

round the boundaries with the surveyor when he made his survey and themselves placed at one spot a stone peg—this statement comes from Tamati Arena Napia in evidence given by him in 1934 as information handed down to him from his grandfather, Hare Napia. That stone peg is still there. Thirdly, Hone Rameka, in giving evidence in 1934, said that Mokau was sold by the descendants of Turou, and that his elders “saw the survey of the big block sold to the Crown.” He also said, “Mokau was sold by the descendants of Turou . . . My ancestors sold the main block and told me about the 200 acre N.R.” What Hone Rameka was then complaining of was that the Crown was claiming the 110 acres referred to as Motukauri which was not included in the land that the Crown had purchased. Fourthly, the plan on the deed shows the River Waipapa, which is the most sizeable river in the neighbourhood, running through the centre of the block which was sold. There is no such river on the blocks to the north. Fifthly, the land known as Mokau No. 3 had been sold years before—namely, in 1839—and was the subject of an old land claim. This, of course, must have been quite well known, at least to the Ngati Whiu. The truth is—and this we think is clearly shown by the evidence—that in the old days of the Maori the names of these blocks were somewhat loosely used, and it appears that, while the whole of the land now in question was sometimes called Manginangina, portion of it was sometimes called Takapau, and the whole of it, as well as Mokau No. 1, Mokau No. 2, and Mokau No. 3, and probably other lands, were included in a large area, the whole of which was known as Mokau, though parts of it bore other names as well. Indeed, Mokau No. 1, Mokau No. 2, and Mokau No. 3 were not known by these numbers—or, at all events, this applies to Nos. 1 and 2—until long after 1859. In his evidence before Judge Acheson, Keina Poata said that “in former days” the Natives had many names for these several places, and that it was after the pakeha surveyor had surveyed the lands that the Maoris started to know them—i.e., the northern blocks—as Mokau Nos. 1, 2, and 3. He also said in the Motukauri investigation in 1933 that that particular piece of land (110 acres) was “formerly part of the Mokau Block.” Hone Rameka said in his evidence in the same proceeding: “Mokau is the piece of land on the other side of Motukauri and was sold to the Crown.” Tamati Arena Napia said in evidence before us that Manginangina and Takapau were really one block of land divided by the river, Manginangina on the north of the river, Takapau on the south. In Keina Poata’s evidence given before us the names Mokau and Manginangina were much discussed, but finally Mr. Poata said that Manginangina was a part of Mokau and that it was always recognized by the Maoris that it was part of the large Mokau Block.

27. It is perhaps desirable at this stage to refer to the history of the proceedings in connection with this Mokau Block which is the subject of the present Commission. It is not suggested that the Maoris took any proceedings whatever prior to 1902, but even the suggestion that anything was done then is, we think, mistaken. Certainly the fact that anything was then done has not been proved.

28. The suggestion is that, in 1902, a petition to Parliament was prepared and presented by Mr. Hone Heke, M.P. The reason why we think that that year is wrong in any event is because the evidence (particularly that of Keina Poata) shows that the petition, if prepared at all, was not prepared till after the Stout-Ngata Commission had sat in the district, and the records show that that sitting was in 1908. We have caused careful search to be made of the records in both the Native Department and Parliament, and no