

New claimOpotiki 15th August 88Oamaru

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.

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

(Court adjourned at 4 pm to 11.30 am tomorrow.)

Thursday 16th August 1888

(Court opened at 11.30 am)

Present

2 of 1st Tauha

The same

xx^d by Teora Te Pakihi - It is not very long since I visited the fern field on the banks of Te U stream & found a land that it was very much overgrown although the remains of the fern are still to be seen. I speak only as to fern field with which I am acquainted & not as to the one you allude to probably. I still maintain my claim to the stream & to a part of the fern field also.

xx^d by Tauha Pihora - The claim made by me & Arahana has been thro' the ancestor I have already named. Arahana is a senior relative of mine taken in connection with the claim we have made in this case. The line of descent & 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 Ramoro, whose conquest, ^{rather} extended only to the land outside of the block. The hapu name Whakohau & "Hoiara" were taken from an ancestor of that name. Ramwahia was the name of the ancestor who was in occupation of the land during the time of the conquest made by Ramoro. Am not aware that he had a right on the stream called Te U. I say that Rangihauwhata was placed on a portion of land outside the block thro' the influence of Ramoro. He went on a visit to Tauranga, returned to Apostiki where he casually met Ramoro, but assumed possession of the land

To Assess

To See

Claims
to see

(cont.)

2 of 1st Te U

New Claim

on his own responsibility. I never heard that Rangihoua & his people after being driven off, were again taken in hand and made friends with Rangatira & his people.

To Assessor - I heard my father.

To Judge - The boundary line from east to west dividing the claim of the Ngaitanga Mahatiki was one that was established by the ancients from a very early period, as between us and them. The N' Rangatira & N' Patu are distinct hapus & are well known. Kourakahi was taken by N' Rangatira & the Whakatohea generally & the Whanan Apoumi don't know the cause of the fight.

Paora Pakihi offered the opportunity to rebut the last case set up as it came on after his was closed.

The case for the Whakatohea closed

Counts
open

Tanha Tikora begins his case as claimant. He says he would with leave of Court make a hope in connection with his case.

(Court.) If the other sides consent. I find the hope is named in the application of N' Patu, but it does not contain the ^{same} area. It was indicated when that case came on & was withdrawn.

21st To Houtakuru sworn on behalf of Tanha by whom he is examined

I wish to say to the Court how it was that the survey of the block was conducted by me alone. The survey was a matter of discussion with the Whakatohea for the space of 3 years before it was undertaken. During that time they objected to the work being done. Their objection was based upon the injunction of Te Kooki, the Houtakuru chief. I cautioned them & begged them not to listen to Te Kooki having already lost my elder men in the fight on his account. I had commenced a survey when the Whakatohea interfered & stopped it & the matter was then referred by the Chief surveyor to the recently deceased chief Wai Kingi. It was referred by Kingi to the Native Committee.

The Court took some time to come

New claimOpotiki 16th August 88Oamaru

on his own responsibly. I never heard that Rangi Whawhata and his people after being driven off, were again taken in hand and made friends with Ruamoko and his people.

To Assessor

I buried my father.

To Judge

The boundary line from East to West dividing the claim of the Ngai Tama. Mahaki was one that was established by the ancestors from a very early period on between us and them, the Ngati Ruamoko and Ngati Patu are distinct hapus and are well known. Kouratahi was taken by Ngati Ruamoko and the Whakatohea generally and the Whanau Apanui. Don't know the cause of the fight. Paore Pakihi offered the opportunity to rebut the last case set up as it came on after his was closed.

The case for the Whakatane closed

claimants

Tauha Nikora begins his case as claimant.

begin

He says he would with leave of Court named a hapu in connection with his case.

Court

If the other sides consent. I find the hapu is named in the application of Ngati Patu, but it does not contain the same area that was indicated when that case came on and was withdrawn.

2/-pd Te Houtakuru

sworn on behalf of Tauha by whom he is examined. I wish to say to the Court how it was that the survey of the block was conducted by me alone. The survey was a matter of discussion with the Whakatohea for the space of 3 years before it was undertaken. During that time they objected to the work being done. Their objection was based upon the injunction of Te Kooti, the Hauhau chief. I cautioned them and begged them not to listen to Te Kooti having already lost my elder man in the fight on his account. I had commenced a survey when the Whakatohea interfered and stopped it and the matter was then referred by Kingi to the Native Committee.

New claimOpotiki 16th August 88Oamaru

2 p.m.

I speak with regard to block A. I claim this by ancestry and conquest, and also by confiscation on the part of my elders. Now about my ancestors. The ancestor from whom I date my claim came from beyond the sea.

His name was Tarawa. The canoe that brought him landed at a place called Paerata, not far from here. To commemorate that the name Opotiki Mai-Tawhiti was given to this place. I should say there was no canoe, but that he swam over. The whole country round about was called, in consequence, called Opotiki. From here he travelled to a place called Awawakino. There he rested himself on a rock which he called Te Rangi. Thence (on the coast) he started inland to a place called Oroi, and thence he travelled as far as Motu. (I may here state that he was travelling both by land and water as a taniwha - sea-serpent). At Motu he met the original possessor of the land named Tuwharanui. He married his youngest daughter Manawa Kiaitu. Who begat

|
Hine Tēpaerirangi

|
Tama Haua

The descendants of Tarawa were the ancestors through whom the Whakapoupakihi block was carried through the Court. The woman Manawa Kiaitu addressed Tarawa as a god, and he said yes, I am a god, because I made my appearance as a spirit. During an interview that Tarawa had with his daughter she said that her husband claimed to be a god. He replied that she must return and sleep in different parts of the hut. Which they did. During the night that part of the of the hut occupied by the husband was overflown with water and he took refuge on the roof, but the part occupied by the wife was not overflown. When the father was made aware of this he replied it is clear that her husband

Ipepe

I speak with regard to block A. I claim this by ancestry and conquest, and also by constant occupation on the part of my elders. Now about my ancestors. The ancestor from whom I date my claim came from beyond the sea. His name was Tarawa. The canoe that brought him landed at a place called Paeraha, not far from here. To commemorate that the name Opotiki Mai-Taraha was given to this place. I should say there was no canoe, but ^{that} he swam over. The whole country ^{round about} was called, in consequence, called Opotiki. From here he travelled to a place called Awawakino. There he rested himself on a rock which he called Te Kangi. Thence (on the coast) he started inland to a place called Oroa, and thence he travelled as far as Motu. (I may here state that he was travelling both by land & water as a Taniwha - sea-serpent.) At Motu he met the original possessor of the land named Teuwharangi. He married his youngest daughter Teanawa Kiaitea. Who kept

His Teuwharangi

Tama Hana

The descendants of Tarawa were the ancestors of whom the Whakapopokiki block was named this the fact.

~~Tarawa~~ The woman Teanawa Kiaitea addressed Tarawa as a god, & he said yes, I am a god, because I made my appearance ^{in the form} of a spirit. During an interview that Tarawa had with his daughter she said that ~~she~~ her husband claimed to be a god. He replied that she must return & sleep in different parts of the hut. Which they did. During the night part of the hut occupied by the husband was overflowed with water & he took refuge on the roof, but the part occupied by the wife was not overflowed. When the father was made aware of this he replied it is clear that her husband is lying.

chose her not the power of a god to have prevented this
 but as your part was not overflown & you remained in
 the house sleeping the power which he claims shall
 hereafter be yours, & as you ^{& your husband} may depart but leave
 your children - my grand children - with me. The daughter,
 before they went away, suggested to her father, as he shall
 should be done with the water & she still remained in
 the house. He said open a drain & let the water flow.
 There still exists a lake where this water was collected.
 The name of the lake is Te Roto Kiri a Wai. It is on
 the Whakapoupakahi block. It was from this lake
 that the water overflowing the house came. At that time
 Tarawa bade farewell to his children. The daughter & her
 husband then left & took up the abode at Whakahi,
 near Motokora, which is on the boundary line of this
 block. Thus he kept children for himself. The first was
 Tama Komutunumu

Te Ata Haeiaia

Te Ata, Wairua

Te Ata, Korihiri

Te Ata, o te Rangī

Rongomai Paea

Pakakura when taken prisoner by Uteuph

Rangī Kopakapa

Kahopu

Te Hau, o te Rangī

Ruanoho

Hika Pakuranga

Heretaunga

Hakaka (my father)

Hautakuru (self)

They lived there & died there. It is Peter I claim as descendant of
 the ancestors I have already given. During the time of Tama
 Komutunumu & Pakakura the tohu was known as Ngai Teu

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New claimOpotiki 16th August 88Oamaru

has not the power of a god to have prevented this but as your part was not overflown and you remained in the house sleeping, the power which he claimed shall henceforth be of ours, and you and your husband may depart but leave your children - my grandchildren with me. The daughter, before they went away, suggested to her father, as to what should be done with the water which still remained in the house. He said open a drain and let the water flow. The name of the lake i-Te Rotonui-a-wai. It is on the Whakapoupakihi block. It was from the lake that the water overflowing the house came. At that time Tarawa bade farewell to his children. The daughter and her husband then left and took up the above at Whareki, near Motohora, which is on the boundary line of this block. There he begat children for himself. The first was:

Tama Komutumutu
 |
 Te Ata Haia
 |
 Te Ata Wairua
 |
 Te Ata Korihi
 |
 Te Ata o te Rangi
 |
 Rongomai Ruao
 |
 Pakakura - who taken prisoner by Whatupe
 |
 Rangi Kapakapa
 |
 Kahopu
 |
 Te Hau o te Rangi
 |
 Ruamoko
 |
 Hika Pakurangi
 |
 Heretaunga
 |
 Hakaka (my father)
 |
 Hautakuru (self)

They lived there and died there. Ngati Patu I claim as descendants of the ancestors I have already given. During the time of Tama Komutumutu and Pakakura the hapu was known as Ngai Tu

New claimOpotiki 16th August 88Oamaru

and down to the time of Hau-o-te-Rangi. Te Hau-o-te-Rangi, Pakakura and Whatupe were contemporaries. This is the same Pakakura referred to in the evidence of Te Whaka Hou and others examined in this case. The Ngai Tu with their descendants lived upon the land now before the Court.

Te Hau-o-te-Rangi and his descendants, then known as the Ngai Tu, lived at Wharekiri, inside this block. During his time also a portion of Ngai Tu were living at Te Tahora inside this block. At about the time Ruamoko made his appearance on the scene, but at what age I can't say.

He was going then. At this period a fire was seen on a branch of the Omaukuru stream. The descendants of Hou-o-te-Rangi went to see what it was and found Pawhero and some of his people who ran away - Pawhero remaining. Those who fled took refuge with the Opukure, Whakatane, Ngati Raumoia and others. Pawhero was connected with these hapus that I have named. They took refuge with these people and told them that their chief Pawhero had been killed. They asked where he had been killed and was informed that it was at Pua-a-te-Kohu. This they said served him right because he had left his own district and trespassed upon the lands of the Whakatohea. They determined however to arrange the death. Presently Tohia Turoa a chief of the other party made his appearance, and was killed by Upokorehe. Whakatane and the other hapus as a set off. Te Hau a te Rangi was sorry for the death of his child and assembled all the Whakatohea including the Ngai Tu, for the purpose of avenging the death. Te Whatupe happened to be engaged in his cultivation at that time, when Te Hau o te Rangi and his people marched down on him, and asked him to fight on their side. They went as far as Kouratahi. All the Whakatohea and their chiefs and Ngati Ira were engaged in this expedition. They approached the pa which was on the side of the hill, attacked and extend it and the first and

& down to the hui of Hone o te Rangī. Te Hone o te Rangī, Pakohūa & Whakapu were contemporaries. This is the same Pakohūa referred to in the evidence of Te Whakapu Hone & other examined in this case. The Ngai Teu with their descendants lived upon the land now before the Court.

Te Hone o te Rangī & his descendants, the known as the Ngai Teu, lived at Whakariki, inside the block. During his time also a party of Ngai Teu were living at Te Tahora inside this block. At about this time Ruamoko made his appearance on the scene, but at what age I can't say. He was young then. At this period a fire was seen ^{on a track} at Pua ^{of the Omakuru stream} ~~and elsewhere~~. The descendants of Hone o te Rangī went to see what it was & found Pauhoro & some of his people who ran away - Pauhoro remaining. Those who fled took refuge with the Opokereke, Whakatahara, N. Raumoa & others. Pauhoro was connected with the hapus, I have named. They took refuge with these people & told them that their chief Pauhoro had been killed. They asked where he had been killed & was informed that it was at Pua a te Kohu. This they did demand his right because he had left his own district & trespassed upon the lands of the Whakatahara. They determined however to avenge the death. Presently Tohira Turua a chief of the other party made his appearance, & was killed by the Opokereke, Whakatahara & the other hapus as a set off. Te Hone o te Rangī was sorry for the death of his child & assembled all the Whakatahara including the Ngai Teu, for the purpose of avenging the death. Te Whakapu happened to be engaged in his cultivation at the time, when Te Hone o te Rangī & his people marched down on him, & asked him to fight on their side. They went as far as Kouratahi. All the Whakatahara & their chiefs & N. Sea were engaged in this expedition. They approached the pa which was on the ridge of the hill, attacked & entered it & the first

New claimOpotiki 16th August 88Oamaru

person killed was Hau o te Rangi the leader of the party at the hands of his brother in law, one of the chiefs of the pa. When Te Uru Arika saw Hau o te Rangi had fallen he made an attack but was killed as well. Whatupe saw the latter killed he also made an attack but was killed as well. All the 3 chiefs fell at the hands of the Whakatane and the Upokorehe. When Tamanihiri saw that Whatupe had fallen he made an advance and was killed. This was followed by the complete routing of the Whakatohea, who were pursued and of whom many were killed. On 140 of them escaped. Ruamoko then proposed to Tahu, his elder brother, that the remnant of the Whakatoheas should be spared, and that was done. After they had collected together the refugees of Whakatohea, Ruamoko proposed to Tahu his younger brother that he should proceed to the pa of the Whakatane's for the purpose of recovering the head of the chief Te Ha o te Rangi. The reply was if I go bring a Whakatohea I shall surely be killed. It will therefore be better for you, connected as you are with these people to undertake or do this, Ruamoko agreed. When he came to the pa and the people saw who he was, they made signs of welcome. Soon after entering their principal chief then, named Te Uru Hapainga got up for the purpose of killing Ruamoko, but was prevented by Ruamoko's grandfather Panekaha.

Court intimates to those interested in the rehearing of:

Te Kumi

Te Kumi the chief Judge has just telegraphed that he will adjourn that case to the next Court to be heard at Opotiki.

Court adjourned at 4.20 p.m. to 10 a.m. tomorrow