

Case for Petitioners.

Waaka te Arakai.] Wharewaka was reserved by Natives to fish for Kokopu. It was a landing reserve for canoes to fish. It was on second purchase of Township of Taupo that three reserves were made—viz., Wharewaka, Patuiwi, and Waipahihi. The latter two for occupation and Wharewaka for fishing for Kokopu. They have a fishing trap laid out in the lake—for distance of chain and half starting at shore to a tree in lake named Te Pere-a-ngatoroirangi—really an atua. It grew from an arrow shot from top of Tauhara. Trap made of fern and timber. A chain of traps extending into lake. All from ancient times. I remember the time we caught Kopopu there but not now. Some people lived there—one man named Matewaru; I saw him—also Hemepo; not permanent but for a month or so at a time. No one buried there. Fishing seasons for Kopopu is the winter time. Many people fished there for some time after deed signed, but not in recent times. Trout have fed on Kokopu and now pretty well extinct. (Tupara Maniapoto says he fished there up to about 30 years ago.) I remember when these lands reserved from sale to Crown. When sale proceeding our elders asked for 7 acres to be reserved. Maniapoto asked Court. My father was Hunia Takarua, the father of Hamuera Takarua named in title. I think Hunia signed deed.

(Tauhara,
1875.)

(NOTE.—Hamuere signed deeds of 1875 and 1879.)

No one lived there recently. At Wharewaka only Kokopu fishing ground on that side of lake. On other side there is Rangatira. We always looked on Wharewaka as our own. We looked on Parakiri as our land. We wanted our reserves for landing and occupation. Only for Maoris. Wharewaka not for Pakehas. No European occupation on that side of lake when deeds signed. No European used lake at time or wanted to land on eastern side. No road at that time. No connection between Taupo and any other place via Wharewaka. Wharewaka only required by Maoris. Never used by pakehas. Only since trout came did Europeans use the lake. Crown never asserted claim to Wharewaka and not even in recent times. I only knew Crown claimed it when Parakiri came up and I put in my petition.

Cross-examined by Mr. Darby.] People came to fish in canoes. People came from Waitahanui, Waipahihi, and Rangatira. They all came in canoes. Sometimes stayed two or three nights, some a week, sometimes a month. Only fishing houses—of raupo and manuka but no permanent buildings—only shelters. Only used land for fishing purposes. Only koura, inanga, and kokopu in lake at that time. Europeans didn't fish there. Soldiers here but not using lake—busy looking after Te Kooti. Before purchase Wharewaka was the Maori name for this place and owned by all owners of Tauhara.

Mr. Bird.] We recognize the chain reserve and without further compensation than already given in the grant to N' Tuwharetoa of £3,000 (approx.) per year. But claim balance of land and would consider an exchange on valuation. We do not require it any further for Kokopu fishing. I have heard Mr. Darby's case. I must refer to Parakiri too as it is in petition. Judge Holland did not put forward the case based on the confirmatory agreement. This deed covers the other deeds. We claim Parakiri as a reserve. It is mentioned in evidence. Wharewaka excepted from sale by both deeds. Reserved for natives alone. See Waaka's evidence to-day. Natives always thought Wharewaka was theirs. I say we should get Wharewaka. One main condition of sale to Crown was that Government pay all survey costs. It is in deed. We are prepared to accept Wharewaka back with the chain off but will lump area left at western end.

Paora Tahau.] Am descendant of Mere Hapi—one of the grantees. The position as disclosed yesterday is new to me. I knew there were three reserves set aside for the natives—Patuiwi Waipahihi, Wharewaka also Parakiri. Patuiwi a permanent reserve for the Maoris. Waipahihi also the same. Both reserved out of the sale. And Wharewaka also reserved. Our elders fished from Wharewaka right down to our time. Fishing there at time of sale. Fished for Kokopu. My father, myself, and Maniapoto used to go from Waipahihi to fish. We used to turn our canoes upside down and use them for shelter at night. Canoe used as a whare—hence the name "Wharewaka," meaning "canoe house." Area 6 acres 1 rood 20 perches. Always understood Wharewaka was a permanent reserve for the Maori owners of Tauhara for all time. Reserved from sale to Crown accordingly. I humbly pray to Court that Wharewaka should be reserved for all time to the Maori. I think Crown has already derived sufficient revenue from camping sites and should leave us Wharewaka. 25/8/1937.

Questioned by Mr. Darby.] Remembered Wharewaka since I was a child. Waipahihi never used for fishing for Kokopu, but inanga caught there. A stream there and that is the reason. Inanga came up stream but not the Kokopu. Since sale to Crown of Tauhara people have fished for Kokopu at Wharewaka. About 30 years ago approximately the last fishing for Kokopu.

To Court.] I live at Wharewaka. I don't think Crown has exercised acts of Ownership since the sale.

Tupara Maniapoto.] I endorse previous statements on our side.

Rore Rutene.] Ditto.

Panapa Maniapoto.] Ditto.

Mr. Darby.] At outset I would like to correct statement made yesterday by Mr. Bird regarding survey fees. Nothing in deed to say Crown should pay survey fees. See copy in Appendix. Natives actually paid survey fees—probably also for the Crown piece. The confirmatory deed of 1879 was made for several reasons—one was that Judge Rogan had appointed successors to one of the original grantees—many successors and Crown embarrassed. Question of reserves also cropped up in