

(c) It is also pointed out that the sitting of the Commission took place in 1861, at a time of great stress for Maori and Pakeha alike; at a time when, as a Maori knowledge, a large number of the Pakeha people held their Maori kaitiaki and refused to bring forward their claims. The Commission, however, set a land band, and there is nothing whatever on record or in evidence to show that the Maori were interested in the Poor Knights Islands, had any notice of the hearing or any concern. Instead, Tawatawa was allowed to go for all and he nearly boasting should have been itself warning to the Commission that it was dealing only with a minor chief, who was leaving the chair to add to his name and fame. Tawatawa said, "I have been the principal applicant for the Governor's name. I never had anything to do with the sale to Pakeha." Yet Tawatawa was one of the witnesses to the original deed of sale. Also he stated, "I sold the three groups in my hand. The three groups can claim independently of me. I am the principal, and other claims will come in." and went to that effect. Yet the inquiry held in 1870 Tawatawa himself stated that he and his Native friends (himself and others) who had sold to Pakeha had no right with the exception of that whose claim only extended to the Poor Knights. This in 1870, shortly after the sale. Tawatawa admitted that he had no right to sell the Poor Knights, yet in 1861 he claimed that he was the principal man and entitled to speak for all the Native owners. Again the evidence disclosed the fact that Tawatawa and the others had already received £10 (presumably half payment), which may explain why he and the others declined any further right to the Islands. Moreover, the Commission had no right to assume without any real evidence in support, that the rights to the three groups of Islands were in each case the same, and that the same persons were the owners of each group.

(b) That the descendants of the Tatars and his people have kept their claims "warm" from the time of the massacre up till the present day by acts of ownership that were reasonable and sufficient to record with their custom and laws.

the Court expressed the hope that it will take the form of a loan, and that the Government will be able to assist in the turning of operations into a permanent basis. The Court also begs to recommend that the Government should be able to assist in the turning of operations into a permanent basis. The Court also begs to recommend that the Government should be able to assist in the turning of operations into a permanent basis.

October 20, 1944