

Tunapahore 2/2/1885

Te Ruahangitake was of Ngaitai - From all I can hear it was on account of fights between ourselves and Whanau Apanui that the latter thought.

Tamaiwahia-terangi and Te Maura are those of Te Whanau-a-

te-Harawaka who returned with Ngaitai from Turanga, there were about ten who returned.

Te Whanau-a-te-Harawaka are a hapu of Te Whanau Apanui

Court adjourned till

10 a.m. tomorrow

Tuesday February 3rd 3/8/85

Court opened at 10 a.m.

Present the same.

Wi: Kiingi

sworn 2/- paid

20/- paid

I live at Torere and belong to Ngapotiki a hapu of Ngaitai. I know this block and have a claim to it through (as stated by myself at opening of case and others).

I confirm what my witnesses have said, I made a statement at the Commissioners Court held here in Opotiki that the Ancestral rohe commenced and others as described by my witness, and Te Whakatohea also stated their rohe at that Court, which differed from mine.

At the hearing of the Whitikau and Whakapaupakihi blocks, I also mentioned our Ancestral rohe. I also named part of rohe from Kaitaura to Te Paku at a meeting which was held at Turangi, called by the Crown and at which Wi: Pere, Tatana and others were present. A certain document was there agreed to by us which stated, (in reference to the rohe).

Intertribal fights during Christianity

On one occasion while I was living and cultivating at Putakataka on Western side of Waiomuri stream.

Continued. Te Kua tangilake was of Ngaitai - From all I can hear it was on account of fights between ourselves and the Wānauapanui that we called the māuquā - -

Tamaitiātātara ngi and the Ngāwā are those of the Wānauapanui who returned with Ngaitai from the war, there were about ten who returned.

The Wānauapanui are a hapu of the Wānauapanui

Court adjourned till

10 PM tomorrow.

Tuesday, February 3rd

3/2/85

Court opened at 10 PM.

Present the same.

Te Kīngi I live at Torowā and belong to Ngāpotiki a hapu of the Wānauapanui. I know the block and name, a claim to it. I know of the block and name, a claim to it. I know of the block and name, a claim to it.

I confirm what my witnesses have said.

I made a statement at the Commissioners Court held here in Ngāpotiki in 1877. Ancestral title commenced as described by my witnesses, and the Wānauapanui also stated their title at that Court, which differed from mine.

At the hearing of the Whitiāra and Whitiāra-paupākihi blocks, I also mentioned our Ancestral title. I also named part of the land from Ngāpotiki to the Wānauapanui at a meeting which was held at the war, called by the Crown, and at which the Wānauapanui, the Wānauapanui and others were present. A certain document was then agreed to by the Wānauapanui, in reference to the land.

Intertribal fights during Civilianity

On one occasion while I was living and cultivating at the Wānauapanui on the W side of the Wānauapanui stream.

Tunapahore 3/2/1885

Whanau Apanui came and attacked me there. All Ngaitai were cultivating there at that time - they did not however attack us then, but went and built a pa at Pakoriri. After they had been living there a number of days.

Ngaitai were the aggressors on this occasion for when Whanau Apanui commenced to plant onions, they drove them off the ground - they retaliated and attacked them. Ngaitai retreated to Pakukura when they saw Apanui approaching and they fought there. Paora Pehipehi of Te Whanau Apanui was the person who fired the first gun. I was present myself and carried arms, though young, Ngaitai were defeated and five of them were killed. Whilst the fighting was going on, on the cultivations, it was continued also in the pa.

After awhile Whanau Apanui retreated (those on the cultivation), and whilst they were in a creek, Ngaitai fired upon them. Mohe Te Okoko (is stated by witnesses) was on our side. When Ratapu saw his brother struggling through a wound he had received, he ran towards him, and remained then with the Ngaitais and never returned to the Apanuis again until after peace was established.

Mohis' wife was Te Waaka Patutos' sister I believe, but I am not quite clear on that point - Rorea was her name. Ngaitai pursued Whanau Apanui as far as Totara, where Te Puni requested them to cease so doing. Te Puni himself went in to Whanau Apanuis' pa - three of the latter were killed and left behind. Takatakaorangi a nephew of Te Hori Kerei Te Kutikeirangi - Tikitiki, and Hamuera were the names of those three killed.

At the fight which took place at Tunapahore, two of Ngaitai were killed, and Te Waaka Patutoro was taken prisoner at the fight by Taikitewawa (of Ngaitai).

3/2/1885

Tunapahone

Continued Wānānauapanui came and attacked me there. All Ngaitai were cultivating kōwhiri at that time - they did not however attack Wānānauapanui, but went and built a pa at Tākōwiri. After they had been living there a number of days.

Ngaitai were the aggressors on this occasion, for when Wānānauapanui commenced to plant onions, they drove them off the ground. They retaliated, and attacked them. Ngaitai retreated to Tākōwiri and when they saw Apanui approaching, and they fought them. Pora Te Kōwhiri of Wānānauapanui was the person who fired the first gun. I was present myself, and carried arms, though a young one. Ngaitai were defeated, and five of them were killed. Whilst the fighting was going on on the cultivation, it was continued also in the pa.

After awhile Wānānauapanui retreated (more on the cultivation) and whilst they were in a creek, Ngaitai fired upon them. Mori Te Oroko (as stated by witnesses) was on our side, and his younger brother Ratapu was on the Apanui side. When Ratapu saw his brother struggling through a wound he had received, he ran towards him, and remained then with the Ngaitai, and never returned to the Apanui again until after peace was established.

Mori's wife was Te Wākaia, Pātoto's sister & believe, but I am not quite clear on that point - Kōwa was her name.

Ngaitai pursued Wānānauapanui as far as Totara, where Te Puni requested them to cease so doing. Te Puni himself was a minister, and related on both sides, and he himself went into Wānānauapanui's pa. Three of the latter were killed and left behind. Takatākāorangi a nephew of Te Kōwhiri Te Kōwhiri - Te Kōwhiri, and Hamuera were the names of more three killed.

At the fight which took place at Tunapahone, two of Ngaitai were killed, and Te Wākaia Pātoto was taken prisoner at that fight by Te Kōwhiri (of Ngaitai).

Tunapahore

Ngaitai wanted to kill him, but Taikitewawa, who was related on both sides, objected, Pohis life was spared. They wished for his life as a payment for their dead. About a year after this Te Whanau Apanui again resumed fighting with Ngaitai at Tapui, and the former were defeated. (Tapui is on Southern side of Tunapahore stream). (of swamp) and in land of the Tunapahore stream. A good many of Whanau Apanui Chiefs were killed on that occasion. viz. Paora Ngamoki, Paora Patu (son of Te Arapakahou), Paratene Rangihia, Turei Te Arapakahou, also Te Waaka Patutoro, and others. The only satisfaction they got for those killed was Tuakuna of Ngaitai, whose death they effected. There were about 16 of Whanau Apanui killed in all, at that fight.

After that fight, my father Te Puni, set up a white flag at Motaua pa, and when Hori Kerei Tiketikerangi (of Whanau Apanui) saw it, he came to Ngaitai at Takapau, where he was welcomed by them, and after nosing and others, together, Ngaitai wept over him and others. He then informed Ngaitai that he had not come to make peace because there had been a great many of Whanau Apanui killed.

He then returned to assist in collecting their dead.

When we attacked Whanau Apanui at Pakoriri, I myself was in that fight, and got as far as the fence of their pa, but owing to the inhabitants of the pa being chieftly women and children, Wi: Kiingi Taku, Paratene Ngaini, Heremia Tautari, (all of Ngaitai) they all prevented the attack being made on the pa, on account of the sex of the inhabitants thereof. I myself also objected too - this was in the morning. At noon of the same day, they came and fought at the cultivations above, named where the onions were planted and others and others:

Continued

Ngaitai wanted to kill him, but Tairikiwaawa, who was related on both sides, objected, but his life was spared. They wished for his life as a payment for their dead. About a year afterwards Te Wānauapanui again resumed fighting with Ngaitai at Tāpui, and the former were defeated. (Tāpui is on ^{southern} western side of Tunapahore stream. (of swamp) and inland of the Tunapahore stream. A good many of Te Wānauapanui Tairi were killed on that occasion, viz. Pāora Ngamokū, Pāora Tātū (sons of Te Wāaaka Pātutoro), Pāratene Rangiaia, Tūrei Te Anapahāhou, also Te Wāaaka Pātutoro, and others. The only satisfaction they got for those killed was the taking of Ngaitai, whose death they effected. There were about 16 of Te Wānauapanui killed in all at that fight.

After that fight, my father Te Hīni set up a white flag at Motauapa, and when Hōi Kōwi Tīkēhi Keirangi (of Te Wānauapanui) saw it, he came to Ngaitai at Tāpāpā, where he was welcomed by them, and after noising it to his kin, Ngaitai wept over him &c. He then informed Ngaitai that he did not come to make peace, because there had been a great many of Te Wānauapanui killed.

He then returned to assist in collecting their dead.

When we attacked Te Wānauapanui at Pa Kōwiri, myself was in that fight, and got as far as the fence of their pa, but owing to the inhabitants of the pa being chiefly women and children, Te Kīngi Tākū, Pāratene Ngāini, Hōemiāhūmāhū (all of Ngaitai) they all prevented the attack being made on the pa, on account of the loss of the inhabitants thereof. I myself also objected too - this was in the morning. At noon of the same day, they came and fought at the cultivations above named where the onions were planted &c. &c.

Tunapahore

The people who were living at Tuhua Island, Ngati Awa, Ngati Pahipotū, Te Whanauatehutu. Te Whanauamaru, Te Whanauapararaki and others were against us in these fights, (being with the Whanau Apanui). Ihaia Tarakawa of Ngati Whakaue, Te Arawa also fought against me, he was a great general. I have heard that a piece of land was given to him at Otūwhare (near Omaio) on account of his bravery, by Te Whanau Apanui - he himself applied to have it investigated and Paratene Te Aratahatu here objected to his setting up any claim to that piece.

After that Te Whanau Apanui considered amongst themselves the best means of attacking Ngaitai again, and Ruka Tieke, who was in our pa at Tarere, used to sneak out from the pa to convey to Apanui what Ngaitai's designs were, he explained to Whanau Apanui at Hawai, the position of Ngaitais pa.

Whanau Apanui determined at length on a night where in to attack Ngaitai, but Tamatamarangi No.1. suggested to wait until the arrival of Te Whanauatehutu - however they did not do so, so attacked Ngaitai in the night, and the sneaker Ruku Tieke was in our pa, blowing a flute or trumpet, in other words giving the Apanui's signals.

When Whanau Apanui arrived outside the fence of the pa, they called out to him to allow his children and wife to come out of the pa, and he himself remained within the pa. Hemi Te Rua and Arapeta Putiki wondered what his man was bugling for, as it was unusual at such a time - they smelt a rat - they came to the gate where Ruka Tieke was standing (at those times the gates are always closed, and any person desirous of going out must be accompanied with another), but Ruka used to go in and out alone. He (Ruka) requested those two to go forward where the war-parties were and they suspecting something, did not comply.

Tunapahore

Continued. The people who were living at Tenuia Island, Ng'awa, Ng' Panipotu, Te Whānauatūhū, Te Whānauapanu, Te Whānauapanaraki etc. were against us in those fights, (being with the Whānauapanu). Itāia Tarakūwa of (Ng' Whānau) Te Whānau also fought against me as was a great general. Itāia heard that a piece of land was given to him at Otūwāro (near Omāio) on account of his bravery, by the Whānauapanu. He himself applied to have it investigated and a Tānaki Te Whānau was objected to his putting up any claim to that piece.

Afterwards the Whānauapanu considered amongst themselves the best means of attacking Ngaitai again, and Rukā Tīke^{who} was in our pa at Tānaki, used to sneak out from the pa to convey to Apanui what Ngaitai's designs were.

~~Whānauapanu~~ at last built a pa. He explained to Whānauapanu at Ngāwai. The position of Ngaitai's pa.

Whānauapanu determined at length on a night when to attack Ngaitai, but Tamatamarangi No. 1. requested to wait until the arrival of Te Whānauatūhū. However they did not do so, so attacked Ngaitai in the night, and the snaker Rukā Tīke was in our pa, blowing a flute or bannet, in other words giving the Apanui signals. When Whānauapanu arrived outside the fence of the pa, they called out to him to allow his children and wife to come out of the pa, and he himself remained within the pa.

Hemi Te Whānau and Arapeta Tūhū wondered what the man was buying for, as it was unusual at such a time - they smelt a rat - they came to the gate where Rukā Tīke was standing (at those times the gates were always closed, and any person desirous of going out must be accompanied with another). But Rukā used to go in and out alone. He (Rukā) requested those two to go forward where the war parties were

No. 1, suspicious - something, did not comply.

Tunapahore

They returned to the whare of Tamaihaoterangi, and they hinted to him their suspicions, and at the same time warned him to be on his guard. On their return to their whare, their pa was attacked by Whanau Apanui, the gates having been opened by Ruka Tieke. One of them went straight on to Tamaihaiterangis' whare. (I myself was asleep in that whare), and this man who went was in league with Ruka and Whanau Apanui to kill Tamaihaoterangi.

Tamaihaoterangi shot Hohepa Pohokuikore (one of the men) at his own door. Te Tatana's father (Teroro) was also shot near the stream in the vicinity of the pa - Whanau Apanui eventually retreated without having fired a shot - and returned home. Our Elders went out of the pa to see Te Roro who was lying near the stream. In the morning their corpses were wrapped up and taken to Otukino pa by Ngaitai, and from there they sent two Whanau Apanui to come and get them. After that, Whanau Apanui again thought of fighting - they built Te Oneonenui pa, with that object in view, and requested that no one should go out of it in order that Ngaitai would be under the impression, that it was uninhabited. They used to provision the pa at night time. Our elders warned us not to go near that pa - Te Whanau Apanui fired into that pa, from Rangihoua pa. (At that time I was not looked upon as anyone of importance in war matters, being young).

I myself was on the top of one our whares, when I saw Ruka Tieke firing into the pa - they had no bullets in the guns, which convinced me there was no one in the pa.

I then called out to Ngaitai, there is no one in that pa, let us go and take possession of it.

Continued

They returned to the warriors of Tamaiaoteraangi, and they hinted to him their suspicions, and at the same time warned him to be on his guard. On their return to their own warriors, their pa was attacked by Te Wānauapanui, the gates having been opened by Rūka Teke. One of them went straight on to Tamaiaoteraangi's utaro. (I myself was asleep in that time), and this man who went was in league with Rūka and Wānauapanui to kill Tamaiaoteraangi. ~~They shot him at the door.~~ Tamaiaoteraangi shot Hōhepa Potioruikoro (one of the men) at his own door. Te Wānauapanui's father (Wero) was also shot near a stream in the vicinity of the pa. Wānauapanui eventually retreated without firing a shot and returned home. Our Elders went out of the pa to see Roro who was lying near the stream. In the morning their coffins were wrapped up and taken to Oturūno pa by Ngaitai, and from there they sent Te Wānauapanui to come and get them.

After that Wānauapanui again thought of fighting - they built Te Wānauapanui pa with that object in view, and requested that no one should go out of it in order that Ngaitai would be under the impression, that it was uninhabited. They used to provision the pa at night time. Our elders warned us not to go near that pa. Te Wānauapanui fired into that pa, from Hāngitōua pa. (at that time I was not looked upon as anyone of importance in war matters, being young).

I myself was on the top of one of our warriors, when I saw Rūka Teke firing into the pa - they had no bullets in the guns, which continued until there was no one in the pa. Then called out to Ngaitai, There is no one in that pa, let us go and take possession of it.

Tunapahore

When those who were inside the pa saw Ngaitai approaching they retreated back. At that time the firing was reduced considerably, so Ngaitai made for the pa (Oneonenui), when they arrived there and commenced pulling the palisading down. Te Whanau Apanui rose up and fired on them, being greatly surprised at finding it occupied after all - they retreated, and one of their men (Paraone) was shot in the back and he died the next morning.

We did not send for Hakaraia to come and make peace. The Reverend Mr Preece and others, came to make peace between Ngaitai and Whanau Apanui, but they would have none of it although Ngaitai were in favour of it. After them Hakaraia came and previous to his coming, Te Keepa Rangipuaeoki came to us with his sister who married a Ngaitai. When Hakaraia came, he went straight on to Pakoriri, and did not call at our pa Motaua - Te Keepa then joined Hakaraia in his endeavours to make peace, they also came with Maura to Motaua pa - that was the first intimation we had of Hakaraia's coming to make peace.

Hakaraia's song for the occasion on here repeated.

When Hakaraia returned to Pakoriri after effecting peace, he took with him Mihi Terina and Makere Pani (two Ngaitai women), nothing was said about returning land at this time (as stated by other witnesses), and when those women returned to us, Harawira and others and Hakaraia, also discussed about the peace-making with Ngaitai, and when Apanui returned to their pas. Te Keepa and Hakaraia, and some of Ngaitai went with them to their pa, where they discussed the peace-making. Nothing was said about returning the land. Hakaraia requested all the Whanau Apanui including the women and children to go to Motaua pa

Tunapakore

Continued: When those who were inside the pa saw Ngaitai approaching, they retreated back. At that time the firing was reduced considerably, so Ngaitai made for the pa (Oneonenu), and they arrived there and commenced pulling the palisading down. Te Whānauapanui rose up and fired on them, being greatly surprised at finding it occupied after all. They retreated, and one of their men (Ikorau) was shot in the back and he died the next morning.

Ukeli did not send for Hākaraia to come and make peace. The Rev. Mr. Shee & Co. came to make peace between Ngaitai and Whānauapanui, but they would have none of it, all the Ngaitai were in favour of it. After this Hākaraia came and previous to this coming. Te Kēpa Raukipuawhi came to us with his sister who married a Ngaitai. When Hākaraia came, he went straight on to Pakōwiri, and did not call at our pa Motaua - erected a tent at Pakōwiri pa.

I cannot say how many days he remained there, before he came to us with Mauna. Te Kēpa then joined Hākaraia in his endeavours to make peace. They also came with Mauna to Motaua pa - that was the first intimation we had of Hākaraia's coming to make peace.

Hākaraia's pong for the occasion now repeated.

When Hākaraia returned to Pakōwiri, after effecting peace, he took with him Mīniserina and Makero Pani (two Ngaitai women) - nothing was said about returning land at this time (as stated by other witnesses), and when more women returned to us. Hānau and others and Hākaraia also discussed about the peace-making with Ngaitai, and when Apunui returned to their pa, Te Kēpa and Hākaraia, and some of Ngaitai went with him to their pa, where they discussed the peace-making - nothing was said about returning the land. Hākaraia requested all the Whānauapanui, including the women and children to go to Motaua pa.

Tunapahore

to make a final arrangement about peace - they all went. Hakaraia stood up and said to Ngaitai and also Whanau Apanui (tears running from his eyes). Peace has now been made, let it reign amongst you. Te Puni then stood up and said, in my opinion, Let the peace-making between the two tribes be yours, and with regard to the land, let Ngaitai and Whanau Apanui settle it amongst themselves. Hone Kerei Tiketikerangi seconded it - those are the only statements I know of in reference to this, and with regard to the returning of the land, as stated by my friends, I deny their statements in toto - they stated that Te Keepa wrote notes at the meeting purporting to relate to the matters then in consideration - this is the first time I know of the existence of such a document, when put in at this Court and in this case. I have been endeavouring to ascertain if any document has been signed by Ngaitai and Whanau Apanui relating to this block, and up to the present, I have not succeeded. I have in my possession word (wire) from Te Keepa which I produce now, dated January 31st 1885. "Ngaitai did not return to Tunapahore". being the tenor of the telegram - this was in reply to a wire I sent him.

Court adjourned till 1.30

Resumed at 1.30

Continued

Hakaraia said at the meeting to both Ngaitai and Whanau Apanui, "As you too are not agreeable to the settlement of the dispute between you in reference to this land, Te Whanau Apanui had better go and live at Maraenui, and Ngaitai to Torere - they agreed to this - I did not hear Hori Kawakura say at that meeting, that he would remain

674

1890
 1891
 1892
 1893
 1894
 1895
 1896
 1897
 1898
 1899
 1900

"Ngaitai did not return to Tunaparo", being the
 terror of the telegraph. This was in reply to a wire sent
 him.

Resumed at 1.30

Ma Kaniāia paid at the meeting to both Ngaitai and
 Te Hanaupānui, & you too are not agreeable to the
 settlement of the disputes between you in reference to the land,
 & Te Hanaupānui tried better to go and live at Manakau, and
 Ngaitai to Torere - they agreed to this - I did not hear from
 Kaniāia since that meeting, that he would remain

Tunapahore

on the land, as stated by Panapa's witnesses. I do not admit that statement at all. Although Whanau Apanui consented at that meeting to return to Maraenui, they only went as far as Whituare, I cannot say how long they lived there, perhaps three years, before they went on to Maraenui, I myself lived and grew maize with Te Tatana and others there - that was after the peace-making. Some of Ngaitai stayed at Motaua Pa and others went back to Torere (also after the peace-making). While I was living at Whituare, a messenger (Te Otene) was sent by Sir Donald McLean, the then Native Minister - Te Aitangamahaki (some of) were there with me cultivating. Sir Donald sent for me, was to give him the names of Hauhau rebels. When I arrived here in addition to Sir Donald, I saw Major Mair and Mr Clarke. Sir Donald then asked me to hand over those who had committed murders and others: - I refused - When I reached Torere some of those Hauhaus wanted to go to Hawaii, although the Government said that they should remain under my protection - however they persisted in going there, and eventually they went after gaining my consent. That was the first time that Te Whanau-a-te-Harawaka came from Whituare to Hawaii. On that account I requested Mr Brabant to tell them to go to their kaingas, but they took no notice of him - After that I mentioned to Major Swindley that I had seen Whanau-a-te-Harawaka cultivating on this side of Hawaii stream, and to have them returned to Maraenui - he said thus Te Whanau-a-te-Harawaka, whilst we were at Maraenui - "You must cease living on this block" - At that time my people were anxious to occupy the other side, but objected to their wish, and told them to remain in peace, as I did not wish to have any further disturbance between Ngaitai and Te Whanau Apanui -----

Tunapahore

Continued on the land, as stated by Panapa's witnesses. I do not admit that statement at all. Altho' Wānauapanui consented at that meeting to return to Maraeu, they only went as far as Writuare. I cannot say how long they lived there, perhaps three years, before they went on to Maraeu. I myself lived and grew maize with Te Satana and others there - that was after the peace-making. Some of Ngaitai stayed at Motauapa and others went back to Tōrenu (also after the peace-making). While I was living at Writuare, a messenger (Te Uenu) was sent by Sir Donald McLean the then Native Minister - Te Aitangaamahaki (some of) were there with me, cultivating. Sir Donald sent for me was to give him the names of Hawaiian rebels. When I arrived there in addition to Sir Donald, I saw Major Main and Mr. Clarke. Sir Donald then asked me to stand over those who had committed murders &c. - I refused - When he asked Tōrenu, some of those Hawaiians wanted to go to Hawaii, although the Government said that they should remain under my protection - however they persisted in going there, and eventually they went, after gaining my consent. That was the first time that Te Wānauatehārawaka came from Writuare to Hawaii. On that account I requested Mr. Brabant to help him to go to their own Kaiingas, but they took no notice of him - After that I mentioned to Major Peinley that I had seen Wānauatehārawaka cultivating on the side of Kaurai stream, and told him to return to Maraeu - he said thus to Te Wānauatehārawaka, whilst we were at Maraeu - "You must cease living on this block" - At that time my people were anxious to occupy Tunapahore on account of Wānauatehārawaka occupying the other side, but I objected to their wish, and told them to remain in peace, as I did not wish to have any further disturbance between Ngaitai and Te Wānauapanui.

Tunapahore

I also told my people that my wish was to let a European Court settle the dispute between us. All this was subsequent to Hakaraia's peace-making. O was the only person (Ngaitai) who observed that peace-making. Last year I saw the application made by Te Whanau-a-te-Harawaka to have this block investigated, and I asked Mr Baker for the application. (the Surveyor Alma Baker). I made a copy of it, returning him the original. Mr Baker, Mr Bush and Myself went to Maraenui, taking the applications with us, and then on to Te Kaha where we discussed about them with Whanau Apanui. I told them I did not agree with their application, and that I should make one for myself. The Survey of this block was based on my application, as proved by the Survey. After that and prior to the commencement of the survey, I paid a visit to Hawai, to see Te Aratahatu, Hotene, Hairama and Tuihana (f) - I spoke to them and said we should amalgamate in setting up a case for this block, to which they agreed, and when the majority of them at Maraenui heard of it, they objected at once. After that I was written to by Te Ara and others to come and see them at Hawai - when I got there, they informed me that our arrangement was not welcome to the Whanau Apanui. Te Ara and others there and then said to me, "Let the Western side of the Hawai stream be Surveyed", I replied (although our previous arrangement has not been approved of by you), regarding the survey, and that was the last consultation I had with them, and I was desirous that this Court should settle the matter between us - the survey of this block was then gone on with on my application - this is the map of it here (now in use at the Court).

Continued I also told my people that my wish was to let a European Court settle the dispute between us. All this was subsequent to Hagarai's peace-making. I was the only person (Ngaitai) who observed that peace-making. Last year I saw the application made by the Umanauatehiraawa to the Hon. Mr. Baker, and I asked Mr. Baker for the application. (Misereyot-alma Baker). I made a copy of it, returning him the original. Mr. Baker, Mr. Brown and myself went to Mananui, taking the applications with us, and then on to the Kana where we discussed about them with Umanauapanui. I told them I did not agree with their application, and that I should make one for myself. The survey of this block was based on my application, as proved by the Survey. After that and prior to the commencement of the survey, I paid a visit to Hawaii, to see the Arataata, Koleru, Kaurama & Tuitana & I spoke to them and said we should amalgamate in setting up a case for this block, to which they agreed, and when the majority of them at Mananui heard of it they objected at once. After that I was written to by the Ara and others to come and see them at Hawaii. When I got there, they informed me that our arrangement was not welcome to the Umanauapanui. The Ara and others there and then said to me, Let the western side of the Kaurai stream be surveyed. I replied (although our previous arrangement was not been approved of by you) regarding the survey of this block, that I should now proceed with my survey, and that was the last consultation I had with them, and I was desirous that the Court should settle the matter between us. The survey of this block could then go on with my application. This is the map of it here (now in use at the Court).

Tunapahore

After the last consultation, we looked upon one another as strangers. During my Ancestor's and fore fathers' time, the Ngaitai always lived on this land and under their ow "mana" - even in my own time they do so and under their "mana", and I as Cheif over them. I have always used my best endeavours to keep peace amongst these tribes.

same x ex'd
by Panapa
20/- paid

The statements made by the last two witnesses were derived from our Ancestors and I uphold them as being true. Tainui's rohe were fixed properly by their descendants. Tarera and Tamaotea were descendants of Torere and Tainui. I did inform the Court that I was going to give evidence on the more recent fights, I don't understand pedigrees. The Ancestral boundaries were laid down by Torere's descendants. Ngaitai are a very brave people. I have never heard that Ngaitai were protected by Whanau Apanui at Tunapahore. It is true that Ngaitai were defeated at Waiaua by Whakatohea, and were also defeated by me subsequently, at Torere and other places. At that time, there was no one living at Waiaua - Whakatohea were then living here at Opotiki. Whakatohea live at Waiaua after the fall of the Puketapu pa, also Ngatirua. The only people I remember conquering are the Ngariki. (Ngarikirataoa being the same people). There were no other Ngarikis other than those we conquered and as stated by my witness. I consider my claim through Conquest to this block is correct although the land belonged to us also through Ancestry, because of the Ngariki who came and insulted us by fighting against us. I deny the fights between Ngariki and Apanui, which your witnesses have stated to the Court.

Tunapahore

Continued After the last consultation, we looked upon one another as strangers. During my Ancestors and forefathers time, the Ngaitai always lived on this land and under their own mana. Even in my own time they do so and under their mana and I as chief over them. I have always used my best endeavours to keep peace amongst these tribes.

pano x co d
by Panapa
of paia

The statements made by the last two witnesses were derived from our Ancestors and I uphold them as being true.

Tainui's people were fixed properly by their descendants. Tarera & Pamaoka were descendants of Torea and Tainui. I did inform the Court that I was going to give evidence on the more recent fights, I don't understand pedigrees. The ancestral boundaries were laid down by Torea's descendants. Ngaitai are a very brave people.

I have never heard that Ngaitai were protected by Whanauapanui at Tunapahore. It is true that Ngaitai were defeated at Waiaua by Whia Ratoua, and were also defeated by me subsequently at Torea and other places.

At that time, there was no one living at Waiaua. Whia Ratoua were then living here at Epotiki.

Whia Ratoua lived at Waiaua after the fall of the Puketapu pa, also Ngatoua. The only people I remember conquering are the Ngaitai (Ngaitai being the Pama people). There were no other Ngaitai other than those we conquered and as stated by my witnesses.

I consider my claim through conquest to this block is correct, although the land belonged to us also through Ancestry, because ^{of} the Ngaitai came and insulted us by fighting against us.

I do deny the fights between Ngaitai and Apanui, which your witnesses have stated to the Court.

Tunapahore

but it was Ngaitai who drove Ngariki away from this block, and they went away to Whakaare and other.

I don't know why Whanau Apanui did not come and protect Whanau-a-te-Harawaka who were living under my "mana".

Ngaitai were not driven by Pane Nihu to Te Kaha. I have heard something about a dog that was killed from which a fight ensued.

I telegraphed to Te Keepa Rangipuaha on account of the false statements you have been making to the Court. It was on Thursday last that I wired to Te Keepa, as far as I remember. Hori Kawakura did not say that Te Whanau Apanui should return to Maraenui, and Ngaitai to Torere, and Te Whanau-a-te-Harawaka should remain on this block. I am quite agreeable to Keepa Rangipuaha being called either by you or the Court, providing you stand the expenses attached to his coming.

I was the last man who left Motaua pa (long after the peace-making). There were two Europeans who lived with us at Tunapahore - viz. Simpkins and Dawson. They came there and Ngaitai allowed them to remain. Mr W Dawson came to Tunapahore before I was born. He put up three houses in his time, and married Iripeti Te Auripo of Ngaitai. George Simpkins erected one house only on the land.

Te Whanau-a-te-Harawaka are living now at Hawaii. Hori Kawakura died at Whakatane, and Hare Te Wairama died at Maraenui, and they were both buried on this block near Hawaii.

All those who were killed in those fights were buried at Maraenui. The burial places at Hawaii are ancient ones, but I am not aware at the same time that they belonged to you. From Tokaroa to Raukakatihi and Otaitapu are my Ancestral boundaries but at

Tunapahore

711

Continued

but it was Ngaitai who drove Ngauri Ki away from the block, and they went away to Whakaranga & Co.

I don't know why Whianauapanui did not come and protect Whianauakārawa & who were living under my name. Ngaitai were not driven by Paine Nicu to Whakaranga. It was I heard something about a dog that was killed from which a fight ensued. I telegraphed to Te Kēpa Rangipūatia on account of the false statements you have been making to the Court. It was on Thursday last that I wired to Te Kēpa, as far as I remember. Mori Kawarua did not pay that Te Whianauapanui would return to Ngauri, and Ngaitai to Tororo, and the Whianauakārawa would remain on the block. I am quite agreeable to Te Kēpa's ^{Rangipūatia} being called either by you or the Court, providing you stand the expenses attached to his coming. I was the last man who left Motunui (long after the peace-making). There were two Europeans who lived with us at Whianauapanui - viz Simpson & Dawson. They came here and Ngaitai allowed them to remain. Mr W. Dawson came to Tunapahore before I was born. He put up three houses in the line, and named Iripiti & Awipō of Ngaitai. George Simpson erected six houses only on the land.

Te Whianauakārawa are living now at Hawai. Mori Kawarua died at Whakaranga, and Haris Whairama died at Ngauri, and they were both buried on the block near to Hawai.

All those who were killed in those fights, were buried at Ngauri. The burial-places at Hawai are ancient ones, but I am not aware at the same time that they belonged to you. From Tokoroa to Raukakahiti and all the way are my ancestral boundaries, but at

TUNAPAHORE

the meeting. Whanau-a-te-Harawaka counted the time surveyed from Otaitapu to Tokoroa. Ngariki was a cargo tribe and hence the reason of the number offers on this block.

Ngaitai were not defeated by Whanau-a-te-Harawaka survey, should they live under their mana.

Tamahaua is of Te Whanau-te-Hutu and also of Ngaitai, but now of the former Keita Kiingi is of Ngaitai and also of Whanau-Apanui. (Wife of Uri Kiingi i.e)

It was through aroha that Keita Kiingi gave Whanau-Apanui some money according to native custom, it had no bearing to natives on this case.

Court adjourned till 10 a.m. tomorrow.

4/2/85

Susan 20/- paid
claimant 20/- paid

Wednesday Febraury 3rd
Court opened at 10 a.m.

Present the same.

Wi Kiingi
x ex'd by Susan
Webster

It was agreed by Ngaitai that those strangers who travelled along the coast and also Hakaraia and others were not to be molested by us, I am not aware that this applies to Whanau-Apanui. Te Marangi was an opponent of mine in former days. My brother Mihaere Taumanu determined to kill him but was prevented by our elders from so doing. Te Marangi was one of the leading men in those fights. In those days we were always kind to the people. I have heardv of Tutamore Taipuna was a brother of his. I have also heard that Tuwairua was a younger brother of his, I have heard too of Tapui Kakhu who lived at Waiaua in olen days. I know something of the fights which took place outside Te Karahiahoho fight took place on this block, (Ngaitai v Ngariki). Ngariki were treated by Ngaitai as guests previous to that fight Ngaitai inter-married with other tribes, and Wepiha is one of that issue (my hushand).