

194. The reply of Huria Matenga's solicitors and the declarations annexed to such reply are as follows :—

Nelson, 26th June, 1904 (1905).

To the Honourable the Minister for Native Affairs, Wellington.

SIR,—

*Re Whakapuaka Block.*

In reference to the request dated the ninth day of September, 1904, of the four Natives, Atiraira Mohi, Ngawaina Hanikamu, Wi Katene Paremata, and Wi Katene Tipo, in which they claim to be equitably interested in the above block, and in which they ask that an inquiry be made by you, and an Order in Council issued consenting to the Native Land Court inquiring into their claims, we are instructed by Huria Matenga, the owner of the block, to write you in reply thereto and to request that no such Order in Council be issued for the following reasons :—

1. That the claims of the Paremata family have already been repeatedly before the House, and have been fully and exhaustively inquired into by the Native Affairs Committee, and in every case the claims of the above-mentioned claimants have been disallowed and reported against, and that this attempt to again get an inquiry is highly vexatious.

2. That the Whakapuaka Block originally belonged to the Ngatikoata and was given by the Ngatikoata to Kauhoe for her son Wi Katene, the son of Te Puoho, who was the elder brother of Te Taku, from whom Atiraira Mohi, Ngawaina Hanikamu, Wi Katene Paremata, and Wi Katene Tipo claim descent, and of this there is un rebuttable evidence (see the copy affidavits annexed hereto of Mr. James Mackay, Native Commissioner, and Mr. Alexander Mackay, Judge of the Native Land Court).

3. That Wi Katene, the father of Huria Matenga, was undoubtedly the sole owner of the block (see the copy affidavits annexed hereto of Mr. James Mackay, Native Commissioner, and Mr. Alexander Mackay, Judge of the Native Land Court).

4. That Huria Matenga was the only child of Wi Katene, and so inherited all his land, including this block.

5. That if Paremata te Wahapiro, the descendant of Te Taku, the younger brother of Te Puoho, from whom the present petitioners claim descent, had any right under the alleged gift to Kauhoe *that he sold and alienated all such right* to the Crown when he joined in the general sale to the Government of all his interests in the South Island (see the report of the Native Affairs Committee on the petition of the Paremata family prepared by Sir Robert Stout, a member of the Committee at that date, which report confirms this contention).

6. That in answer to the allegation by the claimants that Huria Matenga at the hearing of the Whakapuaka Block told Atiraira Mohi that if she (Atiraira Mohi) remained quiescent that she (Huria Matenga) would protect her interests, the said allegation is absolutely without foundation and is a fabricated story concocted to create a wrong impression, and is utterly false and untrue, and although Atiraira Mohi is now dead ample testimony can be obtained that Atiraira Mohi when questioned on this point stated that she knew nothing about any such alleged conversation with Huria Matenga. That the tale is also most improbable when the positions of the parties are fully understood, inasmuch as Atiraira Mohi, although a cousin of Huria Matenga, held a subordinate position to her according to Maori custom, she being the grandchild of Te Taku, the younger brother of Te Puoho (Huria Matenga's grandfather), and being in that position would not presume to assert a right that would place her on the same level as Huria Matenga. Moreover, Huria Matenga like her father, Wi Katene, was very jealous of her rights, especially in all matters pertaining to land, and always evinced the strongest objection to any attempt on the part of the Paremata family to assert a claim to Whakapuaka in the smallest degree.

7. That Wi Katene was the paramount owner of the block and was accepted as such is clearly shown by his performing the following actions in connection with the block. The records show—

- (a) That Wi Katene fixed the southern boundary of the block in 1851 :
- (b) That Wi Katene fixed the western boundary of the block in 1862 :
- (c) That when Paremata te Wahapiro joined in the sale by the Ngatitoa and disposed of all his interests in the South Island in 1853 to the Government Wi Katene refused to sell his interest to the Government and strongly opposed any interference with his interest at Whakapuaka, and refused to recognize the right of the Ngatitoa to dispose of it, and after an attempt to adjust matters the Government finally abandoned all claim to the Whakapuaka Block, leaving Wi Katene in possession.
- (d) That Wi Katene exercised the sole right to let portions of the block to Europeans and to make agreements for the disposal of the timber on the estate.

8. That Huria Matenga holds a certificate of title to the Whakapuaka Block in her own name, and has always dealt with the land as the sole owner of the property.

9. That Huria Matenga has at different times sold parts of the block included in her certificate of title to the Eastern Extension Telegraph Company and others, and quite recently, to wit, on the 11th day of August, 1904, she sold and gave a title to some 1,250 acres, part of the said block known as "Pepin Island" to one William Rayner in consideration of £800, all of which transactions have been duly confirmed and registered.