

10. It is quite true as alleged by the claimants that some years back, on the 15th February, 1895, Huria Matenga, being herself unable to work the property, granted a lease of the same to Hemi Matenga at the yearly rental of £100. There is nothing "peculiar" about this lease or is it a "merely colorable transaction" as alleged by the claimants. It is a proper lease duly confirmed and registered, and the collection of the rent has always been entrusted to Messrs. Adams and Kingdon, Solicitors, Nelson, who have regularly collected the same, kept the accounts, and duly paid the rent over to Huria Matenga. That most of the clearing and improvements on the property have been done since Hemi Matenga took the lease and *all* entirely at his own expense.

We respectfully submit on behalf of Huria Matenga that inasmuch as she was born on this property and has continually lived on same for upwards of 60 years, throughout all of which time she has been in undisturbed possession and occupation, and that her father, Wi Katene, held the land for many years prior thereto and died and was buried on the property while in undisturbed possession and occupation of the same, and that the strongest evidence has been produced by witnesses living and by the Government records confirming her sole right to the property, and that she holds a certificate of title to the land granted to her by the Government and under which she has from time to time disposed of parts, and that her title has been repeatedly assailed and petitioned against and in every case without result, and that *as no additional evidence is now forthcoming*—that it is unfair and an injustice that she should be continually put to the expense and annoyance of defending vexatious actions and about the ultimate result of which there can be no doubt, but which she is bound to oppose and defend at considerable expense. Huria Matenga claims that there should be a finality to these attempts to assail her title which only cause delay, expense to her, and the postponement of the division and settlement of the block.

We have the honour to be, Sir, Your obedient servants,
(Sgd.) Adams and Kingdon,
Solicitors for Huria Matenga.

195. *In re* Huria Matenga (Julia Martin) and the claim made by the descendants of the late Paremata te Wahapiro to the piece of land situated in the Provincial District of Nelson known as the Whakapuaka Native Reserve:—

I, James Mackay, of Paeroa, in the Provincial District of Auckland, Land Agent and Licensed Interpreter, make oath and say:—

1. That I am thoroughly acquainted with the piece of land known as the Whakapuaka Para. 199. Reserve situated in the Provincial District of Nelson.

2. That in the year 1845 I became intimately acquainted with Wiremu Katene te Manu, the father of Huria Katene, now known since her marriage with Hemi Matenga as Huria Matenga. The said Huria Matenga was a child a year old or thereabouts when I first saw Para. 200. her at her father's settlement at Whakapuaka in October, 1845.

3. That in the same year I also made the acquaintance of Paremata te Wahapiro, a half-brother of the above Wiremu Katene te Manu by the same mother, Kauhoe, but a different father—the name of the father of Wiremu Katene te Manu was Te Puoho o te Rangi, head chief of the Ngatitama Tribe. The Ngatitama Tribe joined with Te Rauparaha and the Ngatitōa and Ngatiawa Tribes in the wars and conquest of the southern portion of the North Island and the northern districts of the Middle Island adjacent to Cook Strait. Te Puoho o te Rangi went on an expedition to the Otakou (Otago) District of the Middle Island and was killed by the Ngatitahu Tribe. Paremata te Wahapiro was retained by Topi Para. 201. as a slave. They cut one of his ears as a degradation. Paremata te Wahapiro eventually returned to the Ngatitōa Tribe at Wellington and subsequently came to Nelson.

The Whakapuaka Block originally belonged to a tribe known as the Ngatitumatakokiri, who were conquered by Te Rauparaha and the confederated tribes under his command. In the partition of the lands after the conquest, Durvilles Island (Rangitoto), Croixelles Harbour (Kaiaua), and the Whakapuaka district were allotted to the Ngatikoata Division of the Ngatitōa Tribe. The Ngatikoata subsequently gave to Wiremu Katene te Manu the whole of the Whakapuaka Block extending south from the Whangamoa River. I obtained this information from a small remnant of the Ngatitumatakokiri Tribe who lived near Squally Cove, Croixelles Harbour, from the late Maka Tarapiko, the principal chief of the Ngatikoata Tribe, who resided at Whangarahi, Croixelles Harbour, from the late Wiremu Katene te Manu, father of Huria Matenga, and from other sources.

4. That I, with my father, mother, and the rest of their family, arrived at Nelson in the barque "Slaines Castle" in January, 1845. We found H.M.S. "Hazard" at anchor in the roadstead outside Nelson Harbour; she had come from Wellington, bringing Major Para. 202. Richmond, who was then Superintendent of the Southern Division of New Zealand (a Crown appointment, not an elected Superintendent of a Province). The cause of this visit was to put a stop to outrages committed on European settlers and their property at a place known as the Happy Valley adjoining the southern side of the present Whakapuaka Reserve by Paremata te Wahapiro and some Natives he had brought with him from Wellington. Paremata te Wahapiro alleged that he had received no payment from the New Zealand Company for lands which they had surveyed and settled at Nelson and its immediate neighbourhood. Also that the New Zealand Company's purchase only extended about four miles north of Nelson to land occupied by a settler named Wells, and that Horoirangi and Happy Valley were not included in the purchase. Paremata te Wahapiro was emboldened