

SESS. II.—1887.
NEW ZEALAND.

NATIVE AFFAIRS COMMITTEE

(REPORT OF), ON PETITION OF TE TEIRA TIAKITAI, OF HAWKE'S BAY, AND SEVEN OTHERS,
TOGETHER WITH MINUTES OF EVIDENCE.

Report brought up 15th December, 1887, and ordered to be printed.

No. 444.—Petition of TE TEIRA TIAKITAI, of Hawke's Bay, and 7 Others.

THE petitioners pray that the title to the Porangahau Block may be reinvestigated, for the reasons set forth in their petition.

I am directed to report that, as there seems to be a wide difference between the original judgment of the Native Land Court in the Porangahau Block and its judgment in the rehearing thereof, and after viewing the evidence which has been submitted, the Committee consider the application for a further rehearing a reasonable one, and recommend that it should be granted, and the Committee further strongly recommend that rules should be laid down by the Native Land Court for the guidance of the Judges of that Court in respect to Native custom and usage.

15th December, 1887.

WILLIAM KELLY,
Chairman.

MINUTES OF EVIDENCE.

TUESDAY, 13TH DECEMBER, 1887. (Mr. W. KELLY, Chairman.)

AIRINI TONORE examined.

1. *The Chairman.*] Are you a petitioner?—Yes.
2. There are eight signatures to this petition; do you represent any of the others?—Yes; I have letters here from the other petitioners. [Letter produced.]
3. You ask for a rehearing of the block called Porangahau?—Yes.
4. Will you state to the Committee the ground on which you ask for a rehearing?—Yes.
5. Please make your statement. What is your first ground?—With regard to this block called Porangahau, we know that we are the owners of the block. There were only three of us who appeared before the Court when the block was passed: the others have been put into the petition since. But we three represent the others whose names are in this petition, and others also whose names do not appear there. The Judge who first heard the case was Major Mair. The award was given to us through our occupation of the land. Our claim on this first hearing was established. But the greatest right we had to be there was through mana. Tia Rita commenced it. At the time the case was heard, 2,500 acres were awarded to us. We thought that we had such a big claim to that land, that we had a right to ask for a rehearing, the portion awarded to us being inadequate. We think Major Mair properly belongs to the North Island. He understands the ideas of the Natives of the North Island much better than those of the Natives of the South Island. A few months back a rehearing of the block took place. The Judge who presided at the rehearing was Judge Mackay. The name of the Assessor was Tamati. I think Judge Mackay properly belongs to the Middle Island. He can best award the lands to the Natives of the South Island according to the Native customs and ideas there. But there was a great difference in the award made by the one Judge and the other in this case. Judge Mackay told me my right by mana was not sufficient; but it had been recognised by Judge Mair in the first instance. Judge Mackay told us that, as regards the sale of land, one person might sell, but the hapu would take it away again. Judge Mackay is right as regards the present days among the Natives, but in former days it was not correct. I wish also to refer to a piece of land sold by my ancestor, Tiakitai, in 1839. Nobody objected to his selling the land in those days—that is, no objection was made by the Natives. It was Sir Donald McLean that made objections to the sale of land by Natives. That was how Captain Rhodes got possession of Porangahau. That was in the early days. Therefore we think that we have very large rights, and therefore we are asking for a recognition of our claims. Therefore I wish to ask the Committee their opinion about this award made by Judge Mackay. I wish to explain the reason why we wish that Judge