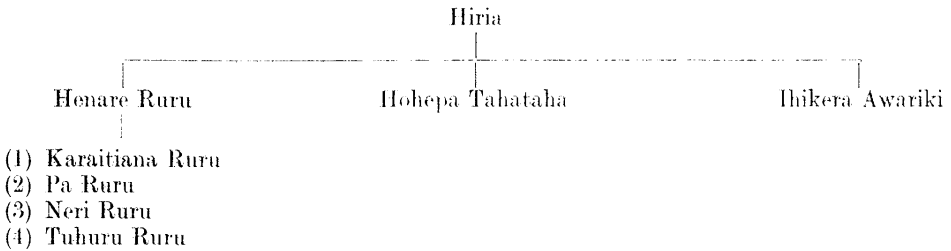


The whakapapa as given is : —



The award was 5,100 shares to Henare Ruru, 100 shares to Hohepa, and 500 shares to Ihikera Awariki.

The evidence of Alex Curtis is that when the shares were approved by the Court he objected and later appealed, and that "I have been at the Court many times"—all without success.

His plea, which he continually repeats, is that the shares should be allocated purely by descent—*i.e.*, a brother and sister should have the same number of shares.

This principle has, however, never been recognized in investigation. There are many other things which come into consideration, including, of course, the degree of occupancy and number of names in the title. In the case of the Whanau a Taupara shares in Mangatu, the position was that until 1917 there was a completed title in the Wahias and the Ngarikis, and it took much organizing and work to get the Act of 1917 passed to enable the title question to be reopened. Then there was a difficult contest (the Tauparas engaged Mr. Morison, K.C.) in the Maori Land Court and a decision of the Supreme Court before they were admitted. As regards the shares, a representative committee sat over a period of years and decided how they should be allotted. This determination was accepted by the people generally, and the Court heard those who objected. Some appealed, and in those cases the Appellate Court reconsidered the judgment of the Court.

At first sight it would appear that there is something peculiar in the award of 5,100 shares to Henare Ruru and 100 to Hohepa. The explanation given by one independent witness is that Henare Ruru was the instigator of the Taupara claims, he did extensive work over a period of years, and that without his efforts there would have been no Taupara claim and thus no award of shares at all. A further reason is that in 1918 Hohepa was dead without issue and the small award was in the nature of a token one to keep his name alive. The Committee knew that this small award would go to the two beneficiaries under the will and that they had or would receive awards from other sources. In this respect we express no opinion as to whether the petitioners were really entitled to take the shares under a will.

When asked why his wife should have more shares and just what she should have, Alex Curtis is vague. He agrees that he himself has 188 shares and his brother 48 only, and states that the brother did not collect for the expenses and that he, Curtis, fixed the family shares himself and handed them in to the organizer for authorizing. So in this respect he did not agree on the equal descent equal shares principle.

One of the petitioners, Hinetera Ruru Curtis, is a daughter of Pa Ruru, one of the sons of Henare Ruru, and is stated to have inherited 316.65 shares from this source, while the other petitioner, Turuhira Hinetoia, inherited 1,000 shares from her mother, who was also a Taupara. The brother of Hinetera Ruru Curtis appeared before us and stated that he was satisfied with the shares as allocated. One of the sons of Henare Ruru stated in evidence that under the equality of descent system the petitioner, Hinetera Ruru Curtis, would receive 34.61 shares only.