

The petitioners allege that Hineteariki Pera was a *bona fide* member of the Taupara Hapu and as such was entitled to participate in the Taupara award.

In support of this allegation they claim that she was descended from Taupara through Kuraiteapata, and also through Whakauika, these persons being two children of Taupara ; and that her elders had the occupation necessary to support the ancestral claim. This is the claim which the petitioners' mother put before the Court in 1918. The minutes disclose that she conducted her case with skill and that all the points for and against were clearly appreciated and were argued before the Court.

The Court, in disallowing Hineteariki's claim, decided that descent from Kuraiteapata could give no ancestral right in the Whanau-a-Taupara, as it had already been established in other cases before the Court that through the intermarriage of Kuraiteapata with Whanau-a-Kai no rights remained in Taupara lands to the descendants of Kuraiteapata, who had not become again incorporated in the Taupara people and so established fresh rights under Taupara. As to the claim under Whakauika, the Court decided that Hineteariki had failed to prove the whakapapa set up. She had no evidence but her own to support it, and it was stated that she had obtained her information as to it from one Hipora Niania, whose own whakapapa was severely attacked.

On the other hand, her opponents in those proceedings gave comprehensive whakapapa discrediting those given by her, and showing that in her whakapapa there was a confusion of names in her line from Whakauika. The Court further considered that the claimant pressed her contentions because her half-brothers and two half-sisters were admitted in the lists. In the result, the Court found that Hineteariki was not entitled to any award under the Taupara claims, as the one whakapapa could give no rights, and the other had not been established.

The hearing before this Court took place on the 17th and 18th March, 1948, when the petitioner was represented by Mr. M. Pere, and those opposing the petition by Mr. Scott. The only evidence called in support of the petition was that of the petitioner himself. He produced a whakapapa which he stated was compiled from a book of whakapapas which he had got from his mother. He stated that the list put into the Court by his mother in 1918 was compiled from this book. This whakapapa produced showed the line from Kuraiteapata, but did not include the line from Whakauika. No evidence was produced to attempt to prove this line.

In order to establish occupation, Mr. Pere referred to records to show that Tamaho, an elder of the petitioner in the line from Kuraiteapata, had taken part in the battle of Otuhawaiiki, which was fought against the Whakatohea from the Bay of Plenty. Mr. Pere contended that this battle was fought in defence of the Mangatu lands, and that the presence of Tamaho (being, as he alleged, a Taupara) at the battle constituted occupation and so gave the petitioner's mother occupatory rights.

Mr. Pere alleged that the petitioner's grandmother was an owner in Okahuatiu 1A 3, together with a number of Taupara people, that this block was a Taupara block, and that her presence as an owner established that she was a member of the Whanau-a-Taupara.

The opponents of the petition, in addition to submitting that the petitioners had in no way proved their contentions, advanced certain positive evidence in rebuttal.

They called two witnesses, Rongo Halbert and Waioeka Paraone. Rongo Halbert is a grandson of the well-known Wi Pere. He claimed to be familiar with Taupara history and whakapapas, and his evidence, both in chief and in cross-examination, appeared to be reliable.

Waioeka Paraone was an elderly woman who speaks little English : she was one of the signatories of the Taupara petition of 1917 which resulted in the admission of Whanau-a-Taupara. She claimed to have been specially trained by her elders in Taupara whakapapas. Several relevant whakapapas were given by her from memory. She was one of the witnesses called in support of Captain Pitt's case in 1918.