

New claimOpotiki 14th August 88Oamaru

Tauha Nikora - Petimana, his relative had told him that White had a piece of land near Te Rewa but very small. The portion now claimed is far in excess of it.

Court Why does Paku Eruera rise to cross examine? I have a reason for asking.

Paku - I claim as Ngatirua.

Court This side is objected to by Ngatirua. Disallowed.
Teihana's case as a Whakatane will be taken at 10 a.m. tomorrow and if Tauha contests it he will have to pay £1 a day.

Oamaru adjourned accordingly.

Succession Case

No 165

Waiotahi Lot 326

Hori Tunui Kaperiere to succeed Kaperiere Tamaiarohi in Waiotahi Lot 326.

Adjourned to Whakatane Court for want of information.

Court adjourned at 3.35 p.m. to 10 a.m. tomorrow

Wednesday 15th August 1888

Court opened at 10 a.m.

Present

The same

20/-pd Netana
20/-pd Tauha

Case 8. - Teihana - I wish to say that the case for that portion of the block in the plan called "Te U" will be conducted by Netana Rangi Ihu on behalf of Whakatane. Netana sworn - I do not claim the whole block (claimed by Ngatira) but only that part of it called "Te U". The creek as it appears on the plan I do not recognise. Had we and Ngati Ira conducted the survey together, the boundaries would have been properly laid down, but as they are, they appear to us to be incorrect. I claim from Moanui then following the stream till it falls into the Waioeka. We claim this portion between it and confiscated line and Waioeka stream. We claim that as the portion remaining of our former block which was

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taken by conquest by Ngati Ira. The name of any title was Whakatane. They were beaten and the land taken for the remainder of the block. The TE U stream is the boundary now between Ngati Ira and ourselves the Whakatane. The whole of the block (Waioeka) extending began on the Opotiki side, formerly belonged to Ngati Ira and Whakatane jointly, till the fights took place that left us the portion I now claim. The ancestor whom I claim the land I formerly described was Tamatea from whom came.

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 Roau
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 Haiora
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 Rongomaipaoa
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 Manuruhe
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 Rauwaho
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 Tamahohana
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 Hikarua
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 Pahiko
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 Tangahuru
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 Piki
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 Te Ahirarauhe (f)
 ↓
 Netana Rangi Ihu (self)

This is the ancestor (Tamatea) who originally occupied this land. As to the evidence already given in this case I have no objection to raise with the exception of the claim to the portion I have already said is ours. The claim I make is up to the survey line but not beyond. The fights which took place did not extend to the portion I now claim and we remained in occupation and have done so up to the present time.

xxd by Paora Te Pakihi - No person or Chief arranged that the conquest of the land should not go beyond Te U. We never ceased to occupy it. There was no understanding made by anybody. I know Te U stream and that on that stream there were fern-root diggings. I have been told of these diggings, but can't point out the locality exactly. I have never been on the land

taken by conquest by N' Ira. The name of my tribe was Whakakana. They were beaten & the land taken for the remainder of the block. The Te U stream is the boundary now between N' Ira & ourselves the Whakakana. The whole of the block (Wairaka) extending beyond, on the Orotiki side, formerly belonged to N' Ira & Whakakana jointly, till the fight took place that left us the portion I now claim. The ancestor tho' whom I claim the land I formerly described was Tamatea from whom came

- Rogue
- Haira
- Rongomai-paora
- Manuruke
- Rauwaho
- Tamakahana
- Hiharia
- Pahiko
- Tangahuru
- Piki
- Te Ahirauke f
- Ahama Rangihua (see)

This is the ancestor (Tamatea) who originally occupied this land. As to the evidence already given in this case I have no objection to raise with the exception of the claim to the portion I have already said is ours. The claim I make is up to the survey line but not beyond. The fight which took place did not extend to the portion I now claim & we remained in occupation & have done so up to the present time.

xx³ by Poona Te Pahiko. No person or chief arranged that the conquest of the land should not go beyond Te U. We never ceased to occupy it. There was no understanding made by anybody. I know Te U stream & that on that stream there were fern-root digging. I have been told of their digging, but can't point out the locality exactly. I have never been on the land.

xx² by Tam

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but members of my house often go there still for the purpose of
killing pigs. We have no fear on this particular piece,
but we have them outside not far off. I have already said
that the conquest extended only to the stream "Te U". The
Creek itself & the branches of it were traversed in their days
by members of both houses & were therefore known to both
Te Mahau, the principal chief of N' Ira & Tamakura, &
Whakakane, were brothers & cousins & the tribes became
friendly to each other their intermarriages & lived quietly upon
the land. Mahau was one of the daughters of Paehua a chief of
the Whakakane & was principal owner of the whole country.
I have every reason to believe that Paehua was really the
owner of the whole block. I admit that when Paehua was killed
by your people his daughter Mahau was made captive by them.
Te Mahau took her mana over the Te U portion of the block, after
the general conquest. I don't know the name of the stream
marked N° 39. Your people occupied the place near the Te
U stream but it was after during the war with the Europeans.
Some of your people took refuge there. Tamakura is the
owner of the land outside the boundary at Moamira. He
has a place of residence on the block we now claim. They
were ^{places of} temporary occupation chiefly when we went for game &
no signs remain of the huts.

xx² by Tamaka Whakakane. Tamakura was one of the original owners of this
part of the country, & he it was who gave the names of the
different places on the Waioteka stream. I don't know the
his father was. Tamakura was the child of Muriwhenua &
whom you refer. I don't know who his wife was (Tamakura's)
I don't say when Muriwhenua came - whether across the
sea or not. I am aware that N' Ruanoko had a fight with
the Whakakane & beat them, but the conquest did not extend to the
lands within the block, but over the land country outside the confine
coast line. The cause of the fight between Whakakane & N' Ira
was the title to this land. I am not aware as to the cause of the

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but members of any hapu often go there still for the purpose of killing pigs. We have our pas on this particular piece, but we have them outside not far off. I have already laid that the conquest extended out to the streams. "Te U". The creek itself and the branches of it were transversed in those days by members of both hapus and were therefore known to them. Te Matau, the principal chief of Ngati Ira and Tanekura, a Whakatane, were brothers or cousins and then the tribes became peaceable to each other through intermarriage and lived quietly upon the land. Matau was one of the daughters of Tawhero a chief of the Whakatane who was principal owner of the whole country. I have every reason to believe that Tawhero was really the owner of the whole block. I admit that Tawhero was killed by your people, his daughter Matau was made captive by them. Te Matau lost her mana over the Te U portion of the block after the final conquest. I don't know the name of the stream marked No39. Four people occupied the place near the Te U stream but it was during the war with Europeans. Some of your people took refuge there. Tamoko is the owner of the land outside the boundary at Moanui. We have a place of residence in the block we now claim. They were places of temporary occupation chiefly when we went for game and no signs remain of the huts.

xxd by Tauha Nikora - Tamatea was one of the original ancestors of this part of the country and he it was who gave the name of the different places in the Waioeka stream. Don't know who his father was. Tamatea was the chief of Muriwhenua to whom you refer. Don't know who his wife was (Tamatea's). Can't say whence Muriwhenua came whether across the sea or not. I was aware that Ngati Ruamoko had a fight with the Whakatane or beat them, but the conquest did not extend to the land within this block, but over the county outside the confiscated line. The course of the fight between Whakatane and Ngati Ira was the title to this land. I am not aware as to the cause of the

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fight between Ruamoko and the Whakatane. I know of and other cause of the quarrel between Ngati Ira and Whakatane than the one I have already mentioned. I know of only one fight between Ruamoko and Whakatane and that is the one I have referred to. That portion of the land outside the confiscated territory up to the Kokopu and on the Waioeka was then taken by Ruamoko. Te Kokopu is inside this block near the confiscated line on the Waioeka stream. Never heard that in the first fight Ruamoko was beaten by the Whakatane. Don't know where Te Uru Ariki was killed. Never heard he was killed by Whakatane and that it was the cause of the fight between Whakatane and Ruamoko. There were 2 pa belonging to the Whakatane when they were attacked by the Ngati Ira and beaten and the pas Te Tawa and Te Kokopu were the names of the pas. This was with Ruamoko was before the one with Ngati Ira. When the Whakatane were beaten by Ruamoko part fled to the Kaharoa and part remained on the land. The same 2 pas were taken by Ngati Ira were taken by Ruamoko. The first fight was won by Ruamoko. When I said that some of the Whakatane fled and this remained. I was not able to say what part of this block they occupied having no fixed place of habitation and in a state of fear. This was why one conquest of the county they took. Those of Whakatane who were connected with Ruamoko's people remained behind and were afterwards attacked by Ngati Ira. The fight was the part of Ruamoko and was not for the purpose of exterminating the Whakatane. Am aware that Te Rangi Whawhata a Chief of Whakatane fled with part of his people while some remained behind and took refuge at

fight between Ruanoko and the Whakohane. I know of no other cause of the quarrel between N'ia & Whakohane than the one I have already mentioned. I know of only one fight between Ruanoko & Whakohane & that is the ~~one~~ one I have referred to. That portion of the land outside the confiscated territory up to the Kokopu & on the Waioeka was then taken by Ruanoko. Kokopu is ^{inside this block} outside the confiscated line on the Waioeka stream. I never heard that in the first fight Ruanoko was beaten by the Whakohane.

I don't know where Te Hira Ariki was killed. I never heard he was killed by Whakohane and that it was the cause of the ^{fight} fight between Whakohane & Ruanoko. There were 2 pas belonging to the Whakohane when they were attacked by the N'ia & beaten, ^{and the} but the pas taken, but they ^{were} were outside this land & seaward. Te Tawa & Te Kokopu were the names of the pas. The first ^{was with Ruanoko} fight ^{was} fought ^{was} by Ruanoko & Taha attacked before the one with N'ia. When the Whakohane were beaten by Ruanoko part fled to Pa Kaharoua & part remained on the land. The same ^{was} pas that were ^{taken by} ~~occupied~~ that N'ia conquered were taken by Ruanoko. The first fight was won by Ruanoko.

When I said that some of the Whakohane fled & others remained I am not able to say what part of this block they occupied, having no fixed place of habitation & in a state of fear.

There was only one conquest made by N'ia on Whakohane, which ended in the confiscation of the land. Ruanoko made no conquest over the Whakohane & the occupation of the country they took. Some of Whakohane who were connected with Ruanoko's people remained behind & were afterwards attacked by N'ia. The fight ^{was} of the part of Ruanoko was not for the purpose of acquiring the land, but for the purpose of exterminating the Whakohane. I am aware that Te Hongi Whawhaka a chief of Whakohane fled with part of his people while some remained behind & took refuge at

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Kaharoa. Am not aware that he was invited to be back
by Ruanoko & settled upon a place called Marciataha-
ma. I believe he returned of his own accord. It is outside the
the block in the district of Te Wera. At Ruanoko's time the
ancestor of my people called Pooko also held the mana of the
land. Tama Hohaonga was the man who held the mana
over the piece I now claim after the conquest of the other portion
had been made by N' Ira & he acquired his right thro' the
mana of Tamatea.

I find

Ernera Maaka represented & found that he & others interested
in the Rehearing of Te Kereini were present.

found informed him that there was only one Judge here at
present & that the case must be left for another point to
take when two Judges are present.

Succession cases Nos 50, 51, 52 & 53.

are, upon the application of Timi Te a at a, the husband
of the applicant, as withdrawn.

"Bamarae" resumed

That part of the land was about the pua called Te Kokoape
& Te Tawa was conquered by Ruanoko in the first fight
that took place. It is the same Kokoape that is known as
all. Don't know why the conquest of the country did not extend
inland from the Kokoape pua though some land was
confiscated on the seaward or Opoitiki side. I know the
derivation of the name given to N' Ira Kapa.

To Assessor. I never heard that Ruanoko at any time occupied this
block. Never saw or heard that N' Ruanoko had traces
of residences on this block. Nor did I ever hear that Pooko's
father or grandfather lived on this block. I did hear that N' Ira
lived on the block after taking it from the Whakatahane.
The complete conquest of the country was made by the N' Ira.
That part that I claim was secured to us by Kobi Kobi & K' ai

The Court took some time to consider

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Kaharoa. Am not aware that he was invited to the back by Ruamoko and settled upon a place called Maraiatahanui. I believe he returned of his own accord. It is outside the block in the district of Te Wera. At Ruamoko's time the ancestor of my people called Powhero held the mana of the land. Tama Houhanga was the man who held the mana over the piece I now claim after the conquest of the other portion had been made by Ngati Ira and he acquired his right through the mana of Tamatea.

2 p.m.

Eruera Maaka represented to Court that he and others interested in the rehearing of Te Kanui were present.

Court informed him that there was only one Judge here at present and the the case must be left for another Court to take when two Judges are present.

Succession cases No.50, 51, 52, and 53.

are, upon the application of Timi Waata, the husband of the applicant, on their own.

Oamaru - resumed

that part of the land about the pas called Te Kokopu and Te Tawa was conquered by Ruamoko in the first fight that took place. It is the same Kokopu that is known to us all. Don't know why the conquest of the country did not extend inland from the Kokopu pa though some land was confiscated on the seaward or Opotiki side. I don't know the derivation of the name given to Ngati Ira hapu.

To Assessor

Never heard that Ruamoko had traces of residences on this block. Nor did I ever hear that Tauha's father or forefathers lived on this block. I did hear that Ngati Ira lived on the block after taking in from the Whakatane. The complete conquest of the county was made by the Ngati Ira. That part I claim was secured to us by Kotikoti and Kai_.

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Whanaunga.

2/-pd

Eru Tamaikoha sworn - There are 3 grounds upon which I base the claim of the Whakatane to that part of the block called Te "U". Our first ground of claim is ancestry, then conquest, and then occupation. Tamatea was the first ancestor. I will give geneology:

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Roro
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Rongomaipaoa
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Manurahi
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Tama Kaeke
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Poriki
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Rawaho
|
Tama Horangi
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Manuwakari
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Te Mauru
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Ramahaki
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Ngarunga
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Ariari
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Eru Tmaikoha (self)

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All the above ancestors have lived upon the piece of land now before the Court. I have lived upon it myself at different times when hunting. Our ancestor really lived upon the land and they had a pa which was close by but not on this land. It was on the other side of the Waioeka stream. On the stream called "Te U" i had a fight with the Whakatohea, Whakatane. Ngatingahere and several other hapu. The name of that fight was "Te U". I killed some of the Whakatohea on a branch of the same stream, but did not cook them. We were beaten by the other side and some were killed and eaten. We were very small in number. That was in the time of Ramahaki. The cause of the fight was their trespassing on our land. We were surprised and driven off after having killed many. Though we were beaten we continued to occupy the land in search of some of my

Whanauaupa.

2/1st

Erui Tamaitikoha sworn - There are 3 grounds upon which I base the claim of the Whakatane to the part of the block called Te U. Our first ground of claim is ancestry, then conquest, & then occupation. Tamaitika was the first ancestor. I will give genealogy

- Roao
- Haioa
- Rongomaiapaoo
- Manuruhi
- Tama Kaiti
- Poiki
- Rawaho
- Tama Horangi
- Manuwhakare
- To Mauru
- Ramahaki
- Ngarunga
- Ariaki
- Erui Tamaitikoha (Self)

All the above ancestors have lived upon the piece of land now before the Court. I have lived upon it myself at different times when hunting. Our ancestors really lived upon the land & they had a pa which was close by but not on the land. It was on the other side of the Wairoka stream. On the stream called Te U I had a fight with the Whakatane, Whakatane, N'Ngahere & several other hapu. The name of that fight was "Te U." I killed some of the Whakatane etc on a branch of the same stream, but did not cook them. We were beaten by the other side, ^{of some were} killed & eaten. We were very small in number. That was in the time of Ramahaki. The cause of the fight was their trespassing on our land. ~~Some~~ ^{Some} being we were surprised & driven off after having killed many. Tho' we were beaten we continued to occupy the land in search of game to my

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father's time. N' Ira never disturbed or fought us. That part of
 block on eastern side of creek. The land along the Waiwoeka
 stream was occupied by Ngapotiiki, Whakakane, N' Ira, all
 being descendants of the old ancestor Tamatea, N' Ira took
 their name from the ancestor Inapuai. He lived here in
 Opoitiki.

xx² by Paora Te Pakihi. I know the land within this block, as far as the
 stream called Te U, formerly belonged to the Whakakane & Te
 Uru Ariki. The Ngapotiiki, who are N' Ira, occupied the land
 on the eastern side of the Waiwoeka stream. The N' Ruamoko
 made the conquest of land at Kouratahi, Ruakano. Te Tama
 was by a different party. These places are within the confiscated
 boundary, these ^{and} places were occupied by the N' Ruamoko till
 the war with the Europeans. That part of block A is bounded
 by the stream was never really conquered, & this there were
 many fights in the country, bound about no conquest was
 made of that portion. The subversion of the Whakakane
 which was allied to us took us part in ^{these} that fight. Don't I
 deny that Kotikote & Kaiwharanga were the persons who
 located us on our piece of ground & gave us possession.
 I know the woman called Te Matan, but don't know of
 any conquest of the land that you made at Tawauka at
 the confluence of the 2 streams, the name of which are
 Te Korona. I know the field for digging fern root on the
 banks of the stream Te U, which is now overgrown.

There are 2 small branches of Te U stream before you come
 to the fern root field that I have alluded to. It is not true
 that the Pawlins that the white slaves exercised their claim to
 this land. I never left the part that we claim, but remain
 in possession notwithstanding the conquests you had made
 over the other parts of the country. I admit that Otamallo's
 his people were living on the other side of the stream at the
 time that they were allowed to make use of the fern root field
 which was our property, then being on the field in the district.

The Court took some time to con

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father's time. Ngati Ira were disturbed or fought us. The land along the Waioeka stream was occupied by Ngapotiki, Whakatane, Ngati Ira, all being descendants of the old ancestor Tamatea, Ngati Ira took their name from the ancestor Irapuai. He lived here in Opotiki.

xxd by Poara Te Pakihi - I know the land within this block, as far as the stream called Te U, formerly belonged to the Whakatane and Te Uru Ariki. The Ngapotiki, who are Ngati Ira, occupied the land on the Eastern side of the Waioeka stream. The Ngati Ruamoko made the conquest of land at Kouratahi and Ruahemo. Te Tawa was by a different party. These places are within the confiscated boundary, and were occupied by the Ngati Ruamoko till the was with the Europeans. That part of block that is bounded by the stream was never really conquered and though there were many fights in the county round about no conquest was made of that portion. The sub-division of the Whakatane which was allied to us took us part in these fights. I deny that Kotikoti and Kaiwhanaunga were the persons who located us on our piece of ground and gave us possession. I know the woman called Te Matau, but don't know of any conquest of the land that you made at Tataweka at the conference of the 2 stream, the name of which is Te Korona. I know the field for digging fern root on the bank of the stream Te U, which is now overgrown. There are 2 small branches of "Te U" stream before you come to the fern-root field that I have alluded to. It is not through Pawhero that the Whakatanes derives their claim to this land. I never left the part that we claim, but remained in possession notwithstanding the conquests you had made over the other parts of the country. I admit that Otemako and his people were living on the other side of the stream at the time that they were allowed to make use of the fern-root field which was our property, thence being no other field in the district.

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At that time we were living on peaceful terms and therefore no objection was made to the joint use of the fern-root field.

Court adjourned at 4 p.m. to 11.30 a.m. tomorrow

Thursday 16th August 1888

Court opened at 11.30 a.m.

Present

20/-pd Tauha

The same

xxd by Paora Te Pakihi - It is not very long since I visisted the fern-field on the banks of Te U stream and found and I saw that it was very much overgrown although the remains of the ferns are still to be seen. I speak only as to fern field with which I am acquainted and not as to the one you allude to probably. I still maintain my claim to the stream and to a part of the fern field also.

xxd by Tauha Nikora - The claim made by me and Netana has been through the ancestors I have already named. Netana is a senior relative of mine. Taken as connection with the claim we have made in this case. The line of descent and branch connecting us commenced with the ancestor Ramahaki. My ancestor remained in occupation of the land I claim at the time of the conquest made by Ruamoko, whose conquests really extended only to the land. Outside of this block. The hapu's name Whakatane and "Haiora" were taken from an ancestor of that name. Rauwaho was the mane of the ancestor who was in occupation of the land during the time of the conquests made by Ruamoko. Am not aware that last owners had a fight on the stream called "Te U". I deny that Rangi Whahata was placed on a portion of land outside the block through the influence of Ruamoko. He went on to visit Tauranga, returned to Opotiki where he casually met Ruamoko, but assumed possession of the land.