

1889.
NEW ZEALAND.

THE TAUPONUATIA BLOCK

(REPORT OF THE ROYAL COMMISSION APPOINTED TO INQUIRE INTO CERTAIN
MATTERS CONNECTED WITH THE HEARING OF).

Presented to both Houses of the General Assembly by Command of His Excellency.

To His Excellency the GOVERNOR of NEW ZEALAND, &c.

WE, the undersigned, appointed by a Commission, dated the 9th day of July, 1889, under the hand of the Governor, and sealed with the Public Seal of the Colony, to inquire into certain matters connected with the hearing by the Native Land Court of the block of Native land called Tauponuiatia, respectfully submit for your Excellency's consideration the following report of our proceedings:—

We held our sittings at Kihikihi, as being the most convenient place for all parties concerned, and the meeting was attended by a large number of the Ngatimaniapoto Tribe, and by several of the principal chiefs of the Ngatituwharetoa, from Taupo.

We sat on seventeen days, and examined, in all, twenty-six witnesses, whose evidence is recorded on two hundred and twenty-four pages of foolscap, which, with various exhibits, are transmitted with this report.

Much of the Native evidence given on both sides has been very conflicting, and often at variance with what had been previously sworn before the Native Land Court; and we have found it very difficult to determine which is the most reliable. We had the records of the Native Land Court before us, to which access was also given to all interested parties, who freely made use of them, and we permitted the utmost latitude in the examination and cross-examination of witnesses, and refused no evidence that was tendered to us. We decided not to allow Europeans to conduct the cases, making an exception, however, in Karawhira Kapu's case, which was conducted by her husband, Mr. Moon, and defended by Mr. W. H. Grace, he being the person chiefly interested on the other side. We believe that this decision gave general satisfaction to the Natives.

In summing up the evidence taken on the different issues remitted to us for consideration, we have referred to such points only as, in our opinion, are material to the issue, or to such as would lead to a clear apprehension of the case.

Issue No. 1.

The first question referred to us by the Commission is as follows: "Whether the boundary of the said block of land called Tauponuiatia, as delineated on the said plan, and thereon coloured red, is the correct boundary thereof, or whether the said boundary is correctly delineated by the line coloured yellow on the said plan, or whether the correct boundary would be properly defined by an intermediate line between the said lines coloured red and yellow."

This is a question respecting the proper position of the boundary dividing the lands of the Ngatimaniapoto and Ngatituwharetoa (Taupo) Tribes.

In 1882 and 1883 many meetings of representatives of these two, and of the Whanganui, Ngatihikairo, and Ngatiraukawa Tribes were held, at which it was ultimately resolved to fix the outside boundary, or Rohepotae, of the King-country to include all the lands of four of the tribes, and a large part of those of the fifth, Ngatituwharetoa; and we were informed that Mr. Bryce, then Native Minister, after this had been settled, agreed that, if they wished it, the block should be surveyed and investigated as a whole.

On the 31st October, 1885, the Ngatituwharetoa sent in a claim to the Native Land Court for the investigation of title to the land included within their Rohepotae, comprising a portion of the original block, and all their other lands, and setting forth their boundaries; and it was duly notified that a Court would sit for the hearing of this claim.

The Court accordingly commenced its sittings on the 14th January, 1886, at Taupo, and, in consequence of objections made out of Court by some of the Ngatimaniapoto, Te Heuheu, on the part of Ngatituwharetoa, agreed to withdraw their western boundary further eastward; and on the 16th January he announced in Court the altered boundary, as claimed by the Ngatituwharetoa, and gave the names of places along the line, part of which ran along the western slopes of the Hurakia Range, and which names were marked and the line drawn on the map before the Court by one of the surveyors.