

Examined by Mr. McDonald: The land belonged to Kauwhata formerly, and my claim to it arises through the marriage of Marekapunui with Te Pareanutaua; this is the marriage which gave Ngatikahukura a claim to this land, three others of Ngatikauwhata married with Ngatikahukura men. The marriage of these women into Ngatikahukura did not extinguish their claims to Pukekura. Ngatiteao was the hapu of Te Wiwini—there are two Ngatiteao hapus; I cannot explain them. Ngatiwerewere belonged to Ngatihaua, they were also Ngatikahukura. Ngatiwerewere were mixed, and went to live on this land. Ngatipare was also Ngatihaua. Ngatikahukura were a separate people from Ngatihaua. Waharoa was not at the battle of Kariaruhe; a battle took place at Hamilton. Ngatikauwhata went to Pukekura after Taumatawiwi. I never heard of Te Waharoa's word about the location of Ngatikauwhata on Pukekura. Waiwhakaata was the place in Pukekura to which Ngatikauwhata returned. I was here at the Court, in 1868. My uncle had this land (Pukekura) brought before the Court, and Te Waata Tahi conducted the case. [Names of certain persons read from Panui (notification) of 1868.] I know those persons; that Parakaia was not he of Kapiti. Tapa te Whata and his friends did not come to the Court. Ngatiraukawa, under Parakaia Pouepa, opposed our claimants. I knew at that time that Parakaia to Pouepa was a Ngatiraukawa and not a Ngatikauwhata. I have heard some of the witnesses before this Court. It is not long since I heard, for the first time, of the word of Wharepakaru to Wiwini. It was an argument between my parents and Wiwini's men about an eel weir, somewhere about 1857, or earlier. Heni withdrew herself from the Crown grant, because the influence of Tamihana and his children had declined; or rather because Wi Tamihana's mana had ceased when I came on it. Harete was the person appointed to represent the interests of Tamihana's family. There were twenty-six names in the certificate; the ten were chosen from that number. Heni, my wife, was not of that twenty-six. None of Tamihana's children (males) were in that twenty-six. Harete was not appointed a ruler of the whole people, she was appointed to represent the interest of her parent, Wi Tamihana. Harete appointed herself, she claimed in her own right. My wife and Tamihana's two sons had a claim to the land, but they gave no evidence during the hearing (1868). My wife did not agree to the disposition of the land, and that is why her name was not in. Heni claimed the land for Ngatikauwhata. There are no Ngatikauwhatas in the Crown grant, but there are half-caste Ngatikauwhatas in it. My wife has never received any of the proceeds of the sale or lease of Pukekura. If at the time of the Whakawa (Court) Parakaia to Pouepa had been appointed to represent the Ngatikauwhata people they would have been defeated. Had they (Ngatikauwhata) been here to sustain their own interests they would not have been defeated.

By the Court: I did not hear Parakaia say at the Court of 1868 that he appeared for Ngatikauwhata. I heard him say he appeared for all Ngatiraukawa of Kapiti. Parakaia's claim on Pukekura was by Ngatiraukawa. Raihi and others opposed him; the half-caste Ngatikauwhatas here opposed him also. Parakaia and his Ngatiraukawa friends lost their case. Parakaia called witnesses from amongst his own people. The Ngatikauwhata half-castes here were on the same side and working in concert with the resident Ngatihauas against Parakaia.

Major Wilson, recalled at the request of certain Natives through Mr. McDonald.

Te Ngakau said: I was desirous of asking questions while Major Wilson's evidence was on my mind. I have forgotten the questions I meant to ask; there may be some present who remember the questions they wished to ask Major Wilson.

Harete Tamihana said: I wish to ask about the evidence of Major Wilson and of Mr. Searancke. [No question was asked.]

Mr. McDonald said he would like the Court to hear the statement of Tamihana's son.

Hote Tamihana: I am grandson of Waharoa, and son of Tamihana. I know Pukekura well. I had it surveyed, but was not present at the Whakawa (Court). Whilst I was surveying that land I considered it belonged to me—that is, to me as chief of our family connexions who had an interest according to Native custom. My parents were the persons who exercised the mana over this land, Pukekura, and it has come to me. I have others who claim on this land. Tapa te Whata is another. Notices of the Court in 1868 were sent all over the country. They (Kauwhata) did not appear, and I said this land belongs to me only. When Ngatikauwhata went away I was left in charge of the land for them. If they (Ngatikauwhata) had any claim to this land why did they not put in an appearance? If the Government were the occasion of their not appearing then the Government should compensate them for their loss.

By the Court: When Raukawa went to Kapiti they were fighting with Marutuahu. Raukawa and Kauwhata did not fly in fear of Marutuahu. Raukawa and Kauwhata went to Kapiti before Taumatawiwi. I was not born then. My parents and grandparents gave me the word that the land was left in my charge. When the pakeha system prevailed came the confusion. In my opinion Ngatikauwhata and Ngatihaua are so connected that they should be equal on this land. They are one people. The pakeha customs have divided us. This land belongs to Ngatikauwhata, of which I am a branch, and I was left to guard it. They who left and went to Kapiti were great chiefs, those who remained also were chiefs. I was not present at the 1868 Court, because of Tawhiao's word, but I surveyed the land and sold it. I received some of the money. I considered that as Kapiti people did not appear I could keep the money, but it was a theft. I gave them no money. When I had the money I did not think about those at Kapiti. The money is all gone now. How can I share it with them now?

Taingakawa, alias Tana te Waharoa (examined by Mr. McDonald), sworn: I am son of Tamihana. I know Pukekura. I was not present at the Court of 1868. I was with the King then. I heard from my father and grandfather that Pukekura was the land of Wiwini and Ngatikauwhata. I heard that this land was awarded by the Court to the men you have named. [Read from copy of order.] That land would be properly the land of the descendants of Kauwhata. I have heard from my father that there were descendants of Kauwhata at Kapiti. Had my father been still alive this land would not have gone to the people you have named, it would have gone to Ngatikauwhata.

By Major Mair: Harete gave me a portion of the money for Pukekura. I think it was less than £8. She alone gave me any money for Pukekura. Hakiriwhi gave me £4. The share in Pukekura belonged to Harete. I got some money from her—about £7. I forget the amount. If any Pakeha