

her father, Wiremu Katene, and her grandmother, Kauhoe. Upon objection being challenged two counterclaims were brought forward : Firstly, Meihana Kereopa and others claimed through Rangitane, Ngatikuia, and Ngati Apa Tribes, and, secondly, Tepine te Ruruku claimed through Ngati Koata Tribe.

64. The first claim taken was that of Ngati Kuia and Rangitane. Winini Wiremu was the first witness, and his evidence was colourless. The next witness was Hemi Whiro, who claimed ancestry. His evidence epitomized the history of the block as follows : Tutepourangi and the tribe gave the land to Ngati Koata solely before the conquest. After this came the invasion, when all (Ngati Kuia and Rangitane) were destroyed, conquered, and cleared out—Te Patete and Te Whetu (Ngati Koata) lived there after the conquest with Huria Matenga's ancestors—Wi Katene and others lived on the land since the conquest : Ngati Kuia and Rangitane did not move from the land until it was given (by Ngati Koata ?) to Wi Katene and his mother, Kauhoe. Under cross-examination by Hemi Matenga the witness said that he heard that Te Whetu had given the land to Wi Katene. Obviously the witness was concerning himself more with the identity of the donor of the gift than with that of the donee, and no great weight can be placed upon the omission of reference in the cross-examination to Kauhoe as the donee or one of them.

65. The next witness was Meihana Kereopa, who stated that he lived with Paremata (Wahapiro) on the land, and that after the Ngati Toa - Ngati Tama sale (1853 and 1856) he came away. He first says (to Mita Karaka) that Ngati Koata gave the land to Wi Katene and then (to Hemi Matenga), that Te Whetu (Ngati Koata) gave the land to Kauhoe, mother of Wi Katene. He is possibly in error if he really said that Kauhoe reserved Whakapuaka from the sale. She died shortly prior to the sitting of Spain's Court, but she may have objected to the sale previously. This concluded the evidence for the Ngati Kuia, Rangitane, and Ngati Apa claim.

66. The first witness called on behalf of the Ngati Koata case was Ihaka Tekateka, who stated that his mother was killed on the invasion of Whakapuaka (she would probably be a sister of Tutepourangi). He claimed the whole block under the gift from Tutepourangi to Ngati Koata. He further stated that after the war Ngati Koata gave the land to *Wi Katene for himself not for the tribe*, whatever that means, adding that when Wi Katene wished to lease portions of the land he had to obtain the consent of Te Patete, his contemporary Ngati Koata chief. At this stage the Ngati Kuia and Rangitane case was withdrawn (Saturday, 17th November, 1883), and the Court adjourned to the Monday.

67. At the present hearing it was given in evidence that the Ngati Kuia and Rangitane case was withdrawn consequent upon a great "hakari" or feast being given exclusively to those tribes by Hemi and Huria Matenga. The witness was positive that there was no reason, other than the withdrawal of the claim, why the Matengas should have provided this "hakari." The Nelson paper of the 19th November, 1883 (Monday), contains a report of an exhibition of singing and dancing by the Natives in the Botanical Gardens.

68. On Monday, the 19th, Ihaka Tekateka was recalled by Hemi Matenga for the purpose of saying apparently that he knew of one Ngati Koata (Hohepa Kurua) who lived at Whakapuaka before Wi Katene took possession, and that he did not know of any who lived on the land during Wi Katene's time.

69. The next Ngati Koata witness was Hoera Ruruku, who also claimed under the gift from Tutepourangi and occupation by Tekateka under that gift. At a later date, after Whakapuaka had been sacked by Ngati Toa, Tekateka had still retained possession, being joined on the block by some of the witness's ancestors who moved there from Motueka. After staying a while at Whakapuaka all these people had gone to Rangitoto (D'Urville Island). He goes on to say :—

Kauhoe and Wi Katene (her son) came then to live at Whakapuaka. Kauhoe asked Te Whetu for a piece of land to live on. He told her to go to some other member of Ngati Koata. She went to Te Maka Iharaia and Tepene Mukumai, who told her to go to Whakapuaka, and showed her the boundaries—from Kahupakura to Waihi."

To Hemi Matenga he said,—

That Te Maka Iharaia and Tepene, on behalf of Ngati Koata, gave the land to Wi Katene, but we continued to have a right. This land was shown to Wi Katene as land on which *they* [the italics are mine] might live. Some Ngati Koata lived on the land after the gift to Wi Katene, but I cannot give their names. Never heard of leases to Mr. Mackay.

70. The next witness, Ngamuka Kawharu, corroborated the evidence of Hoera Ruruku regarding Tutepourangi's gift and Ngati Koata occupation. He adds that—

"After the peace Kauhoe and her son came over. She came to Te Whetu, who was living at Rangitoto, asking for some land for herself and boy."

"She was sent to Te Maka (Iharaia) and by him sent to Whakapuaka but told not to take others with her."

"Huria (Matenga) agreed to give some land back."

To Hemi Matenga, the witness stated—

"Wi Katene excluded us but he had no right—Huria did not give us a written promise—but she promised—*you have prevented her*."

71. The next two witnesses, Raniera Kawharu and Tepene Turi, both testified that Huria Matenga had been asked by Raniera for a piece of land and that she had replied, " You are quite right—it is fortunate that you came to me."