them reserved, and that they should not be occupied by Europeans. As to the portion already sold by the Government, we ask that the Government might give us in return some land containing kauri-trees, as it is kauri-trees we are wanting in some accessible places, where we can make use of the trees for fencing and building. Either that or let the compensation be in money. Having given this evidence, I ask that the Commissioner support our case. I would prefer to leave the price in the hands of the Government.

*Wiremu Ngakuru* (sworn) states: I only heard of this hearing this morning. I am a nephew of one of the petitioners. I say there must be some mistake, as there was only one sale; that sale was made by Ngakuru Pana, Heta te Haara, Hone Mohi, and Waipapa Mihaka. I do not wish to prolong my evidence, I only wish to show that these were they who sold these lands. I will refer to the matter mentioned by the previous witness, as to the portion reserved. Mr. Wilson made the survey both for the reserve and the external boundaries of the block. The flax lease was