

ordered that a certificate of title be issued to forty persons for this Tutira Block, which was supposed to contain an area of 20,490 acres. Comprised in the block is a large lake called Tutira, with an adjacent smaller lake called Waikopiro. These two practically constitute one sheet of fresh water containing several hundred acres, and abounding in eels and other Native fish, as well as a few trout of poor quality. The lake is for the most part shallow, with a muddy bottom, although in parts the depth exceeds 150 ft. The water is clear, and from a scenic point of view the lake is a valuable asset. To the Natives it has, in addition to its natural beauty, a sentimental value, because it has been from time immemorial an important source of food-supplies of birds and fishes, and on that account has been coveted and attacked by foreign tribes, and has been valiantly defended, lost, and regained by the local Natives, whose kaingas, cultivations, and cemeteries border on its waters.

For the last half-century the Tutira Block has been in European occupation, and the Native owners, dispersed over Hawke's Bay, were induced in recent years to sell their shares to the Crown. About thirty-seven out of the original forty shares have been acquired by the Government at the price of about £2 an acre, and on the 24th July, 1928, the Native Land Court effected a partition by mutual consent, making an order for Tutira A (19,726½ acres) in favour of His Majesty the King, and one, Tutira B (561½ acres), for the non-sellers. A strip of land bordering on the lake and lying between it and the road was taken under the Public Works Act for a reserve for a camping-ground and roadman's residence. This strip consisted of 4 acres, but when the Natives entered a strong protest against the Government's acquisition of this piece an area of 2 acres was returned to them. The non-sellers felt that the waters of the lake should not be included in the Crown purchase, and that the partition practically excluded them from the lake and the enjoyment of its food-supplies. They fear that under acclimatization laws they will be deprived of the fishing-rights supposed to have been conserved for them for all time by the Treaty of Waitangi, while European occupation and residence on the shores of the lake and on the adjacent hillsides will tend to spoil the natural scenic beauty of the place and desecrate the resting-places of their departed elders.

They wish the Government to return to them the remaining 2 acres of the reserve and the whole or a good part of the lake. They allege that recent surveys indicate a surplus area of 3,000 acres which the Crown did not purchase or pay for. If the Native non-sellers are allowed to retain the lake as representing portion of their unsold shares, they are prepared to make a national gift of it upon such conditions as will prevent it from being appropriated by some enterprising pakeha individuals or organizations, to the exclusion of the Maori people. If the Government will not grant this request, they ask that the 3,000 acres surplus area be so located that it embrace the lake and the neighbouring hillslopes, and be left in the names of the Native owners of the Tutira Block.

M. GILFEDDER, Judge.

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