

On behalf of those opposing the petition it was stated that Pakeha was not Te Hawhe's father, but that another man called Tirau was; that Pakeha was never Hinewhakarehua's husband, and that they never lived together at Rereopito or any other place. It was also stated that Hine-whakarehua was a woman of rather loose character, and that she had had at least five husbands, whose names were given. Pakeha's name was not amongst them.

As showing how conflicting the evidence was, the truth of that of Riria Kaihote, which was the strongest in favour of the petitioner, was absolutely denied by her brother, Epeniha Kaihote.

In the opinion of this Court the evidence in support of the petition was not sufficiently conclusive or reliable to warrant it in believing that Te Hawhe was Pakeha's child, or even in recommending that the case be reopened. It seemed to the Court that all the witnesses were too young at the time to have any direct knowledge of the facts they alleged. It was admitted by them that, beyond the short time during which they asserted Pakeha had carried on with Hine-whakarehua, he had never married and had had no other children. One would naturally infer, therefore, that if Te Hawhe had been his daughter he would have been anxious to acknowledge her as such, for no Maori likes to think he will leave no descendants. But it has not been proved, beyond the statement purported to have been made by him at the meeting at Te Uhi, that he ever took any interest in or notice of her, or assisted in her maintenance, or did anything that would show he admitted the child as his. At the time successors were appointed to him, in October, 1886, the people living in the district then and attending the Court would be in possession of all the facts alleged by the petitioner's witnesses, if they were true; and this Court considers, if it had been generally known, as asserted, that Pakeha had left a daughter, some one would have brought the fact under the notice of the Court. It is highly improbable that all the people of the district would have joined in a conspiracy to deprive the petitioner of her rights. And it is also highly improbable, if the petitioner had believed herself to be the daughter of Pakeha, that she would have slept on those rights for thirty-four years, or that her husband, Maihi Kaimoana, would have allowed her to do so.

JAS. W. BROWNE, Judge.

The Chief Judge, Native Land Court, Wellington.

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