

1913.
NEW ZEALAND.

NATIVE LAND CLAIMS ADJUSTMENT ACT, 1910:

REPORT AND RECOMMENDATION ON PETITION No. 435/1909, RELATIVE TO
TUNAPAHORE BLOCK.

*Laid before Parliament in compliance with Subsection (4) of Section 28 of the Native
Land Claims Adjustment Act, 1910.*

Native Land Court (Chief Judge's Office),
Wellington, 7th November, 1913.

The Hon. the Native Minister, Wellington.

Tunapahore.

I FORWARD herewith, in duplicate, report and recommendation in pursuance of section 28 of the Native Land Claims Adjustment Act, 1910, respecting the above-mentioned land.

JACKSON PALMER,
Chief Judge.

In the Native Land Court.—In the matter of section 28 of the Native Land Claims Adjustment Act, 1910: and in the matter of the land known as "Tunapahore."

Report, pursuant to the above-mentioned Section, on Petition of Kopu Erueti and Others.

THIS matter was duly inquired into by me, at a sitting of the Native Land Court at Opotiki, on the 17th October, 1913, and following days. Mr. Myers (Bell, Gully, Bell, and Myers) appeared for Ngaitai, Mr. R. C. Sim for the Whanau Apanui, and Mr. Raureti Mokonuiaurangi for the Whanau-a-Harawaka.

1. The primary question in this case is, Where is the location of the tribal boundary between the Ngaitai and the Whanau Apanui?

2. The Whanau Apanui claim that their boundary runs as far westerly as Pehitairi, while the Ngaitai claim their boundary runs as far north-easterly as a direct line inland from Tokaroa Rock via Rakautakihī.

3. There is no doubt that each party knows that it is claiming more than it is entitled to or can hope to obtain.

4. It is common ground to all parties in this case that Torere is the Ngaitai kainga and Marenui is the Whanau Apanui kainga. The position is shown on the sketch-plan hereto attached.

5. There is another question raised in this matter by a hapu of the Whanau Apanui who have to an extent intermarried with Ngaitai—namely, the Whanau-a-Harawaka. They claim that the disputed territory is Whanau Apanui land, but belongs only to the Harawaka Hapu of that tribe.

6. As the last-mentioned dispute did not come within the scope of this inquiry, I informed the parties that I could only consider whether a *prima facie* case for a new trial had been established or not, and that, if Parliament granted a rehearing, it would be for the Court to decide the position of the dividing-lines, and whether the Whanau Apanui or Whanau-a-Harawaka were entitled, and to what extent.

7. The Ngaitai have always been a brave and very intelligent tribe, and in ancient times were fairly numerous and held a considerable area of ancestral land. They never refused a fight, and always fought hard, and the consequence was that, after their wars with the Rongowhakaata, Ngatimarū, and Whakatohea, they became reduced in numbers, and their boundaries were effectively encroached upon by the Whakatohea on the west and south and by the Aitanga-a-