

We have carefully considered all the evidence in regard to occupation, and we find that the quality of occupation generally accepted as proof of ownership of other Native lands is no stronger than in the present instance is the occupation of the Ngati Tawhaki, Ngati Koura, Te Urewera, Te Mahurehure, and other hapus, upon this land—that is to say, the occupation dating from the establishment of peace at the close of the war with the Europeans, and the subsequent occupations down to the present day. These were not merely new occupations, but were a renewal of their former occupation, existing prior to the Pakeha war, and obtaining during the time of the “Whakapono,” or introduction of Christianity, at which period Te Waitapu, Kotehetehe, and Waikirikiri were occupied as pas, the said pas having been principal pas at which the above-mentioned hapus dwelt together in former days, the occupation of which was occupation affecting this land, and other lands in this neighbourhood belonging to the said hapus at that time. There were also numerous residential kaingas on the land which were occupied by them during the period above mentioned.

A further aspect of the matter is as follows: A large number of persons of the before-mentioned hapus have been included in the land, and now others of them are submitted to us for inclusion by the appellants. The family of Tangohau, and the family of Te Paoro, and others of Ngati Tawhaki—thirty-three persons in all—are asked to be included in No. 1 Block for certain defined shares; also the family of Te Whaiti Paora, and other persons, asked to be included through “aroha”—six names in all—making together with the thirty-three first-mentioned persons a total of thirty-nine persons in all. The Ngati Rongo people, including Numia Kereru and Akuhata te Kaha, have submitted these names for inclusion, and this has been agreed to without a single objection.

We recommend that the persons who, in our opinion, should properly be included in the Ruatoki Nos. 1, 2, and 3 Blocks be so included therein, and we have therefore prepared and attached lists of the names and shares of the said persons to the file of each of the three above-named blocks for inclusion in each of the said blocks respectively, and have struck out from the lists submitted to us by the appellants for inclusion the names of the persons whom we are of opinion should not be so included.

The whole of the persons in the list of names submitted to us by Te Anewa Piripi for inclusion are residents of Ruatahuna and Waikaremoana, and have been struck out by us.

In regard to the list of names submitted to us by Puihi Marutawhao for inclusion, we will duly and carefully consider which of such persons should in our opinion properly be included; the evidence in support of his list of names is not of a very strong character. The same is the case in reference to the list submitted for inclusion by Te Hokotahi te Puehu, and also in regard to the lists of names submitted to us by other claimants for inclusion, and all such claims will be duly weighed and considered by us.

In regard to the claim by Hori Aterea for inclusion of certain names, we are of opinion that this case is justified, both under ancestral right and by occupation; and we recommend that this list of names, with the shares asked for each person, be included in the orders for each of the three blocks respectively.

In regard to the claim by Mehaka Tokopounamu for the inclusion of the persons in the list submitted by him, we recommend that such of the persons in his list as, in our opinion, have a right to be included be so included; and we make a similar recommendation in reference to the list of persons submitted by Netana Whakaari for inclusion.

We have weighed and considered these claims, and have prepared and attached lists of the names and shares of the persons whom we recommend to be included to the files of papers of the Ruatoki Nos. 1, 2, and 3 Blocks respectively.

In regard to the several lists of names submitted by Te Pouwhare te Roau, by Hiki Natana-hira, by Te Whetu Paerata, and by other appellants respectively, for increase of shares: We have carefully gone into these claims, and in the case of certain of the said claims we cannot see any reason why they should be given increased interests, seeing that they are already owners of larger shares than are the majority of the owners in the orders of the previous Commission for these blocks. We have, however, given due consideration to the fact that in certain instances the increases asked for have been agreed to by the owners; and in all cases where we are of opinion that the increases asked for should be granted we have added the names of the persons to the lists, and have inserted their increased shares in the copies of the orders attached to the file of papers for each of the three blocks respectively, and we recommend that they be so increased accordingly.

The following is a summary of the recommendations made by us as above set out, under the several appeals before us for inquiry:—

RUATOKI No. 1 BLOCK.

(Area, 8,735 acres. Seventeen appeals.)

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| Order of previous Commission contains 497 persons, with a total of | ... | ... | ... | 3,832 shares. |
| The interests of 6 persons to be reduced by | ... | ... | ... | 22 „ |
| | | | | <hr/> 3,810 „ |
| 88 new names to be added to the order, with... | ... | ... | ... | 333 „ |
| The interests of 32 persons to be increased by | ... | ... | ... | 96 „ |
| | | | | <hr/> 4,239 „ |
| Totals, 585 persons | ... | ... | ... | 4,239 „ |