

33. Did that gift extinguish the rights of Pakanui and his descendants?—I cannot decide that. If the gift is still of effect, then the gift is correct.

34. Then on what grounds do you say that a claim still lives in Tuta through Pakanui?—I look upon it that Tuta's right to be put in is through *aroha*, as other people were put in through *aroha*.

35. *Mr. Herries.*] Does your remark about Tuta being put in for *aroha* apply to Tuta alone, or to his hapu—the other people he represents?—I am only speaking about Tuta himself. It is for him to say who else he wants put in.

36. *Hon. Mr. Carroll.*] Have you any other reasons in support of your contention that there should be a further investigation of this land?—I do not think there is anything else.

37. You said there were other *arohas* in, and on that ground Tuta should be included?—Yes.

38. *The Hon. Mr. Ngata.*] Do you admit the right of Pakanui to this block to be still in existence?—If the gift is of effect, the Pakanui right has ceased. I have heard of other gifts that are not of effect, and I think perhaps this is the same.

39. If that gift is not substantiated, have the Whanau-a-Iritekura any other right?—They have another right.

40. What?—The right of occupation.

41. Any ancestral rights?—Iritekura was the ancestor.

42. Did you know that Iritekura had no ancestral rights in the block?—No, she had none.

43. And yet you allege that her descendants had rights by long occupation?—Yes.

44. With regard to Te Matai, which you mentioned first, Tuta's people are not in any way concerned with that part of the block—I mean, that is not claimed under Pakanui: it is different. Is that claimed by Te Aitanga-a-Mate?—It is a part of the Waipiro Block.

45. Yes, but in speaking about Te Matai you are not speaking about a portion of the block claimed by Tuta as a member of Te Aitanga-a-Mate Tribe?—Yes: it belonged to some other ancestors; I cannot say who they are. I claim it under my ancestors. Yes, it is on the south side of the Kahukuranui boundary.

46. *Hon. Mr. Carroll.*] The gift to Iritekura did not exceed or overlap the boundary of Kahukuranui?—No, it did not cross over.

47. *Mr. Rhodes.*] You state in your letter that the verdict in 1889 was obtained by fraud?—What I say is that portions of land that had no right to be awarded to the Whanau-a-Iritekura Hapu were awarded to them.

48. But that does not explain the fraud?—I look upon that as a fraud. There was no right to include lands of other persons within an award to these people. It would perhaps have been better for me to have said it was wrong.

49. *Mr. Herries.*] Is the only reason that you wish Tuta put in, on account of *aroha*?—*Aroha*, for this reason: if it had not been for Pakanui's conquest, the ancestor of Te Whanau-a-Iritekura would have got this land.

50. You say that none of your own hapu agree with you in this matter now. Is that so?—Yes.

51. Have they not as much knowledge of the case as you?—I do not think they have any knowledge of this place that I have spoken of—Te Matai.

52. If a rehearing takes place, are you prepared to stand up and say before the Court that Tuta ought to go in on account of *aroha*?—Yes.

53. All your friends—your own hapu—oppose you?—It looks like it. They are not in sympathy with this petition.

54. *Mr. Parata.*] When this land was handed over to Iritekura, was there any boundary specified?—That is what I heard.

55. Can you name the boundaries?—I cannot.

56. What was the reason for this gift—there must have been some?—I heard that Iritekura begged for it from them—*i.e.*, from Pakanui and Tuwhakairiora.

57. What was the reason for her begging for it?—Because she wanted land for the occupation of herself and her children.

58. And had she not any land elsewhere—apart from this?—I heard that she belonged to Oreti.

59. She did not belong to this place?—No, she did not belong to Waipiro prior to the time of the gift.

60. *Tuta Nihoniho.*] Did you not hear from your father that in the year 1847 there was trouble between Te Awarau of Te Whanau-a-Iritekura and Hikarukutia of the Te Aitanga-a-Mate about this Waipiro Block?—Perhaps I did, but I do not remember it now.

61. Did you not hear from your elders that about 1869 there was trouble, and the Te Whanau-a-Iritekura were sought to be driven out of Waipiro by Te Aitanga-a-Mate?—Yes, the Aitanga-a-Mate sought to drive out the Whanau-a-Iritekura from Waipiro. I was not born then; I was born in 1871.

62. Have you at any time heard that from 1885, when this land of Waipiro was brought before the Court, down to the present year, I, the descendant of Pakanui, have ever admitted that there was any gift to the Whanau-a-Iritekura?—No.

63. *Paratene Ngata.*] Who have you heard was the original ancestor who owned this land—the portion called Te Matai?—I claim that it belonged to my hapu, Te Whanau-a-te Aotawarirangi.

64. Your father belonged to that hapu?—Yes.

65. Yet your father did not claim that land as belonging to him under that hapu?—No.

66. Nor did any other member of the Whanau-a-te Aotawarirangi Hapu?—No: Whanau-a-te Aotawarirangi did not make any claim, but other hapus did claim that place.

67. Did you never hear your father say that this land, Te Matai, was a gift by the ancestor Tamakari to Tumaiterangi and Te Aringaiwaho, Tamakari being a descendant of Iritekura?—I did not.