

gift in fulfilment of their original intention to make over the territory at Whakapuaka to Te Puoho. That Paremata te Wahapiro after being captured at Tutarau in the Southland District, when his stepfather Te Puoho was killed, was held in captivity for several years, probably ten, amongst the Ngaitahu at Tuapuke in Foveaux Straits, and was not released till probably about the end of 1843 or the beginning of 1844. That at the time the Ngatikoata gave the land at Whakapuaka to Kahoe for her son, Wi Katene, it was not known whether Paremata te Wahapiro was even alive, the presumption was that he was dead, killed at the same time that Te Puoho was; it is highly improbable, therefore, that the Ngatikoata gave the land to Kahoe for her son, Paremata te Wahapiro, as the Paremata family have tried to establish, as he was supposed to have been killed at Tutarau with his stepfather, Te Puoho; moreover, the land given by the Ngatikoata was the land formerly offered to Te Puoho, the father of Wi Katene, to induce him to remain in the district, in place of going south, which he had decided to do for the reason previously stated, and the subsequent concession was merely a fulfilment of the first offer, and it was the fulfilment of this offer by the Ngatikoata to Te Puoho that was afterwards sought by and made to Te Kahoe, for her son, Wi Katene te Puoho.

Para. 219.

6. It is highly improbable, and the probabilities have to be considered in a case of this kind, that if the primary offer had not been made to Te Puoho that Kahoe would not have asked the Ngatikoata to fulfil it, and that it is unlikely under the circumstances that she would ask the Ngatikoata to make the concession in her favour (a point that is contended by the Paremata family) inasmuch as her main object in asking for the concession was to provide for her son, Wi Katene, who through being the son of Te Puoho, the eldest brother, was her primary care and occupied the premier position in her estimation, especially as her eldest son by her first husband, Te Taku—namely, Paremata te Wahapiro—was dead for all she knew and so needed no further consideration. Her two daughters by the first marriage were not with her at the time, and probably if they had been would have not caused her any consideration, as it would be expected that their husbands when they married would provide for them. From years of association with the history of this block and from facts that have from time to time come to knowledge, I am satisfied that Kahoe asked the Ngatikoata for the land, not for herself, but for and on behalf of her son, Wi Katene.

7. Taking all the circumstances into consideration and judging by after events, the supposition is undoubtedly in favour of the Whakapuaka Block having been given to Te Kahoe for her son, Wi Katene, who, although the youngest brother, held the premier position according to Native custom through being the son of the eldest brother, Te Puoho.

Para. 220.

8. To me it is quite clear that as the block was first offered to Te Puoho, the father of Wi Katene, at his death the natural result would be, on the Ngatikoata being asked to do so, to make over the block to his son, and that if it had not been for this offer the concession would never have been asked for, and made.

Para. 220.

9. Te Taku, the father of Paremata te Wahapiro, died in the North Island before the Ngatitama immigration went south to join Te Rauparaha at Kapiti, consequently he was not concerned in the subsequent conquest of the South Island, and his family were not persons of any consequence in the eyes of the Ngatikoata. That statement cannot be rebutted that Paremata te Wahapiro was captured at Tutarau when his stepfather Te Puoho was killed. This occurrence took place prior to the colony being founded, and Paremata was not released until 1843 or the early part of 1844.

Para. 221.

10. Paremata was present with Wi Katene (Te Manu) and other chiefs at an interview held with the Natives when Governor Fitzroy visited Nelson in February, 1844, and he was also present at Commissioner Spain's Court held in Nelson in June, 1844, and the next that is known of him is at the trouble caused by him in Happy Valley either at the end of 1844 or the beginning of 1845. That, partly owing to Paremata's hostility towards the European settlers and his general quarrelsome nature, and partly to assert his own rights to the Whakapuaka Block, Wi Katene determined to turn Paremata away from Whakapuaka, and did turn him away in 1845. Paremata left and went to the North Island. He was at Paekakariki when the Wainui Block was sold to the Government, and he was in Wellington in 1853, and joined with the Ngatitao Tribe in selling all his claim to lands in the South Island. Paremata used to visit Whakapuaka at intervals between 1845 and 1853, but he did not return again after attempting to sell Whakapuaka, and he ultimately died up the Manawatu River amongst the Ngatiwakatere. That, though Paremata was an older man than his stepbrother, Wi Katene, on the mother's side, it must be understood that Wi Katene held the paramount position according to Maori custom through being the son of the elder brother, Te Puoho, consequently Huria Matenga, the daughter of Wi Katene, ranks superior to the progeny of Te Taku, the younger brother, whose descendants are the Paremata family.

Para. 222.

11. That Paremata te Wahapiro joined in the sale by the Ngatitao in 1853 and disposed of all his interest, whether possessing any or not, in the South Island, inclusive of Whakapuaka to the Government. That, on the other hand, Wi Katene refused to sell his interest to the Government and strongly opposed any interference with his interest at Whakapuaka, and refused to recognize the right of the Ngatitao to dispose of it, and after an attempt to adjust matters the Government finally abandoned all claim to the Whakapuaka Block and allowed matters to remain *in statu quo*. That had it not been for the strenuous efforts of Wi Katene to retain possession of the block, and his steadfast refusal to accept payment from the Government, the Whakapuaka Block would in all probability have passed to the Government, subject to a reserve of 100 acres for the Natives. This was what was contemplated by the Land Purchase Department, but Wi Katene's opposition saved the block.