

## MINUTES OF EVIDENCE.

TUESDAY, 10TH SEPTEMBER, 1912.

The petition and departmental reports were read.

OTENE PAORA examined. (No. 1.)

1. *The Chairman.*] Does the petitioner desire to have the report translated to him?—Yes, I should like to have that done.

The petition was translated to the petitioner by the Interpreter.

2. *The Chairman.*] Does the petitioner desire to make a statement?—Yes.

3. What is your name?—Otene Paora.

4. Do you wish to add to what you have in the petition?—No. Just a word or two, then I will sign what is contained in the petition—the genealogies mentioned in my petition, and the hapu built by my ancestor Uruamo on the block. The first occupation upon that block was by the Uruamo. He felled the first bush on the land and occupied the first land. Uruamo was my grandpa. Uruamo and certain other persons in the year 1840 went to Orere to make peace in regard to the strife between the Ngati-Whatua and the Ngati-Paoa. Now, there had been fights upon twelve different occasions between Ngati-Whatua and Ngati-Paoa in connection with this land in the Auckland District. When Te Taou and the other members of the tribes reached Orakei, the peace which was then made has obtained down to the present time; and I would point out that at the time of this journey of which I speak the Christian religion had not been established in New Zealand, and that religion has been instrumental in establishing peace; so this will show that this act of Uruamo before that time in taking upon himself the responsibility of journeying amongst strangers to make peace showed what mana he must have had and what standing he must have held. When they came back they lived upon Orakei. The boundary of the original Orakei is on the further side of Kohimarama; so it would be about half a mile from Orakei to the boundary of the soil of Ngati-Paoa. That I mention is evidence of the fact that he was the person who first occupied this land after he had made the peace to which I have referred, and that occupation has continued down to the present day. When the boundary-line was laid down certain statements were made about that peace-making. Ngati-Paoa attended at the time this boundary-line was being laid down and endeavoured to have it set further back, and we the Taou said, “No, let it remain where it is.” Ngati-Paoa in the first Court in 1869 said that when Uruamo went there he asked that Orakei should be given to them. That was the case put forward by Ngati-Paoa in the Courts of 1869, but it was not upheld by the Native Land Court; but the Native Land Court did establish the contention put forward by our side that it was Uruamo who made the peace and prevented the further shedding of blood as between these two tribes. The petition which was presented in regard to this matter in 1904 was upheld by the Native Affairs Committee. That was presented by Hone Heke. When I say it was upheld, the Committee recommended that it should be further inquired into by the Government for consideration. In the year 1911—that is to say, last year—my petition was thrown out by this Committee by five votes to four. I presented the same petition to the Native Affairs Committee of the Legislative Council, and they recommended it to the Government for consideration. In the year 1908 a Royal Commission went to Auckland and held an investigation into the Orakei Native Reserve. This is a copy of the report. [Report put in.] I should like to refer to certain paragraphs in this report, which I consider support my present contention, viz.: “The title to this land was investigated in the year 1869 by the Native Land Court, and an important judgment dealing with the history of what may be termed the peninsula, of which it is a part, was given. It is the only land on the peninsula owned by the remnants of the once powerful tribes who occupied the territory between the Manukau Harbour and the Hauraki Gulf. It is plain that at the time of the investigation of the title it was thought only fitting and proper that this small remnant of land should be preserved for the ancient tribes of Ngaoho, Te Taou, and Te Uringutu, more generally known as Ngati-Whatua. By the certificate and order issued by the Native Land Court it was made inalienable, and the Crown grant that was issued on the 8th July, 1873, followed the Court’s order, for it said, ‘Provided that the land shall be absolutely inalienable to any person in any manner whatsoever,’ &c.” [Paper G.—1P, 1908, put in.] What I want to point out is that now certain of my co-owners in this land have sold. Now, under this representation it was found that this land was to be preserved for those ancient tribes and hapus. I contend that my friends who have taken this action have permitted the canoe of my ancestors and tribe to float about. I contend that I am right in maintaining that this report upholds my present claim. Now, Tuperiri was the ancestor under whom the Native Land Court heard this matter. I claim that all the descendants of Tuperiri should be included in this land. Some of them only have been put in, and some of them have been left outside to swim about in the sea, or where they like. I say that if this Government does not uphold this petition, then it would be better that this Government should build a canoe and put on board that canoe those descendants of Tuperiri who are not included in this land, and let them drift away into the ocean. Now, to quote the Native Land Act of 1909, Part V [Act quoted and put in], I maintain that Part V of this Act was the outcome of the recommendations made by the Royal Commission presided over by Sir Robert Stout and the Hon. Mr. Ngata, and