

time at or before which you shall present to me your report aforesaid is hereby extended to the second day of April, one thousand nine hundred and seventeen.

And with the like advice and consent, and in further pursuance of the said power and authority, I do hereby confirm the said Commission.

Given under the hand of His Excellency the Right Honourable Arthur William de Brito Savile, Earl of Liverpool, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Member of the Royal Victorian Order, Governor and Commander-in-Chief in and over His Majesty's Dominion of New Zealand and its Dependencies; and issued under the Seal of the said Dominion, at the Government House at Wellington, this twenty-seventh day of February, in the year of our Lord one thousand nine hundred and seventeen.

Approved in Council.

F. W. FURBY,
Acting Clerk of the Executive Council.

W. H. HERRIES,
Native Minister.

REPORT.

Native Land Court, Auckland, 6th February, 1917.

MAY IT PLEASE YOUR EXCELLENCY,—

I have the honour to report, pursuant to the authority contained in a Commission under your hand and seal dated the 27th day of November, 1916, empowering me to inquire into certain matters relating to the Hihiaua block of land, situated near Whangarei, that I held an inquiry at Whangarei on the 25th, 26th, and 27th days of January last for the purpose of dealing with the allegations made by Hoori Rewi and certain other Natives in a petition presented by them to Parliament during the last session thereof.

The petitioners and all other interested parties were duly notified, and at the hearing they were represented as follows:—

Mr. J. J. McGrath for petitioners; *Mr. W. A. Carruth* for Whangarei Harbour Board; *Mr. R. J. Knight* for the Crown.

In addition to the petitioners a very large and representative gathering of Natives, amongst them Mr. Tau Henare, M.P., were in attendance.

After formally opening the proceedings and publishing the terms of the Commission, in order to give the parties some idea of the scope of the inquiry, I adjourned the case for the purpose of visiting the land in dispute, so that an inspection could be made while it was yet high tide, with a view of ascertaining as far as possible what portion of the Hihiaua Block, if any, remained uncovered at ordinary high tide.

The visit was made by a considerable number of persons, of whom I was one, and the time and occasion was both favourable and opportune, inasmuch as it was taken when the tide, according to the evidence of a Crown witness, "was an extraordinary spring tide—that is, more than ordinary spring tide . . . being 9 in. to 10 in. above ordinary spring tides."

In opening his case, counsel for the petitioners stated that his clients were not attacking the title of the Whangarei Harbour Board, because that had been established by an Act of Parliament, but they contended that the Crown had no right to vest the land in the Board without the consent of the Natives or adequate compensation being paid for the land. So far as the petition to the House was concerned, he had to admit after an inspection of the land that many of the allegations made would have to be dropped, because it was now apparent that the