

were associated Takioterangi and Matekitatahi, and that the descendants of these three ancestors have continued to occupy the land down to the present time.

7. For the Whanau a Te Ehotu and Whanau a Hinetekahu it was admitted that this land was occupied by Apanui's brothers under the mana of Apanui, but it was contended that Apanui subsequently presented the land to his sons Tukaki and Te Rangihore, and that they and their descendants (now represented by the Whanau a Te Ehotu and Whanau a Hinetekahu) occupied the land in conjunction with the Whanau a Rongomai and other hapus until, a quarrel having arisen, the Whanau a Te Ehotu and the Whanau a Hinetekahu forcibly expelled the other occupants and acquired exclusive occupation, which they have held to the present time.

8. The claim made by the section of the Whanau a Hinetekahu (represented by Ngara Hare) was that the right of that hapu was derived from Te Rangihore to the exclusion of other claimants.

9. We are of opinion that the allegation of joint occupation made on behalf of the Whanau a Te Ehotu and Whanau a Hinetekahu is sustained by the evidence, but we are unable to find any sufficient evidence to support the alleged conquest. We have therefore come to the conclusion that the owners of this land at the present time are those descendants of the five ancestors—Takapukapakapa, Takioterangi, Matekitatahi, Tukaki, and Te Rangihore—whose rights by inheritance have been maintained by occupation. The names of the persons whom we find to be so entitled are contained in the order in that behalf annexed to and forming part of this report.

10. With regard to the boundaries of this block, we are of opinion that, with the exception of the Haparapara River and the sea-coast, the lines as surveyed do not follow any recognised ancestral boundary-lines. To ascertain the position of such ancestral lines would have required an investigation of the title to adjoining block, which did not fall within the scope of our Commission. We have therefore limited our award to the land within the surveyed boundaries, without expressing any opinion as to the true nature of those boundaries, whether tribal or hapu boundaries or not. With regard to the Haparapara River the position is different. There is evidence before us that this river is an ancestral boundary. At two points, however, the surveyed boundary does not follow the natural windings of the stream—viz., from Oirakehu to Waitangi, and from Paetawa to Te Wehenga. Thus two small pieces of land on the opposite side of the river from the main body of the block are included within the surveyed boundary. As to the portion from Oirakehu to Waitangi, there is some slight evidence of ownership. As to that from Paetawa to Te Wehenga, there is no evidence before us; but, taking into consideration the facts that the areas in question are very small, that the cost of an additional survey would be disproportionate to the value of the land, and that no adverse claim has been made, we have followed the course which appears to have been adopted by the Native Land Court and Native Appellate Court, and have included both these small portions in our order as part of the Awanui-Haparapara Block.

MARAEHAKO.

11. This block of land, containing 1,894 acres, is situate in the Te Kaha Survey District, and is delineated in the plan numbered 6568.

12. The claimants to this block were—(a) Whanau a Te Rangirunga, Whanau a Tamahae, Whanau a Potatau, Whanau a Te Apaapa o te Rangi (represented by Tutere Wi Repa and others); (b) Whanau a Te Ehotu and the sub-hapus, Whanau a Kaiaio, Whanau a Kahurautao, Whanau a Rukahika, Whanau a Te Ngaohe, Whanau a Te Manawahe, Ngaitahae, Ngatiwhakahemo (represented by Wiremu Tamahaua and others); (c) Whanau a Tukaki (represented by Maihi te Ahiwaru).

13. The following witnesses were called: For the Whanau a Te Rangirunga and their associates, Hohepa Karapaina, Tutere Wi Repa, Wi Repa; for the Whanau a Tukaki, Maihi te Ahiwaru; for the Whanau a Te Ehotu and their associates, Wiremu Tamahaua, Waikura Tautuhiorongo. Te Hata Hokopaura (*alias* Moutara) attended and gave evidence at the request of the Commissioners.

14. The Whanau a Te Rangirunga and the hapus associated with them claim that this block of land was divided in ancestral times among the several hapus, of whom the principal were the Whanau a Te Rangirunga, the Whanau a Potatau, and the Whanau a Tamahae.

15. The Whanau a Tukaki also claim a portion of the block. The Whanau a Te Ehotu allege that the whole block originally belonged to the Whanau a Potatau; that, in consequence of a series of murders committed by the Whanau a Potatau and other neighbouring tribes, the Whanau a Te Ehotu conquered the offending tribes, and took possession of their land, including the Maraehako Block; and that subsequently the whole conquered territory was returned to the former owners with the exception of Maraehako, of which possession was retained by the Whanau a Te Ehotu as compensation for the injuries they had suffered. In our opinion, the balance of evidence is strongly in favour of the claim of the Whanau a Te Ehotu, and we find that they are the owners of the land according to Maori custom.

16. The names of the persons so entitled are contained in the order in that behalf annexed to and forming part of this report.

TUNAPAHORE AND KAPUARANGI.

These blocks of land, containing in the aggregate 28,398 acres, are situate in the Tokata and Waiawa districts, in the Bay of Plenty, and are delineated as to Tunapahore (5,449 acres 1 rood 5 perches) in Plan No. 5571; and as to Kapuarangi West (9,000 acres), Kapuarangi No. 1A (500 acres), Kapuarangi No. 1B (2,900 acres), and Kapuarangi No. 3 (10,549 acres), in Plan No. 5548. With the consent of all parties interested, we arranged to take these blocks as the subject of one inquiry.

The claimants were—(a) Ngaitai (represented by Akuhata Takatua); (b) Whanau a Te Harawaka, Whanau a Hikarukutai, Whanau a Nuku, Whanau a Hinetekahu (being hapus of the Whanau a Apanui, and represented by Koopu Erueti); (c) Whanau a Te Harawaka (represented by Raureti Mokonuia-rangi).