

[Extract from Whakatane Minute-book No. 21, pages 67-74.]

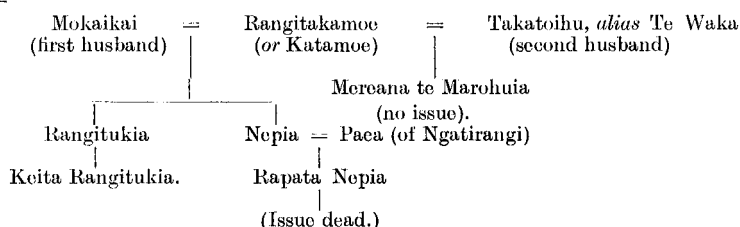
24th April, 1923.

Re MEREANA TE MAROHUIA and RAPATA NEPIA (DECEASED).—Inquiry pursuant to section 55 of the Native Land Amendment and Native Land Claims Adjustment Act, 1922.

Mr. Smith for the petitioner, Keita Rangitukia; Mr. T. M. Lawson for the respondents.

MR. SMITH: The interests affected are those of Rapata Nepia in Rangitaiki Lot 28B (succession order dated 19th September, 1907), Rangitaiki Lot 31 (succession order dated 19th September, 1907), Houpoto (succession order dated 2nd October, 1907); and those of Mereana te Marohuia in Rangitaiki Lot 28B (succession order dated 19th September, 1907), Rangitaiki Lot 31 (succession order dated 19th September, 1907). Keita Rangitukia, the petitioner, is a woman of about ninety—very infirm and very deaf. I have not considered it necessary to have her in attendance, and I propose to attempt to establish the case by outside evidence. The petition refers to two separate deceased persons. In Pokohu C and D, Waimana 260A Nos. 28 and 9, Waimana 266, Omataroa No. 10, Lot 39, Whakatane, and in Matahina A No. 3B, Keita Rangitukia was appointed successor to Rapata Nepia. It is sought to have cancelled the succession orders referred to in the petition. After this lapse of time some of the lands may have been sold. In addition to the claim for land there is a claim for compensation. Even if the lands have not been leased my client has been deprived of the opportunity of dealing with them. The people who have been appointed successors can hardly be blamed. The awards were made by a Judge of the Native Land Court, and I think that this Court, in considering its recommendation, should take into consideration the fact that the petitioner has been put to expense. I suggest that, if the finding is in favour of the petitioner, the Government should pay her a reasonable amount of compensation to reimburse her for the loss of the land during the period since the succession orders were made, and for the expenses to which she has been put. The latter will be approximately £45.

POUAWHA MEIHANA (sworn): I knew Mereana te Marohuia. I will give her whakapapa as far as I know it:—



I went to Wellington in support of the petition and produced certain succession orders, in regard to other blocks, whereby the interests of Mereana te Marohuia were awarded to Rapata Nepia. The former died about 1901 and the latter about 1906. Anahera Patara was one of the successors appointed to Mereana te Marohuia in Rangitaiki Lots 28B and 31. I do not know that she was at all related to the deceased. I knew Heni Piti. She used to live here at one time. I never heard that she was at all related to either of the deceased persons named in the petition. Merito Hataraka and T. M. Lawson were in Wellington when the petition came before the Native Affairs Committee. We were all there when the Hon. Mr. Ngata asked Merito what he thought of the petition. He replied, "It is quite right" (Kei te tika). He also admitted this before the Committee.

Cross-examined by Merito Hataraka:] I do not know who Keita Rangitukia's father was. From her appearance he may have been a European. Rangitakamoe (or Katamoe) belonged to N'awa. I cannot say what interests in land she had, or what her hapus were. Mokaikai belonged to N'awa and to several hapus, but I cannot name them. N'Hokopu was one. I know that Keita was living with the Arawa people when Rapata Nepia died. Rapata died at Rangitaiki. He had a serious illness, and his relatives here looked after him, but not at the time of his death. After his illness he was totally blind for a long time. Some of his successors looked after him, but not all of them. I never heard that Takatoihu had any interest in the Rangitaiki lands.

TIARI REWIRI (sworn): I remember Rapata Nepia's death. He had one child, Koau Rapata, who I think was alive when he died. Koau died without issue, but I cannot say when. (Witness gave whakapapa identical with that given by last witness.) Keita Rangitukia was more closely related to Rapata Nepia than any of the other persons appointed to succeed to his interests. Rapata and Keita were the nearest of kin to Mereana te Marohuia, and should have been appointed to succeed to her interests. Anahera Patara was an adopted child of Mereana te Marohuia.

Cross-examined by Merito Hataraka.] The Rangitaiki sections were confiscated lands, afterwards handed back by the Crown. I admit that it is usual for the interests of deceased owners to go back to the source whence they were derived. Mereana's interests in Rangitaiki Lots 28 and 31 were derived from her father.

To Court.] The confiscation of the land by the Crown extinguished all ancestral rights. The Court which fixed the names of the grantees relied mainly on occupation.

TE HURINUI APANUI (sworn): I knew Mereana te Marohuia and Rapata Nepia. The whakapapa given by Pouawha Meihana is correct. Mereana te Marohuia died some years before Rapata Nepia. If her interests had been succeeded to before the latter's death he and Keita Rangitukia would have succeeded equally. I can give Anahera Patara's relationship to Mereana te Marohuia:—

