

while finding that Anaru left descendants (p. 139), awarded the whole interest to the children of Reihana Rawhiti. It would appear from the proceedings that the whakapapa of these persons had been in dispute since 1871. Nowhere is anything said about the whakapapa now given by Tupaea Ruihana. That, however, may well be from the fact that the interests then under consideration were Ngatipeke, while Opuatia belongs to Ngatitipa.

It would seem, then, that either party to the present dispute may be right. I should have considered Kima's own evidence settled the matter, but the Native Land Court in 1908 decided against his claim. The assertions made before me that Kima was not of Ngatitipa are disproved. Wiremu Rewharewha, who gave evidence in 1908, supports the contention that Anaru Kupe was next-of-kin to Kima.

On the material before me I do not see my way to make any recommendation.

CHAS. E. MACCORMICK, Judge.

The Chief Judge, Native Land Court, Wellington.

[Extract from Auckland 14, folio 193-4.]

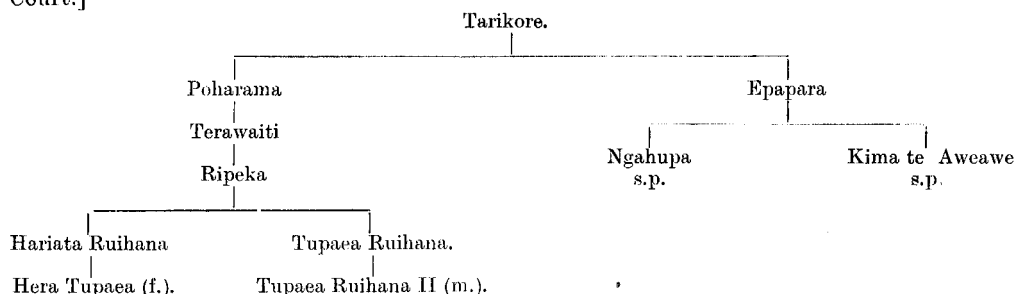
*Putataka No. 18; Opuatia IIa 1.—Kima te Aweawe (deceased).—Petition 138/1916.*

SECTION 32 of Native Land Amendment and Native Land Claims Adjustment Act, 1920: Reference by Chief Judge for inquiry and report.

Tupaea Ruihana, the petitioner, present. Wiremu Rewharewha, one of the successors, is also present, but states he is not the next-of-kin—that the other two successors put him in. They are at Pirongia.

TUPAEA RUIHANA sworn.

To Court.]



The share of Ngahupa was awarded to Hera Tupaea in another block. Kima te Aweawe was still alive then, and consented to the interest going to Hera. This was in one of the Pepepe sections. Epapara was a man. I do not know his wife's name. I do not know what whakapapa was given to the Court in 1911. [Minute-book is not here at present.] The persons who succeed to Kima are not Ngatitipa, and none of them is included in the list of owners for Opuatia or Putataka; but I am.

WIREMU REWHAREWHA: I am not in a position to ask questions. I agree that the successors have no right in Opuatia of their own (i.e., are not included in original title), but they have a right from their grandfather, who was a brother of deceased. His name was Anaru Kupe. In Pepepe case Kima te Aweawe gave evidence that the two successors other than myself were grandchildren of his brother. I cannot give the reference, but the deceased were Paramena Toti Kirikauanga, Karena Pohaira, Anaru Kupe. Kima te Aweawe had no right in Opuatia. He was included by Waata Kukutai. The ancestor was Tamatera, and Kima had no right from him.

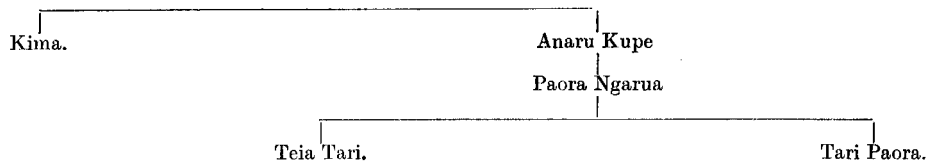
(Deferred for inspection of records.)

[Extract from Mercer 16, folio 121.]

Present: A. G. HOLLAND, Judge. 6th September, 1911.

*Putataka, Lot 18.—Kima te Aweawe (deceased.)*

WIREMU REWHAREWHA sworn: Died about three years ago. No will; no issue.



Descendants ask that I be appointed successor.

Order to Wiremu Rewharewha (m.), one-half; Ngapora Paora (m.), one-quarter; Rangimakehu Paora (f.), one-quarter.

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