

Tunapahore

In the fight between your's and my people in 1856 I was first defeated by you and then you by me, but I consider I won the fight because you invited Hakaraia to come and make peace between us, but I don't know who of Ngaitai invited him to come. I don't know whether Hakaraia was a descendant of Turiraki's.

By Court
Tohi Te Ururangi was of Te Whanau-a-Marutawhao and also if Ngariki. Tohi Te Ururangi left Maraenui on account of the death of Te Kahautu, and Te Whanau Apanui took possession of the land. Tohi came back to make peace, and to see a woman tatooed. He left then for Whakatane, where he remained and his descendants are now called Ngati Hokopu, and they are now living at Whakatane. It was agreed to by Ngaitai and Whanau Apanui that Hawakura lived at Hawaii, but I cannot say how long he remained there before going to Whakatane. He cultivated at Hawaii - Tiketikeirangi (another chief) was living there with him and Te Whanau Apanui. Hawakura used to go to and fro between Whakatane and Hawaii, his wife belonged to the former place, and he was also a Chief of that place. In reference to the Ngariki's who went away, none of their descendants came back to assist us in the fights, but Ngaitai did in those fights I have named. The origin of the word "Ngariki" (not given).

Court adjourned till 10 a.m.

27/1/85

Tuesday Janaury 27th
Court opened at 10 a.m.

Present the same

Claimant 20/- paid

Panapa 20/- paid

Taina Haweti

sworn 20/- paid

I belong to Te Whanau-a-te-Harawaka , a hapu of Whanau Apanui
I live at Hauraki (Thames) at present. I was present when
Hairama and Paratene gave their evidence and heard their

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Unapahane.

continued. In the fight between you and my people in 1836 I was first defeated by you, and then you by me, but I overrode I overrode the fight because you invited Hākarāia to come and make peace between us, but I don't know who of Ngaitai invited him to come. I don't know whether Hākarāia was a descendant of Teiwariri.

By Court

~~Hōtiki~~ Jotū Te Uruwānqi was of the Tānānaua māhuta hōi and also of Ngaitai. Jotū Te Uruwānqi left Māraeue on account of the death of Te Hāhāutū, and the Tānānaua hōi took possession of the land. Jotū came back to make peace, and to see a woman tattooed. He left then for Otia Kātane, where he remained, and his descendants are now called Ngati Kō Kōpū, and they are now living at Otia Kātane. It was agreed to by Ngaitai and Tānānaua hōi that Hōwākarāia lived at Hōwāi, but I cannot say too long the remaining matters before going to Otia Kātane. He remained at Hōwāi - Te Kōti Kōwānqi (another chief) was living there with him and the Tānānaua hōi. Hōwākarāia used to go to and to believe Otia Kātane and Hōwāi - his wife belonged to the former place, and it was also a chief of that place. In reference to the Ngaitai who went away, none of their descendants came back to assist us in the fights but Ngaitai did in those fights & were named. The origin of the word "Ngaitai" (not given).

Court adj. till 10 PM

27/1/85.Tuesday - January 27th

Court opened at 10 PM.

Present the same

Claimant 2 of 30

Tānānaua 2 of 30. I belong to the Tānānaua (Hōwākarāia, a chief of Tānānaua hōi).
Tānānaua Hōwāi. I live at Hōwāi (Hōwāi) at present. I was present when Hōwāi 2 of 30. Hōwāi and Hōwāi gave their evidence, and Hōwāi

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statements which I corroborate. They omitted one thing namely with regard to the confiscated boundary in which the Crown tried to have it fixed at Haparapara on the Eastern side of this block. In 1866 I made a petition to the Crown to have it fixed at Taumata-Apanui and not beyond that. In 1867 a Court was held at Opotiki - my petition was called, but I was absent at the time, where I had gone to Hawaii to get one of our elders to come and attend that Court. When we arrived, my petition had been called. Kawakura then asked in Court whether any of the Whakatohea would object or other wise to my petition. Tiwai then stood up and said that my petition on behalf of myself and Te Whanau-a-te-Rahaka was correct. After that Mr Wilson called me (Crown Agent) and told me to bring Kawakura the Chief of Whanau-a-te-Rahaka to him, when he said "Your claim is renounced for the Confiscated boundary, therefore the land will revert to your tribe". On the same evening Wi: Kiingi called on me at Mr Bennett Whites' residence, Opotiki and said that my relations should not be angry with me , I replied why should I be angry with you? he replied and said on accounts of my setting up a petition on account of the same place and so opposing you. I again said to him, I am only cooking my way and you yours. Wi: Kiingi at that time was a little in liquor, he then asked me to go and have a nip when I informed him I never never drank spirits in my life. I then requested him to discontinue the conversation on that subject, but if he wished to continue he had better go back and have his say before my whole tribe. Next morning a meeting of my tribe took place in which they agreed to leave the entire management in my hands, and Chiefs signed a document to that effect which

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Continued statements written Ikonoboraks. They omitted mentioning, namely with regard to the Confiscated boundary, in which the Brown tribe totawit fixed a Kaparapara on the Eastern side of the coast. In 1866 I made a petition to the Brown totawit fixed at Caunialāapani and not beyond that. In 1869 a Court was held at Opotiki - my petition was called, but I was absent at the time, where I had gone to Hawaii to get one of our elders to come, and attend that Court. When we arrived my petition had been called - Kawakawatān asked in Court whether any officer Whakatoa would object or otherwise to my petition. Iwai then stood up and said that my petition on behalf of myself and To Whanauakaratia &c was correct. After that Mr. Wilson called me (Brown, Plaintiff) and told me to bring Kawakawatān the chief of Whanauakaratia to town, when he said "your claim is pronounced for the Confiscated boundary." Therefore the land will revert to your tribe. On the same evening, Mr. Kūingū called on me at Mr. Bennett's residence (Potiki) and said to me that my relations should not be angry with me - I replied, why should I be angry with you? He replied and said, on account of my setting up a petition on account of the parupara, and so opposing you. I again said to him I am only correcting my way and you yours. Mr. Kūingū at that time was a little in liquor. He then asked me to go and have a trip, when I informed him I never drank sports in my life. He then requested him to discontinue the conversation on that subject, but it was tied to continue it as a better go back and time his say before my whole tribe. Next morning a meeting of my tribe took place, in which they agreed to save the entire management in my hands, and the chief signed a document to that effect, with the

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they handed to me. Kawakura then requested me to go and occupy the block at Hawaii, and all the Chiefs of Whanau Apanui agreed to that. I then informed them that owing to business, I could not then go there and occupy, I then told my young brother Hairama Haweti to go there and live, so that our elders Te Watara Wi: (the principal man of this block), Hotene, Porikapa and others might consider him as the man of the place. All these elders had been living on the block long prior to my brother's going there. I went to Auckland after Mr Bennett White's death, and while there, I used to pay occasional visits to my people, once a year I used to come.

It is only quite recently I have discontinued my visits (i.e. since the survey of this land). I claim the whole block shown on the plan, now in use here, and places outside in addition, as was stated by East witness. I must say that I do not know all the names of places within this block, that I leave for someone of ours who have occupied and others.

Only the Ancestral boundaries were given to me by Kawakura which the Government has in the document sent in by me. With regard to the dispute re survey of this block between Ngaitai and Whanau-a-te-Harawaka, my brother came to me at Hauraki (Thames) and he and I went and interviewed Mr Percy Smith (A/S/G) with regard to this survey, to which Mr Smith replied - It was not Wi Kiingi's survey (procured by him) but was intended to be the instruction of all interested herein. The block was surveyed after my brother left the place to come to me. I referred to Mr Smith the piece cut out at Motaua pa, and asked the meaning of it, when the replied it was not his doing, but was effected by Wi Kiingi and his Surveyor. I again asked him why survey of block was not made according to our first application. He replied the claim was mislaid and paid, do not be afraid, the thing will be rectified - he also appointed to see me next day at 2 o'clock, when the missing claim might

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Continued

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they handed to me. Kōhātākura then requested me to go and occupy the block at Kawarū, and all the chiefs of Wānau-apanui agreed to that. I then informed them that owing to business, I could not then go there and occupy. Then told my young brother Kōhānau Kōhātākura to go there and live, solicit our elders of Tebatara Wā (the principal man of this block), Motū, Pūhikapa and others might consider him as the man of the place. All these elders had been living on this block long prior to my brothers going there. I went to Ouekūana after Mr Bennett wrote his draft, and while there, I used to pay occasional visits to my people, once a year used to come. This only quite recently I have discontinued my visits (i.e. since the survey of this land). I claim the whole block as portion on plan, now in use there, and places outside in addition, as was stated by East witnesses. I must say that I do not know all the names of places within this block. That I leave for someone of ours who have occupied it. Only the ancestral boundaries were given to me by Kōhātākura formerly the Government was in the document sent in by me). With regard to the dispute re survey of this block between Ngaitai and Wānaua Kōhāwaka, my brother saw to me at Hāwāia (Taranaki) and I went and interviewed Mr Percy Smith (A/S./G.) with regard to this survey, to which Mr Smith replied - It was not his: King's survey (procured by him) but was intended to be the instruction of all interested in the block was surveyed after my brother left the place to come to me. I informed to Mr. Smith the piece set out at Ngatapa, and asked the meaning of it, when he replied it was not his doing, but was effected by Mr. Kingi and his surveyor. I again asked him why survey of block was not made according to our first application. He replied the claim was mislaid, and paid, do not be afraid, the thing will be rectified - (also appointed to see me next day at 2 o'clock, when the missing claim might be

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possibly turn up meanwhile. The claim was discovered in the Native Office, and then paid, I need trouble myself no further, as he would see that the thing was all right. I claim this land through ancestry, and not because the Government in response to my petition returned the land to us. My elders have lived on this block for ages and are there now. After the fixing of the Government Confiscated boundary, the people occupied the land only. I knew this land belonged to us prior to Ngaitai leaving the block, and during the Court at Opotiki here in 1867 I was then certain that my people are the real owners of the soil, and that Wi: Kiingi was not. The people who are occupying this land do so under their own right. On the Western side of the block has been taken by the Crown.

same x ex'd by
Susan Webster
20/- paid

I did not say the land reverted to me personally from the Crown, but to my people generally. My elders and myself asked the Crown to take the confiscated boundary as far as Taumata Apanui where our land ends. From what I can hear Te Harawaka and Apanui are the owners of this land. I have heard the Tike Te Ngarangi was the wife of Te Harawaka. Whanau Apanui had "mana" over this land long before the dispute with Ngaitai. Kawakura had a right to come on this because he was related to Te Harawaka and Apanui, but your people in merely used to visit this land occasionally.

same x ex'd by
Wi: Kiingi

I was born at the Wade (Auckland), and know the reasons why my mother went there to live. It was subsequent to 1867 that my people put the matter of this land in to my hands. I know of no claim that was withdrawn in 1867 at the Native Land Court. My petition to the Crown was to have this land excluded from the confiscated lands of the Crown.

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Continued. possibly turn up in canals. The claim was discovered in the Native Office, and then paid I need trouble myself no further, as it would satisfy the thing was all right.

Heinrich's land (through ancestry, and not because the Government in response to my petition returned the land to him. My elders have told me this block for ages and are true to me. As for the fixing of the Government Confiscated boundary, my people occupied the land on my lines. This land belonged to us prior to Ngaitai leaving the block, and during the Court at Potiki here in 1869 I was then certain that my people are the real owners of the soil, and that for Ngaitai was not. The people who are occupying this land do so under their own right.

On the western side of the block has been taken by the Crown.

now used by

an ancestor

of the

I did not say the land reverted to me personally from the Crown, but to my people generally. My elders and myself as the Crown told us the confiscated boundary to far as Teumataapanui, west of our land ends. From what I saw near Teumataapanui and Opanui are the owners of the land. It is the land that Iki Ngaitai was the wife of Teumataapanui. Teumataapanui had Ngaitai over his land long before the dispute with Ngaitai. He was a native of the tribe on his because he was related to the Maori, but your people mostly used to visit the land or -

rationally.

now used by

Ngaitai.

I was born at the Wado (Quek Land), and know the reasons why my mother went there to live. It was subsequent to 1869 that my people petitioned the land into my hands. I know of no claim that was withdrawn in 1869 at the N.Z. Court. My petition to the Crown was to have this land excluded from the Confiscated lands of the Crown.

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The reason why this land was confiscated was on account of a crime committed by some people of whom you are one. I heard casually that you sent in a petition to the know o/a this land, at the same time you knew you with others were guilty of the crime for which this land was confiscated. I have heard that you were living at Motaua pa after the dispute between Ngaitai and Wahanau-Apanui. The disturbance between the Natives and Europeans commenced at Waikato long before it affected these parts. You lived on this land six years. After you returned to Torere, Waharoa arrived. I lived in Te Waaka Patuto's pa when a child. I don't know of all the fights which occurred on this block. A great many have endeavoured to have this confiscated boundary moved. The reply to my petition re the confiscated boundary was lost by Mr MacKay. I do not know whether the present Judge (W.G. Mair) was present at the 1867 Court, but I have heard a Mr Mair was one of the Judges. This block has never been heard before. I do not know the boundaries of this land well and I am always moving about. I have heard them, the only reason why I appear to give evidence is on account of my petition to Government in reference to Confiscated boundary and others. The reason my people did not give to me the management of this case is because it would cause delay on account of my having been away so much from the block. I remember coming to you with my brother about six years ago, in reference to the disputed part of this block on the western side of the Hawaii stream, when you consented to that boundary and I had a surveyor ready to survey the block according to our arrangements. When however I came here, I found Paratene and others gone, I never heard that you objected to have that piece surveyed. After Paratene and others returned from Tauranga, they commenced to survey this piece, and you were one of them who had something to do with the survey. I was not present at the Court in 1867, but I heard that Tiwai corroborated Kawakura

Unophakope.

Continued The reason why this land was confiscated was on account of a crime committed by some people. Of whom you are one. I heard casually that you sent in a petition to the King of the land, at the same time you knew you with others were guilty of the crime for which this land was confiscated. I have heard that you were living at Motowapa after the dispute between Ngaitai and Whānauapanui. The disturbance between the natives and Europeans commenced at Waitato long before it affected the papas. You lived on this land six years. After you returned to Torow, Teatiora arrived. ~~Teatiora~~ lived in Teatiora Kaitiaki's pa within a while. I don't know of all the things which occurred on this block. A great many have endeavored to have this confiscated boundary moved. The reply to my petition re the confiscated boundary was lost by Mr. Hae (Hae). I don't know whether the present Judge (Judge Hae) was present at the 1874 Court, but I have heard a Mr. Hae was one of the Judges. This block has never been recorded before. I don't know the boundaries of this land well, as I am always moving about. I have the admission the only reason why I appear to give evidence is on account of my petition to Government in reference to confiscated boundaries. The reason my people did not give to the management of this case is because it would cause delay, on account of my having been away so much from the block. I remember coming to you with my block about six years ago, in reference to the disputed part of this block on the western side of the Hawaiki stream, when you consented to that boundary, and made a surveyor ready to survey this block according to our arrangements. When however Tamara Afonua (Afonua) and others came - I never heard that you objected to have that piece surveyed. After Papanui and others returned from Wanganui they commenced to survey this piece and you were one of them who refused to do with the survey. I was not present at the Court in 1874, but I heard that Teatiora corroborated the story.

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Statements. I have heard that Tiwai belongs to Whakatohea. I heard that you and your tribe were with Te Waharoa at Te Kaokaoroa, I was then living at Te Rangitaiki, living with Te Rangitukehu, (Chief of the Pahipatoa). I have heard that you had something to do with the Crown in the matter of the peace-making between your own people. I do not know the pas named by my brother, but I know the neighbourhood at the mouth of the Hawaii stream, whrer I have often bathed. I have seen Hine Te Kahu cave, (within this block). Had I lived amongst my people, I could have given all particulars about this block. Both you and I were ignorant in former days. All my elders are living on this land (belonging to our hapu). I know Tuihana. The majority of Whanau-Apanui (when I used to see them in the olden days) were living at Maraenui, Omaio, Te Kaha and others, and also at Hawaii and Tunapahore. I know there are afew of Whanau-a-te-Hara-waka now living on this land.

Ngaitai and Whanau-a-te-Harawaka lived together quite recently for about two generations and I have heard the Te Hara-waka was a descendant of Te Whaki of Ngaitai, and I also, am a descendant of hers. Our relationship commenced from Te Whaki, but we did not live together on this land in her time. I am not aware that Whanau-a-te-Harawaka when they living on this block were afraid of anyone living there. The reason why I did not persist at that time to have the Western side of the Hawaii stream survey was on account of the probability of bloodshed arising.

This closes counterclaimants case (Panapa's)

Court adjourned till 1.30.

