

WAIKAREMOANA BLOCK.

The inquiry into the appeals in regard to this block was commenced by this Commission at Te Wairoa, Hawke's Bay, on the 5th December, 1906, and continued at Te Wairoa during subsequent days until the 19th December, 1906.

Appeal No. 83.—By Mahaki Tapiki and others. Asks for the inclusion of the name of Rawinia Mahaki, f., seven years, for an interest of ten shares. This was agreed to by the owners, and we have accordingly inserted the name, numbered 906, in the manuscript list attached to the file for Waikaremoana Block for inclusion in the order for the ten shares asked. We recommend that this be given effect to.

This appeal also asks that the names of certain persons, ninety-two in all, be struck out of the order, on the ground that they are not descendants of the ancestor and that they have no occupation.

The inquiry into this case was adjourned from Te Wairoa to Whakatane in order to afford opportunity for those objected to to appear before us if they so desired, and on the 4th and 5th days of February, 1907, the inquiry thereinto was continued at Whakatane. A number of persons appeared before us and opposed this appeal, and made application to the Commission that the persons on whose behalf they severally appeared as conductors should be withdrawn from the list of persons objected to by the appellants, some of the said conductors being owners of the land and residents of Waikaremoana.

Upon inquiry your Commissioners have ascertained that certain of the persons now objected to under this appeal were not objected to at the time of the previous Commission, and that the balance of the persons now objected to are persons who were objected to at the previous Commission, but whose names were eventually included by that Commission in the order after all objections then advanced against them had been duly heard and considered, though in the case of other persons at the same time objected to such objections were upheld and the names struck out of the list of owners.

We are therefore of opinion that the appellants should not now be permitted to again object to the names of these persons against whom they failed to establish their objections before the last Commission, nor should they be allowed now to object to the other persons to whose inclusion they made no objection whatever before the last Commission. We therefore struck out this appeal on the 5th February last, and we recommend that it be dismissed accordingly.

Appeal No. 85A.—By Kawana Karatau. The inquiry into this appeal was held at Te Wairoa, Hawke's Bay. It is a claim for the inclusion, under the right of the ancestor Pakitua, of the descendants of the ancestor Ruapani, the list of their names submitted to us for inclusion containing fifty-eight persons in all.

This claim was supported by Hurae Puketapu and the people of Waikaremoana before this Commission. We have therefore prepared and attached a list of their names, numbered respectively from 730 to 787, inclusive, with individual shares as therein shown, to the file of papers for the Waikaremoana Block, and we recommend that they be included in the order accordingly.

Application was also made under this appeal that the interest of Kihirini Mokena, No. 616 in the order, be increased from five shares to twenty shares. To this request no objection has been made. We recommend that the order be amended accordingly.

Appeals Nos. 84 and 85.—These two appeals are by Haenga Paretipua and others, including also the descendants of the ancestor Pakitua, whom we have already recommended to be included in the order.

The case of these appellants was duly inquired into and heard to its conclusion, as also was that of the parties opposing this claim, the evidence taken during the course of the inquiry being contained in the minutes of this Commission.

The witnesses in the Ngati Kahungunu case contend that this land, named Waikaremoana and Wairau, descends through their ancestral rights of ancient times; they state that Makoro was their ancestor who laid down the boundaries of this land, and they allege Tamaterangi and Pukehore as two other ancestors under whom they are entitled.

In regard to that portion of the land claimed by them which is named Wairau and Wairauhenua, they assert that Te Kapuamatotoru was the particular descendant of the ancestor Makoro who had the "mana" to this land, and that he (Te Kapuamatotoru) placed Pakitua and his descendants at Wairau to work and collect the food of this land and bring it to him (Te Kapuamatotoru), and that this condition of things continued permanently between Pakitua and Te Kapuamatotoru and their descendants, that the food of the land continued to be taken by Pakitua and his descendants to Te Kapuamatotoru and his descendants. They mentioned the names of the persons said to have been successively appointed by Te Kapuamatotoru to bring the food to him, and state that this practice only ceased in the time of Karihanga, grandson of Pakitua. Hurae Puketapu states that Karihanga died about the time of the fall of Orakau Pa, in 1864.

These Ngati Kahungunu claimants further contend that when a part of this land was sold to the Crown in days past, such sale was made by themselves alone, but that certain portions of the land which were then set apart as reserves out of the sold land, and in which members of Tuhoe Tribe were included, were arranged to be so reserved by the purchasing officers; and they further state that the permanent dividing tribal boundary between Tuhoe and themselves was the mountain-range of Huirau, from Parahaki to Maungataniwha.

They state that there were many kaingas upon the land, occupied during the period when the food of the land was being worked as above described, and that they only ceased to occupy the land after the introduction of Christianity, and that the persons—descendants of Pakitua—in the list now submitted for inclusion in this land, have never lived on this land, from former times down to themselves at this present day, and that no person whatsoever is living upon the land at the present time, and that Hurae Puketapu and his party are now living upon the reserves at Te Waimako.