

each other's support, cannot afford to carry hostilities against each other to extremity, and who therefore submit to the first politic proposals of their chiefs for an accommodation. Upon investigation of the causes which brought about this state of things, with the view of ascertaining what was the real status or position of the three Raukawa hapu on the land, we find that they did not make their settlement on the lands of the Ngatiapa by virtue of any claim of conquest, or any grant from Rauparaha, or by any act or demonstration of warlike powers by themselves; but it is in evidence, which, from all the surrounding circumstances, seems perfectly credible, that two at least of these Raukawa hapu, namely, Ngatiparewahawaha and Ngatikahoro, were simply invited to come by the Ngatiapa themselves, and were placed by them in a position which, by undoubted Maori usage, entailed upon the incomers very important rights, though not the rights of conquerors. The third hapu, the Ngatikauwhata, appears to have come in under slightly different circumstances. The lands allotted to them by Rauparaha were on the South side of the Manawatu River, the lands of the Ngatiapa were on the North, and, to quote the very apt expression of one of the witnesses, "they stretched the grant of Rauparaha, and came over the river;" the facts appearing in reality to have been that they made a quiet intrusion on to the lands of the Ngatiapa, but offering no violence, lest by so doing they should offend Rauparaha, as, under the then existing established relations between the tribes, to do so would have been a very different affair to the killing of the stragglers they met with several years before, on the occasion of their first coming into the country. The Ngatiapa, on their part, for very similar reasons, did not oppose the intrusion, but making a virtue, apparently, of what seemed very like a necessity, they bade the Ngatikauwhata welcome, and soon entered into the same relations of friendship and alliance with them which they had entered into with the other two sections of Raukawa. That this was the true state of the case seems very certain, for in those times of rapine, violence, and war, when men could only preserve their lives, and the trifling amount of property which under such a state of things could exist, by a constant exhibition of military strength, it is well known to the Court that all chiefs of tribes, and all tribes, particularly such as were, like the Ngatiapa, not very numerous, were at all times eager, by any means, to increase their numerical strength; and that, much as they valued their lands, they valued fighting men more, and were at all times ready and willing to barter a part of their territorial possessions for an accession of strength, and to welcome and endow with lands parties of warlike adventurers like the Ngatiraukawa, who would, for the sake of those lands, enter into alliance with them, and make common cause in defending their mutual possessions. In exactly this position we find these three Raukawa hapu,—a position which gives them (by Maori custom) well known and recognized rights in the soil. Those who, living on the soil, have assisted in defending it,—who, making a settlement, either invited or unopposed by the original owners, have afterwards entered into alliance with them, and performed the duties of allies,—acquire the status and rights of ownership, more or less precise or extensive, according to the circumstances of the first settlement, and to what the subsequent events may have been. But be the motives of the Ngatiapa whatever they were, for inviting or not opposing the settlement of these three Raukawa hapu, the fact remains that we find them in a position, and doing acts, giving or proving that they had acquired, according to Maori usage and custom, rights which the Court recognizes by this judgment, that is to say, firstly, that the three Ngatiraukawa hapu—called respectively Ngatikahoro, Ngatiparewahawaha, and Ngatikauwhata, have acquired rights which constitute them owners, according to Maori usage and custom, along with the Ngatiapa Tribe, in the block of land the right to which has been the subject of this investigation.

Secondly, that the quantity and situation of the land to which the individuals of the above-named Ngatiraukawa sections who have not sold or transferred their rights, and the conditions of tenure, are described in the following order.

And the Court find, also, that the Ngatiraukawa Tribe has not, as a tribe, acquired any right, title, interest, or authority in or over the block of land which has been the subject of this investigation.

#### ORDER OF COURT.

In the Native Land Court, Wellington, New Zealand, Saturday, this 25th day of September, A.D. 1869.

It is ordered that a certificate of land shall be issued for the following blocks of land, namely:—

	Acre.
To the Ngatikauwhata people, mentioned in list A annexed hereto ...	4,500
To the Ngatikahoro and Ngatiparewahawaha mentioned in list C annexed hereto ...	1,000
To Te Kooro Te One and others, mentioned in list B annexed hereto ...	500
To Wiriharai Te Angiangi ...	200

as marked in the survey plan before the Court, all of which blocks shall be inalienable by sale for the period of twenty-one years from the date of this order: Provided that within six months a map of the whole block, on which the position of these blocks shall be accurately represented from actual survey made on the land, shall be delivered to the Chief Judge of the Native Lands Court, and provided also that if it shall be proved to the satisfaction of the Chief Judge of the Native Lands Court that the survey has been prevented by force, then, in that case, the Court, by virtue of the discretion which is given by "The Native Lands Act, 1865," will dispense with the survey, but on no other account will the survey be dispensed with.

By the Court.

WM. R. E. BROWN, Acting Clerk of the Court.

#### LIST A.—NGATIKAUWHATA.

Takana te Kawa,	Epiahi Te Moanakino,	Hepi te Wheoro,	Metapere Kahuhui,
Te Ara Takana,	Ruera te Kawa,	Hara Tauranga,	Pirihira Kahuhui,
Hoeta Kahuhui,	Te Tura Kahuhui,	Ramari Kahuhui,	Marara Kahuhui,
Rahira Kahuhui,	Mokena Pahurahi,	Mitiria Te Kawa,	Tupataia Kahuhui,