

many parts of this Island under the administration of the Ringatu Church, but the rights to the lands on which they stand are in no way affected thereby.

We are therefore of opinion that the entire Tuhoe case should be disallowed, including the list of additional persons now submitted by them for inclusion, and that the lists of their names already in the order should be struck out therefrom, and their appeals dismissed, and we recommend accordingly.

We will now deal with the case of Ngati Manawa Tribe and its hapus. It is unnecessary to refer at any great length to this case, as it is admitted that they have rights within this block on the western side of the Whirinaki River, but the boundaries of the land owned by them are not clear—viz., the locality named Te Haumingi, Te Motu-o-Titoko, and on as far as Okarea. Whether this is all one land or separate and distinct pieces of land is not apparent. However, when the land comes to be partitioned at some future date the extent of their interest, be it large or small, can be definitely ascertained and decided, and their rights restricted to the particular portion, or portions, only of the land to which they are entitled.

In regard to the lists of names submitted by Ngati Manawa, we have struck out therefrom the names of the persons who have become distantly removed amongst other tribes—that is to say, whose rights have become cold—and we have duly considered and defined the relative interests as set out opposite the name of each person in the list respectively.

We are not satisfied that the ancestor Tangiharuru had rights to this land; the evidence is most conflicting and contradictory. For instance, at the hearing of the Whirinaki Block before the Native Land Court, Hapimana Parakiri, *alias* Parakiri Rawiri, and Ngati Apa claimed under the ancestor Apa by conquest over the Marangaranga Tribe, but a dispute arose between Ngati Manawa and Ngati Apa regarding these two ancestors, Apa and Tangiharuru, for Whirinaki Block, which adjoins this land; yet now these same two hapus are combined in setting up the right only of Tangiharuru and his descendants to this land, and Parakiri himself gives the main boundary of Tangiharuru's land, and yet it was he who opposed the claim under Tangiharuru at the time of the Whirinaki case. We therefore do not believe the boundary given by him now.

The only thing that is clear to us is that certain of the descendants of Tangiharuru had rights to certain pieces of land within Te Whaiti Block, Hape and Mahanga being those of his descendants whose rights are most apparent.

We recommend that all the Ngati Manawa lists of names be included in the block for the relative interests shown in the list of their names attached to the file of Te Whaiti-nui-a-Toi Block, and therein numbered respectively from 319 to 507, inclusive.

In regard to the case of Ngati Whare and its hapus, under the right of the ancestor Wharepakau, and permanent occupation: No objection is made to this case by any of the contesting cases, and their "mana" to the land is not denied. But there are many lists of names amongst those submitted by them for inclusion containing persons who are objected to as having no occupation on the land. For instance, the list of names of Tamati Waaka and his party have no occupation; even though the list of their names is submitted by Ngati Whare themselves for inclusion, we are unable to see that they have any right whatever. We have, therefore, in deference to the desire of Ngati Whare to include these persons, left four of their names in the Ngati Whare list, and have struck out all the remaining names in Tamati Waaka's party, fifty-three in number.

In regard to the list of Whata Henare and party, it is plain to us that these persons have long since gone away to Taupo and inland upper Waikato, that their rights have become entirely cold, and that they have no permanent occupation on this land, never having returned here until the time of the previous Commission. However, in consideration of the fact that Ngati Whare have handed in this list of names for inclusion, we have therefore included three of their names and struck out the remainder of the names in this list, twenty-three in number.

In regard to the list of names of Warahoe Hapu, we cannot see that they have any right to the land, their only right that we can discover being the fact that they have lived upon the land amongst Ngati Whare.

The Warahoe Hapu did not set up any ground of claim for themselves. When Te Rauna Pakaha was called by Himiona Tikitu as a witness in support of his (Himiona's) case, Te Rauna stated that his right was from the ancestor Marakoko and by occupation, but he did not set up any case on his own behalf, nor did he take part in supporting the case of Hori Wharerangi under Marakoko.

We have considered his list of names, and have included eighteen of the persons it contains, and have struck out the remainder, twelve persons in all.

In regard to the remaining lists of names submitted by Ngati Whare: We have duly deliberated upon and considered these lists, and have struck out therefrom the names of persons having no occupation on the land, and whose rights thereto have become cold; but in all the Ngati Whare lists we have retained the names of those who are rightful owners under the "takes" and by occupation for inclusion in the land, and have prepared and attached to the file of papers for Te Whaiti Block a list of their names, numbered from 1 to 318, inclusive, showing the relative share or interest of each such person set opposite each individual name in the said list respectively, and we recommend that they be included in the land as owners for the relative interests therein shown.

During the hearing of this Te Whaiti-nui-a-Toi case we were informed that a piece of land name Te Rua, or Ahikereru, situate within this block, was given by the old chiefs of Ngati Whare to the Rev. Mr. Preece, as a mission station, in the year 1846, and that Mr. Preece lived upon it with his family for several years. It is said that this piece of land contains perhaps about 60 acres. We have, however, no recommendation to make in regard to this matter. We merely mention the fact that we are informed that a gift of the said land was made, but we have no knowledge, nor do we make any suggestion, as to whether the said gift is, or should be considered as, still of effect, or otherwise.