

Captain Gilbert Mair, one of the Commissioners, having visited and personally inspected the land, and the said two alleged pas having been found to have no existence in fact, we are therefore of opinion, after duly considering the evidence of all the parties to the case, that no sufficient reason has been shown for varying the original award in regard to the eastern and southern boundaries of Hikurangi-Horomanga Block.

We recommend that the said eastern and southern boundaries of Hikurangi-Horomanga Block as originally awarded should be affirmed, and that the Tiritiri portion should remain a part of Hikurangi-Horomanga Block.

In regard to the western boundary of the block near Te Ruarepowai, from Takapakapa to Te Puketapu, we are of opinion that each of the two contesting parties have rights to that portion of the land. We therefore recommend that the land be divided, and that the portion lying to the southward of the Horomanga River be awarded to the Ngati Manawa Tribe, and added to the Tawhiuau portion of the Te Whaiti Block; and that the northern side of the said Horomanga River be awarded to Patuheuheu Tribe as forming part of Hikurangi-Horomanga Block, and following the surveyed boundary-lines as shown in Plan No. 6882.

In regard to the ancestor Maruwahia set up by Te Whaiti Paora: This ancestor was disallowed by the award of the previous Commissioners, and no appeal has been lodged against that portion of their award. This present Commission, however, heard a great deal of evidence in regard to the said ancestor, and we are of opinion that no evidence has been advanced of such a character as to establish any right on the part of the said ancestor Maruwahia to this land. We therefore recommend that the award of the previous Commission in regard to the claim under the ancestor Maruwahia be affirmed.

*Appeal No. 4.*—In regard to the ancestor Hiki, under whom Mika te Tawhao claims the Horomanga portion of the block: Mika asks that the land be divided by the boundaries as surveyed upon the land. This claim is opposed by Te Whaiti Paora, who asserts that Hiki was not a descendant of the ancestor Tawarutua. A great amount of evidence was submitted to this Commission and genealogical lines of descent advanced by each of these two contesting parties, and we are of opinion that no evidence has been put forward which is sufficient to clearly establish the contention that Hiki was not a descendant of Tawarutua, and as by the award of the previous Commission Hiki has been declared to be a descendant of Tawarutua, we therefore recommend that the said award be affirmed.

In regard, however, to the location of the interest of the ancestor Hiki, we are of opinion that his rights are contained within that portion only of the block which is known as "Horomanga," and that his descendants have rights only to that portion, together with such of the descendants of the ancestor Te Hina as can be clearly proved to have permanently occupied the said portion.

*Appeals Nos. 2 and 6.*—In regard to the claim by Erueti Peene for the main Hikurangi-Horomanga Block, the genealogy given by him is strongly objected to: *i.e.*—

Te Ngako II.

Hinetu.

Kiore = Te Ureiti.

Te Ikakoropeke.

Mika te Tawhao, Nikora te Ao-o-te-Rangi, and others being the principal objectors.

In our opinion if this genealogy were correct it would without fail have been advanced by Mehaka Tokopounamu as a claim for himself and party to the main Hikurangi-Horomanga Block when their names were objected to therefor, at the time of the previous Commission, by which their names were merely included as owners of the Tiritiri and Oputea portions only of the main block under the ancestors Totarawahia and Te Eanga-o-te-Marama. We are therefore of opinion that Hinetu was not the child of Te Ngako II, descendant of Te Hina.

The occupation of Mauri Peene is, however, admitted by all parties, at certain kaingas mentioned upon the land, while she was living with her adopting parent Tiwha, and with Waihua. We therefore recommend that Mauri should be given an interest of ten shares in the main Hikurangi-Horomanga Block, and a further interest of five shares in the Tiritiri portion; and that her children should be given three shares each, and her grandchildren two shares each, respectively, in the Tiritiri portion only, making a total of sixty-two shares for Mauri and her list in the said Tiritiri piece.

*Appeal No. 3.*—In regard to the appeal by Hahona te Okoro, objecting to the names of 183 persons in the order for Hikurangi-Horomanga Block, a very great deal of evidence was given and the case heard to its conclusion.

Te Whaiti Paora, one of the principal men of Patuheuheu Tribe, appeared before this Commission and asked that the shares of the persons objected to by Hahona te Okoro be not reduced, but allowed to remain as they appeared in the order. No objection was subsequently advanced by Hahona te Okoro to this request.

We therefore recommend that the said Appeal No. 3 by Hahona te Okoro and others should be dismissed, and that the names and shares of the persons objected to thereunder remain as they appear in the order under the original award.

*Appeal No. 10.*—In regard to the claim for increase of shares by Te Wakaunua Houpepe and others, much evidence was given before us. It is clear that Te Wakaunua himself and others of Ngati Rongo Hapu distinctly stated at the time of the previous Commission that they would take only small shares in this block, as Patuheuheu Hapu owned no other land than this. That was a most important statement, and we cannot agree that Te Wakaunua should now be allowed to repudiate his own words. We recommend that this case be dismissed.