

FRIDAY, 4TH FEBRUARY, 1881.

*Case for the Crown.*

*Major Mair* said: I will call some of the grantees, beginning with—

*Rihia Te Kauae*, sworn: I know Pukekura; I will tell the Commissioners what I know about it. I do not claim Pukekura for myself, but for my friends who are in the Crown grant. Our claim is from conquest. Marutuahu were living here at Horotiu. They began to steal our food and show other indignities, and to kill us. I turned in defence and began to kill. I killed Te Hou and Tuanui. This was after the emigration to Kapiti. After this I went to Maungakawa. They followed me there. We had a battle there. They killed one of our men named Pou Rangatira. We fought again, and killed one of theirs. I do not know his name. We killed Takurua, the chief man of Ngatimaru (Marutuahu). Waharoa was so pained by the death of Takurua that he went to Tauranga. I and my father stayed behind and fought again with Marutuahu, and killed about 200 of them. When Te Waharoa heard of these two battles—viz., our battle with Marutuahu and a battle with Ngapuhi—at Tauranga, he collected 1,000 Ngaiterangi and came to Maungakawa, and then made the descent on Taumatawiwi. Marutuahu was defeated. We then retook Maungatautari, Pukekura, Patetere, and all the surrounding country, and we lived on it from that time until the present. When Maungatautari, Pukekura, and country were divided out Pukekura was allotted to Wiwini by Ngatihaua. I am a true Ngatihaua. Te Wiwini said “Pukekura for me, if you like, because it was my ground”; but I was not aware that Wiwini had any previous right. Had Te Waharoa not consented, he could not have gone there, notwithstanding his former right. At the time of the division and after an especial piece was marked off for Ngatiapakura; this was because we had defeated them at Rangiaohia, and wished to make peace with them. This we did, and gave this piece to seal it. This piece was at a little distance from the barracks at Huikokako. It was Te Waharoa cut this piece off for them. I will give the names along the boundary-line, beginning at Huikokako, to Putoetoe, to Matai Korari, to Mangaohi, and by that stream to Te Awamutu. This was the gift to Ngatiapakura. Another portion was set off for Ngatikoura, Ngatiruru, Te Patukoukou, Ngatiparehaehaeha. These pieces were cut off from the whole reconquered block. The boundary of these began at Puahoe to Aratitaha. This Puahoe is the land “Puahoe” as known to the Court. Maungatautari and the rest of the country we kept for ourselves—that is, for Ngatihaua and Ngatikoroki. Te Waharoa, the father of Wi Tamihana, was the person who divided this land. Te Ngoungou assisted him. Te Ngoungou was of Ngatihaua. Rawhirawhi and Te Tiwha were other presiding chiefs of Ngatihaua. I do not know that Waharoa gave any land to Ngatikauwhata; that means, he did not do so. Wi Tamihana invited them back, but they did not come. Ngatikauwhata, who remained behind, were entirely intermingled with us, that is, were absorbed in Ngatihaua. There was no land allotted to them (Ngatikauwhata) at the division by Waharoa. According to Maori custom those who went to Kapiti have no right on the land at Pukekura and Maungatautari; but Te Raihi and Hakiriwhi, being half-castes of Ngatihaua and Ngatikauwhata (and more the former than the latter), they resided upon the land, and they could invite them back to share in their portion as allotted by Te Waharoa. Te Waharoa, and those chiefs of Ngatihaua I have named, held authority over all the land. The portion I spoke of at first was under the authority of Porokoru, Te Puata, and the chiefs of Ngatiruru. I do not know why Ngatikauwhata went to Kapiti. All I know of is our battle at Waotu, Ngatiraukawa, and Marutuahu. I do not know that Ngatikauwhata shared in this battle. I was a child then. Ngatikauwhata went to Kapiti when I was a child. At the time of Waharoa's allotment after Taumatawiwi, I was a child on the back, but able to walk some distance. Our fathers gave me this information. By the time I had grown up I knew all about it. The name of Ngatikauwhata had been entirely lost in Ngatihaua until the white men came, and it suddenly reappears under European influences. The name had been quite lost before that.

Examined by Mr. McDonald: I did not say that I was a witness to prove the title of the grantees, but to support the title of Ngatihaua. Part of Pukekura belongs to me, part to another man of Ngatihaua. I am speaking of Ngatihaua as a people. We had this land adjudicated upon. We conducted the case. I heard that Pukekura was awarded to certain persons, but I have nothing to do with that. I brought forward those people to be upon the grant. That land was awarded by the Court to Ngatihaua. Horotiu is land; the term is not confined to the river; it includes Cambridge. I know the boundaries of Horotiu. Marutuahu had their pa at Haowhenua. That is not within the Pukekura Block. Haowhenua Pa commanded Pukekura and all the surrounding country. Marutuahu knew that while they lived there they commanded the whole country. When we retook it we did the same. This is what Marutuahu thought. I do not know whether any people lived at Pukekura before Haowhenua, but my grandfather died there before it was built. The woman who said she had lived there (Pukekura) at Taumatawiwi fight said wrong. Had she lived there then, Marutuahu would have killed her. She lived here, then at Horotiu and Maungakawa. This land at that time was occupied by Marutuahu and us; we had not then begun to fight. I hear the Ngaiterangi say to-day that it was because of their assistance that we won Taumatawiwi. It was through Te Waharoa's influence that Ngaiterangi joined. This is why he had the honor of the victory. It was through this prestige that he had the disposal of the land. Raihi and others were settled on the land from that time of allocation; they are Ngatihaua. Wiwini was Ngatihaua and Ngatikauwhata. I never heard that Waharoa should say, “What is Te Wiwini to me that I should respect him?” Te Waharoa did exercise his authority respecting Putoetoe. His authority was sufficient to overrule Wiwini's right to Putoetoe. There are many hapus of Ngatihaua. Te Waharoa had the *mana* over all of them. Wi Tamihana succeeded him. No hapu dare object to Waharoa or Tamihana; they exercised equal authority.

Examined by Major Mair: The Marutuahu lived here for some time, and built pas, and planted. Haowhenua is at Maungatautari. Marutuahu gave it the name. I suppose they intended (as the name implies) to sweep up the land. They went to Pukekura and surrounding country to search for food, because the inhabitants had left. Marutuahu came up the Piako and crossed to Maungatautari at the present bridge. They came in a friendly manner at first, and so to Maungatautari. When Marutuahu went to Maungatautari, Raukawa were their enemies. Some of Marutuahu lived at