

**Te Whanau a Kai:
Manawhenua Interests in
& Tenorial Review of
the Mangatu Block**

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INTRODUCTION

This report has been commissioned in anticipation of a further hearing by the Waitangi Tribunal into the remedies that are available through the claims settlement process in relation to the Mangatu Blocks and forestry assets. The focus of this report is on assessing the level of relationship that Te Whanau a Kai had in relation to Mangatu and in particular Mangatu No.1 on which part the Crown licensed Mangatu forest is located.

Mangatu: Recorded Te Whanau a Kai Viewpoint

In previous hearings before the Waitangi Tribunal, Te Whanau a Kai have presented evidence in relation to their identity and origins, as well as their overall viewpoint of their links to the Mangatu block and the problems that arose during the awarding of title for the block.¹ As a broad summary, the following was presented:

- that the customary rights to Mangatu originated in and were held under Ngariki mana whenua
- that Te Whanau a Kai's connection to Mangatu is through their Ngariki ancestry
- that those of Te Whanau a Kai who are considered owners of Mangatu are those connected with the block through occupation
- that the inclusion of Wahia's descendants among the owners of Mangatu originated from their marriage into Ngariki descent lines (including those from Te Whanau a Kai tipuna) rather than through any conquest of Ngariki
- that historical evidence of disputes on or over the Mangatu block, especially the series of fighting known as the Pikai fights, represented internecine disputes over matters of tikanga rather than conquests by one group over another.
- that the evidence presented in the 1881 Mangatu title investigation case did not fully explain the complex customary rights within the block and that this affected the Court's judgment
- that the faults within the Court's judgment distorted subsequent history over the awarding of interests in relation to the block and the way in which Te Whanau a Kai was associated with Mangatu

¹ David Hawea, Brief of Evidence, 20 April 2012, WAI-814 I20; Keith Katipa, Brief of Evidence, 20 April 2012, WAI-814 I19; Keith Katipa, Brief of Evidence, 3 August 2012, WAI-814 K3

Mangatu: Previous Tribunal Findings

The Waitangi Tribunal, in a report on the claims made by the iwi and hapu of Turanganui a Kiwa, assessed the claims of Ngariki Kaiputahi in relation to Mangatu. These claims directly were focused on the 1881 title investigation by the Native Land Court of the Mangatu No.1 block. The Ngariki Kaiputahi claimants argued that the judgment for Mangatu was wrong in characterising them as a conquered people on the block. It was alleged that as a result they received less land in the block than they should have and that the characterisation of being a conquered people over time continually threatened their autonomy and rangatiratanga as a tribal group.²

As this was a significant component of the Ngariki Kaiputahi claim, the Tribunal felt compelled to consider the history of the titling of the Mangatu block. As it was felt that the evidence presented in the Tribunal hearings did not quite capture all aspects of the original and subsequent Land Court hearings, the Tribunal felt there was a need for it to present a more detailed analysis than might usually be the case.³ The Tribunal considered whether it had jurisdiction to review a decision of the Native Land Court. Noting that the Mangatu case came before the and Court several times and that the threshold must be high before intervention was justified, it was held that if the impact was significant enough a review was justified.⁴

The Tribunal reviewed the 1881 title investigation of the Mangatu No.1 block. The Tribunal summarised the way in which the case proceeded, as well as the nature of the argument put forward by each party appearing in the case.⁵ Although this involved the identification of salient features of the evidence led by each group, the Tribunal, noting that the customary evidence given in the 1881 case was "lengthy and complex", described their approach to the evidence as follows: "We do not recount the evidence in detail, but extract certain key themes and arguments from it particularly the dispute between Wi Pere [who claimed from the tipuna Wahia] and Wi Mahuika [who counter-claimed as Te Whanau a Taupara] over the conquest of Ngariki."⁶

² Waitangi Tribunal, *Turanga Tangata, Turanga Whenua: Report on the Turanganui a Kiwa Claims*, Wai-814 Vols.1-3, 2004 Legislation Direct, Wgtn, p660

³ Ibid.

⁴ Ibid, pp.661-2

⁵ Ibid, pp.666-673

⁶ Ibid, p.666

Despite this, the Tribunal does provide a relatively detailed summary of each case and its evidential features.

As noted, the counter-claim of Te Whanau a Taupara was led by Wi Mahuika whose evidence was described by the Tribunal as having a common theme of the defeat and return of Ngariki people to Mangatu. One conflict with Ngariki over Mangatu, as identified by Mahuika, was between Te Ranginuihu and Po (of Ngariki). Another occurred some generations later at a time dated to around the 1820s. As part of a long-series of turmoil affecting the whole Turanga district that has been termed the 'Pikai fights', it was said that Te Whiwhi, of Te Whanau a Taupara, waged several battles against Ngariki which removed them from the Mangatu block. At a subsequent time, it was said that Wi Mahuika's grandfather was the person who brought Ngariki back onto the block.⁷

Although Wi Pere began his case by acknowledging the close links between Ngariki and Wahia's descendants, he then presented a record of conflicts that occurred with Ngariki. Wi Pere also discussed the conflict between Te Ranginuihu and Po although, as noted by the Tribunal, the evidence was somewhat different to that of Wi Mahuika. Wi Pere then recorded the conflicts with Te Ranginuihu's descendants through Wahia. As the Tribunal noted, this differed from Wi Mahuika's case. Wi Pere also relayed the story of the Pikai fights. Despite being in accord with Wi Mahuika over several details, the Tribunal noted that Wi Pere did not recount any specific defeats of Ngariki in the same way that Wi Mahuika had. In fact, the Tribunal found testimony suggesting that Ngariki participated and assisted Wahia chiefs during the conflict. Also, they found comment from Wi Pere that the fighting did not result in land passing from one group to another. The Tribunal concluded that Wi Pere's case was in "considerable disagreement" with that of Wi Mahuika.⁸

Given that the Tribunal was examining the Mangatu case within the context of the Ngariki Kaiputahi claim, they noted several instances in Wi Pere's evidence which countered any suggestion that Ngariki Kaiputahi had been defeated. The Tribunal then reviewed the evidence presented by Pera Te Uatuku of Ngariki Kaiputahi, who was supporting Wi Pere's main claim, and who also rejected any proposition that Ngariki Kaiputahi had been defeated.⁹

⁷ Ibid, pp.667-9

⁸ Ibid, pp.669-672

⁹ Ibid, pp.672-3

The Tribunal next reviewed the Court's decision. The details of the decision also will be reviewed in this report. In broad summary, the Tribunal noted that the Court supported the rights of Ngati Wahia as put forward by Wi Pere; gave a 'circumspect' recognition of the rights of Te Whanau a Taupara by limiting it to the descendants only of Waaka Mahuika and those of Te Whanau a Taupara who went onto Mangatu at the conclusion of the Pikai fights; and held Ngariki to have been "broken as a tribe" holding rights only "in respect of their residence." The Tribunal pointed to the inherent contradictions in the judgment. The breaking of Ngariki had been argued by the Te Whanau a Taupara case and yet the Court only gave limited recognition to this case. Instead, the Court primarily found in favour of the main claimants as represented by Wi Pere, who had not presented such an extreme view of Ngariki's position.¹⁰

The Tribunal then noted the contradiction to the judgment that is shown in the ownership list that was put forward by Wi Pere. Among the 179 owners are included Ngariki Kaiputahi and several other persons who, at a later date, are demonstrated to be connected to Mangatu through their Ngariki linkages.¹¹

The Tribunal reached conclusions on where the Court had foundered when it dealt with the position of Ngariki and their rights to the Mangatu.

The problem for Ngariki Kaiputahi was the court's treatment of 'Ngariki' as a single, undifferentiated tribe, one that had been broken at different times but which continued to reside on the land. The court remained blind, or indeed by its own admission 'exceedingly confused', as to what had in fact been given in evidence. The unfortunate fact for Ngariki, and for Ngariki Kaiputahi in particular, is that under tikanga there is no such thing as rights purely 'in respect of residence'. Unless acquired through gift, rights can only exist with some ancestral source. Unless a group is completely exterminated in battle, even conquering parties need to marry into a defeated tribe and occupy their land to secure rights. The court's decision therefore remained stark for Ngariki Kaiputahi, constituting as it did a denial of their ancestral rights.¹²

The Tribunal considered that, as far as Ngariki Kaiputahi was concerned, the Court's decision was "unsafe". This conclusion is reached as it appears that the Court may not have fully understood the evidence and did not justify the position taken in relation to Ngariki. In addition,

¹⁰ Ibid, pp.674-5

¹¹ Ibid, pp.677-8

¹² Ibid, pp.675-6

the error in the judgment is emphasised in the listing of owners names which freely includes Ngariki owners.¹³

The impact on Ngariki Kaiputahi, that would emerge when the relative interests of owners were considered, was delayed for more than 30 years after the title investigation. The block was administered first under trustees and then, in 1893 and following the passing of special legislation, under an incorporation. Although the identification of relative interests was anticipated in the legislation, this process did not begin until 1916. It took a further six years for the matter to be settled as the process was complicated by a successful challenge from Te Whanau a Taupara to have their interests in Mangatu No.1 reconsidered by the Native Land Court. The chronology of the titling process was as follows:

- 1916 Committee of owners: reviewed 1881 owner list to identify ancestral basis of claim
- 1916 Land Court preliminary hearing re Whanau a Taupara rights in Mangatu No.1
- 1917 Land Court allocation of relative interests among the 179 owners identified in 1881
- 1917 Appeal by Taupara resulted in legislation giving them a right to be considered.
- 1921 Land Court sat to quantify Taupara share in Mangatu No.1 as a group
- 1922 Land Court allocation of relative interests to all owners

As it was during this process that the impact of the 1881 Court's decision in relation to Ngariki's rights brought the most impact on Ngariki Kaiputahi, the Tribunal provided a summary of all of the convoluted proceedings that occurred between 1916 and 1922.¹⁴ As these will be further set out in this report, there is no need to present the Tribunal's summary here.

In its findings, the Tribunal summarised the impact of this process. Overall, it was found that the 1881 judgment, describing all Ngariki as conquered, was translated by subsequent Courts into a discounted award for any who claimed rights in Mangatu under Ngariki rights including, therefore, Ngariki Kaiputahi. The matter was worsened by the re-inclusion of Te Whanau a Taupara back into the Mangatu No.1 title as this reduced the amount of land available to the 179 owners of 1881. Finally, the legacy of this labelling was found to have left an impact on Ngariki Kaiputahi's autonomy and rangatiratanga as a tribal group.¹⁵

¹³ Ibid, p.678

¹⁴ Ibid, pp.679-691

¹⁵ Ibid, pp.693-5

Scope of Report

Of course, neither in the title investigation nor the relative interests process, was the land or individual interests of Mangatu claimed specifically as Te Whanau a Kai. Nevertheless, the customary interests of Ngariki within the blocks were well recognised and were the subject of consideration throughout the titling process.

The above summary of Tribunal findings regarding Mangatu, despite focusing on the claims of Ngariki Kaiputahi, also indicates that the Land Court's overall position in relation to Ngariki was problematical in not being consistent with the evidence presented during the hearing. As Te Whanau a Kai's claimed connection to Mangatu is through the Ngariki lineage of their originating tipuna, this finding, and the set of circumstances it relates to requires close consideration.

In its report, in reporting on the claims of Ngariki Kaiputahi, the Waitangi Tribunal assessed the claims of a particularly well-defined Ngariki group - well-defined in 1881; during the subsequent relative interests process of 1916 to 1922; and well-defined today as is evident in their distinct claim to the Tribunal. Despite the Tribunal's view that the Court generally misjudged Ngariki interests in Mangatu, it is not so clear how this finding relates to other Ngariki interests including those of Te Whanau a Kai. To assess this, and to clearly establish the links of Te Whanau a Kai to Mangatu, the history of the Mangatu case needs to be looked at closely.

As noted previously, the Tribunal acknowledged that the customary information presented during the case was complex and lengthy and that in their report, they did not recount the evidence in detail. In relation to the evidence on the 'Pikai fights' era, the Tribunal further noted: "The details of this period are too complex to properly recount."¹⁶ The Tribunal has noted the apparently significant differences that existed between the narratives of Wi Pere and Wi Mahuika. It is contended that only by understanding the history of the case, will there be a clearer understanding of the way in which Te Whanau a Kai are linked to Mangatu. In essence, this current report is a review of the evidence on Mangatu as presented during the 1881 title investigation.

¹⁶ Ibid, p.671

Methodology and Source Material

The starting point to review the history of Mangatu is through a close analysis of the 1881 case. It is not surprising that the Land Court judge found the evidence "confusing" and the Tribunal described the customary evidence as "complex". While undoubtedly there is complexity, the apparent complications are exacerbated by the way in which evidence is presented in the cases of Wi Mahuika and Wi Pere. Detail provided is often slight and narratives on events appear as partial accounts only. This brevity creates the appearance of complexity and contradictions even within the testimony of the same witness. Therefore, the smallest detail in the 1881 testimony needs to be assessed. Nevertheless, often there is no evidence within the 1881 case to make sense of these details, to provide them a context or to explain the full ramifications of the few words recorded. Therefore, one part of the methodology adopted for the report has been to search other Land Court cases to ascertain where the same narrative was used as a basis of claim. This was successful especially in relation to the history of the 'Pikai fights' which affected the wider Turanga district and extended over many years. It was found that in other cases, both prior and subsequent to Mangatu, it was Wi Pere who primarily provided evidence on this watershed period of history. In doing so, he provided a great amount of extra detail than in Mangatu but also used different terms to describe events, persons and groups than he chose in Mangatu.

Additional context is also provided to some extent by evidence produced during the 1916-1922 process where relative interests were ascertained for each owner. Although the great bulk of the recorded information from this process came from case conductors regurgitating and reviewing the 1881 evidence and giving their views on its meaning, there are some instances where witnesses are called, often 1881 owners, who provide new evidence in relation to Mangatu.

Through the combination of a close review of the 1881 evidence, the consideration of additional material which explains, contextualises or corrects the 1881 testimony and the inclusion of a small amount of new evidence from later Mangatu cases, the way in which Te Whanau a Kai is connected to Mangatu becomes clearer and robustly supported from a basis in evidence. Evidence given in 1881 which appears to be incorrect or which created misleading impressions, is clearly identified and alternate narratives are provided. Having reached this position, the judgment of the 1881 Court, already found by the Tribunal to be "unsafe" as far as the findings made regarding Ngariki, are reconsidered within the context of the findings of the evidential review conducted within this current report.

With the history relating to the Mangatu block having been reviewed to ascertain a clearer overall picture on Te Whanau a Kai associations, the next stage of analysis in this report focuses on the evidence produced during 1916 and 1917 when an effort was made to consider the basis and nature of the interests of the 179 persons identified as owners in 1881. During these investigations, to quantify relative interests, whakapapa was produced, presented and debated and testimony was heard on occupation. Both the whakapapa and Court minutes around this process are closely considered in this report. As the purpose of this report is to assess the level of relationship that Te Whanau a Kai had in relation to Mangatu No.1, it has been found that there arose a need to supplement gaps and shortfalls in the relative interest whakapapa and evidence from 1916 and 1917. This largely arose as a legacy from the 1881 judgment with the Court having downgraded the status of any rights stemming from Ngariki sources. Whereas in 1916, when matters of relative interests were being considered by the owners themselves, they were prepared to identify Ngariki connections alongside Wahia connections. By 1917, when the discussion was moved into the setting of Court hearings, the identification of Ngariki connections dropped away in favour of presenting, whenever it was possible, only the Wahia whakapapa connections. Given this, it was felt important to supplement the whakapapa information of 1917 with whakapapa from Te Whanau a Kai sources. Most of this has already been presented to the Tribunal in previous hearings.

In summary, as part of this report's key objective to assess the level of relationship that Te Whanau a Kai had in relation to Mangatu No.1, the focus has been on reviewing the evidence of the 1881 as completely as possible and assessing information on the 179 owners included at that time most of which was produced in 1916 and 1917. The resourcing limitations and timeframes associated with this project have prevented any wider inquiry. Therefore, this report does not set out to further comment on the evidence where it might touch on Ngariki Kaiputahi although some evidence in this report might provide further insights. Neither does this report seek to evaluate or comment on the interests of Te Whanau a Taupara other than the way in which these were discussed in 1881. After 1916, there is a substantive process through which Te Whanau a Taupara re-entered the title of Mangatu No.1. This report does not consider or comment on this process at any length other than to provide a summary of events akin to that provided by the Tribunal in its report. This is presented to provide a context for explaining the outcomes for the original 179 owners of 1881.

Report Structure

This report consists of three Parts:

- I: By way of introduction, and using evidence presented previously before the Tribunal by Te Whanau a Kai experts, a brief overview is provided in relation to the origins of Whanau a Kai summarising descent lines and history that have contributed towards the development of the iwi. This includes, of course, Ngariki origins. Part I concludes with an exercise, using information from 1917 whakapapa for Mangatu supplemented by whakapapa provided by Te Whanau a Kai, to show how descent lines from originating Te Whanau a Kai tipuna Te Haaki and Whareana relate to Mangatu owner numbers. This shows that 130 of the total 179 owners have significant descent lines on which they based their claims to Mangatu which includes links to Te Haaki and Whareana.
- II: A review of the Mangatu case is undertaken. The evidence from the 1881 case is closely examined. In addition, evidence from other cases and sources that deal with the same subject matter are also examined to provide a further benchmark of relevant facts. The review reveals that the information put before the Court by various parties during the Mangatu case was rather misleading. Evidence from other cases or other sources is used to demonstrate that the testimony given in Mangatu often represented only a partial telling of various historical narratives. In addition, collective terms used in the Mangatu case to describe various protagonists in the narratives are different than those used in other cases. Furthermore, examination of alternative versions of narratives from other cases or other sources suggests that had the full information been provided in the Mangatu case a different understanding of the facts and the customary interests would have been reached. A clearer understanding of the breadth of Ngariki identity would have been evident, the myth of total Ngariki conquest would have been clear and the associations between certain Ngariki descent lines and Te Whanau a Kai would have been demonstrated. This Part of the report also evaluates the judgment given in the Mangatu case to reveal the extent that the Court ignored or misrepresented even the information that was provided before it to reach a judgment that would have ongoing ramifications in relation to Ngariki identity.

- III: Despite the problematic narrative of evidence presented to the Court and the Court's distortion of that evidence to create a restrictive judgment as to the ownership of the block, the actual list of 179 owners identified for Mangatu was broad and inclusive. Using the whakapapa and evidence presented in 1917, supplemented by whakapapa presented to the Tribunal by Te Whanau a Kai kaumatua, Part III of the report assesses the 1881 ownership to reveal the linkages to Ngariki that were claimed as well as those that existed but were not claimed. Further assessment determines where acknowledged Te Whanau a Kai tipuna sat in relation to these linkages.

Part III also reproduces the evidence presented in 1917 recording the nature of occupation among the 1881 owners their forbears and their descendants.

Finally, Part III presents a broad overview of what became of the tenure for Mangatu No.1 during the period of 1916 to 1922 period, during which time relative interests for Mangatu were finally settled. For twenty five years the title for Mangatu remained frozen to those identified as owners in 1881. When the collective of owners sought to move the Mangatu title from a tribal basis to one in which individual interests were determined (and, where required succeeded to), the legacy of the disparity between the 1881 case, the judgment and the owners list became apparent. Due to the judgment's relegation of Ngariki interests to a lesser position when compared with Ngati Wahia, reduced awards were made to those owners who could only claim through Ngariki descent. This included members of Te Whanau a Kai.

I. ORIGINS

As noted in the Introduction of this report, this brief summary on the origins and ancestral associations of Te Whanau a Kai is presented in this report to provide an introduction and context only to Te Whanau a Kai. It is not the result of research by the author but summarises material previously presented to the Tribunal by Te Whanau a Kai. In presenting this summary, no expertise in Te Whanau a Kai is being claimed by the author. Neither does the summary below represent anywhere near a full history of the origins and ancestral associations of Te Whanau a Kai. It is merely intended as a scene-setter to the main focus of the report - a review of evidence and narrative associated with the Mangatu block.

Te Whanau a Kai emerge from the marriage of Kaikoreaunei to the sisters Te Haaki and Whareana of Ngati Maru. The descendants of Kaikoreaunei and Te Haaki and Whareana became known as Te Whanau a Kai. Through Te Haaki and Whareana, there are ties back to a broad range of original ancestors of the Turanga district including the Ngariki tipuna under which the Mangatu block was held. It has been said that Te Whanau a Kai is the present day extrusion of these original ancestors and that through continuous occupation Te Whanau a Kai land is held under *take tupuna*.¹⁷

Kaikoreaunei was the son of Te Ranginuiaihu and the grandson of Mahaki. Unlike his brothers Ranginaonaoriki, Whakauaki and Taupara, Kaikoreaunei did not inherit their lands by descent from Te Ranginuiaihu and Mahaki. As explained by David Hawea, the name Kaikoreaunei means: ‘I am Kai with nothing’ (kaikore meaning without food or landless, and au nei, that’s me).¹⁸ Therefore, the descendants of Kaikoreaunei, the members of Te Whanau a Kai, inherit their lands from Te Haaki and Whareana along with their brother Kaihaere.

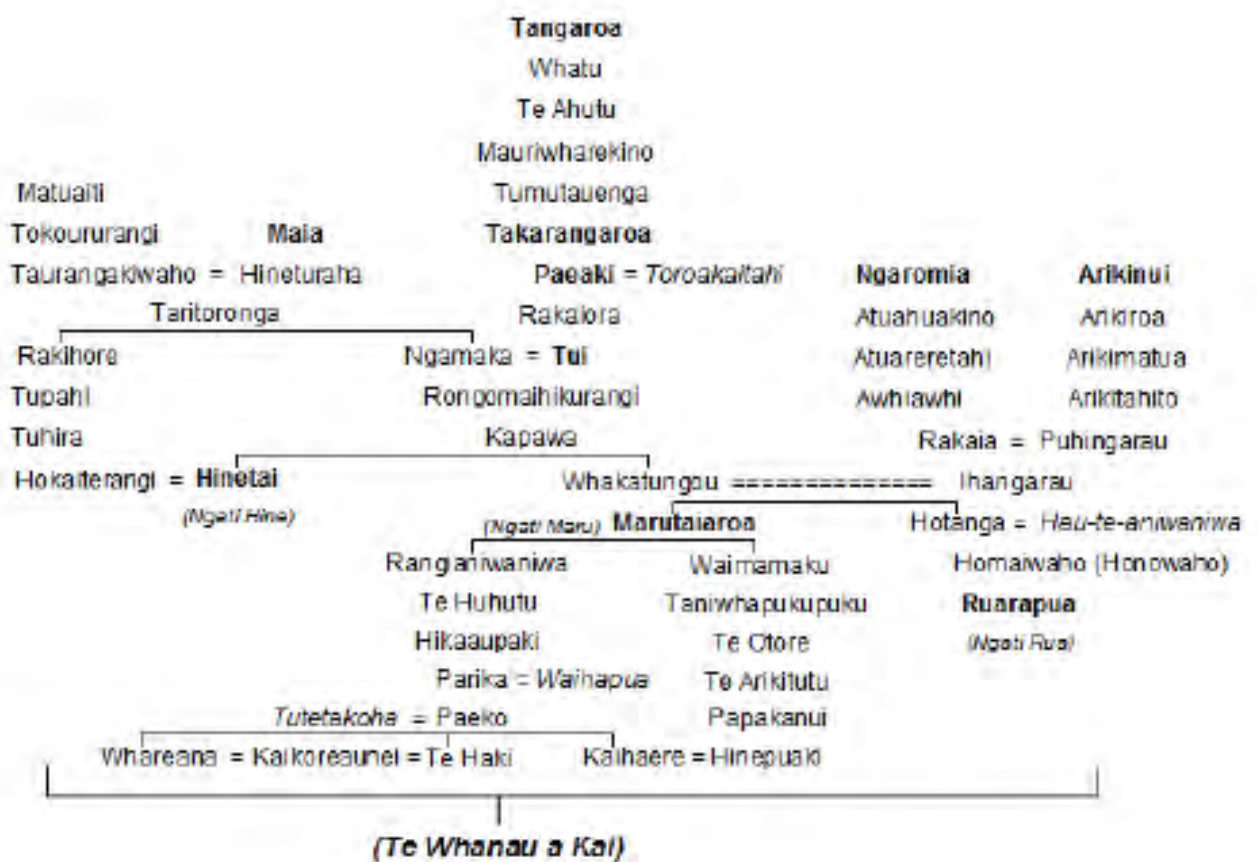
The rohe of Te Whanau a Kai has been described as extending from the headwaters of the Waiokea River at Koranga Forks and Waimaha in the west, to Pipiwahakao in the south, and Waerenga a Hika in the east. Land blocks where title was awarded in the name of Te Whanau a Kai include Patutahi/Kaimoe, Repongaere, Tangihanga, Okahuatiu Nos. 1 and 2, Wharekopai, Hihiroroa, and the Te Wera and Koranga parts of Tahora No.2. Lands of Te Whanau a Kai have been listed as including Pouparae, Oariki, Kahunui, and Tutoko with interests being held

¹⁷ Garry Clapperton, Brief of Evidence, WAI-814 C11, p.12

¹⁸ David Hawea, Brief of Evidence, 20 April 2012, WAI-814 I20, p.2

in the Mangatu block.¹⁹ Members of Te Whanau a Kai have interests in Mangatu through the ancestral Ngariki rights of Pakira and his son Paeko and these were maintained and occupied by the descendants of Te Haaki and Whareana. It has been noted that Te Whanau a Kai tipuna are a part of the developed hapu of Ngariki as at 1881.²⁰

The following whakapapa, which shows several original descent lines to Te Haaki and Whareana, also shows the connection to Ngariki lineage.²¹



Tui, identified as the ancestor from whom Te Whanau a Kai gain mana, is the apical ancestor for three ancient hapu: Ngati Maru, Ngati Hine and Ngati Rua. Te Whanau a Kai have been described as being the contemporary identity of these descendants of Tui.²² Te Whanau a Kai gained their mana whenua rights over the lands in the western side of their rohe from Tui.²³

¹⁹ Ibid, p.3

²⁰ Keith Katipa, Brief of Evidence, 20 April 2012, WAI-814 I19, p.3

²¹ Hawea, op cit, I20, p.3

²² Katipa, op cit, I19, p.7

²³ Clapperton, op cit, pp.13-4

When Wi Pere discussed original Ngariki rights in the Mangatu title investigation, he noted the four originating tupuna from whom the tribal name is derived: Arikinui, Arikiroa, Arikimatua and Arikitahito. The whakapapa above depicts those four tupuna. It shows the descent down to Ihangarau and his marriage to Whakatungou, the great-granddaughter of Tui. One of the children from this marriage is Marutaiaroa, the eponymous tupuna of Ngati Maru. From Rangianiwaniwa a direct Ngati Maru descent line extends down four generations to Paeko, the father of Te Haaki and Whareana. The descendants of the sisters were included in the Mangatu block. Not shown above, but depicted in other evidence presented to the Waitangi Tribunal, is that it is from Putahi, another child of Marutaiaroa, that other Ngariki descent lines extend. The descendants of these lines were also recognised by awards in the Mangatu block. They included Ngariki Kaiputahi. Kaiputahi was a great great grandchild of Putahi.²⁴

The above whakapapa shows other important link. Tui's grandchild Kapawa had two daughters, Whakatungou and Hinetai, the latter being the eponymous tipuna of Ngati Hine. It has been noted that Ngati Hine are connected to Te Haaki and Whareana from the marriage of their father Paeko to Tutemakoha of Ngati Hine. Te Haaki and Whareana gained very strong rights in the lands from Houpapa to the head of the Waioeka River from their mother Tutemakoha.²⁵ Paeko, the father of Te Haaki and Whareana, is noted for leading Ngati Maru and Ngati Hine in a defeat of Ngati Ira who were attempting to establish themselves at Te Wera. At this time, Paeko was said to have lived with his whanau on what subsequently became the Okahuatiu block.²⁶ As indicated in the whakapapa, Paeko also had a son named Kaihaere who married Hinepuaki. Kaihaere's grandson was Ikakaikawe, the eponymous tupuna of Ngai te Ika.²⁷

The above discussion has shown the several descent lines that come to concentrate on the persons of the sisters Te Haaki and Te Whareana. During the hearing into the Tahora block, Wi Pere used the phrase: "The blood of all these ancestors was centred in Whareana and Haaki." This was said in reference to the rights gained in this block from Tui and down through the

²⁴ See supporting papers of Keith Katipa, I19(i), p.8

²⁵ Clapperton, op cit, p.18

²⁶ Katipa, op cit, K3, p.3

²⁷ Ibid

descent lines of Maru and Hine. Given the above discussions, it would apply to the sisters' Ngariki connections as well.²⁸

From the perspective of ancestry, the significance of the sisters Te Haaki and Whareana can be considered in respect of Mangatu. As indicated in the following whakapapa overview, despite the Mangatu block being awarded to kinship entities named as Ngariki and Ngati Wahia, the descent lines from Te Haaki and Whareana feature prominently in relation to those who became owners in Mangatu.²⁹

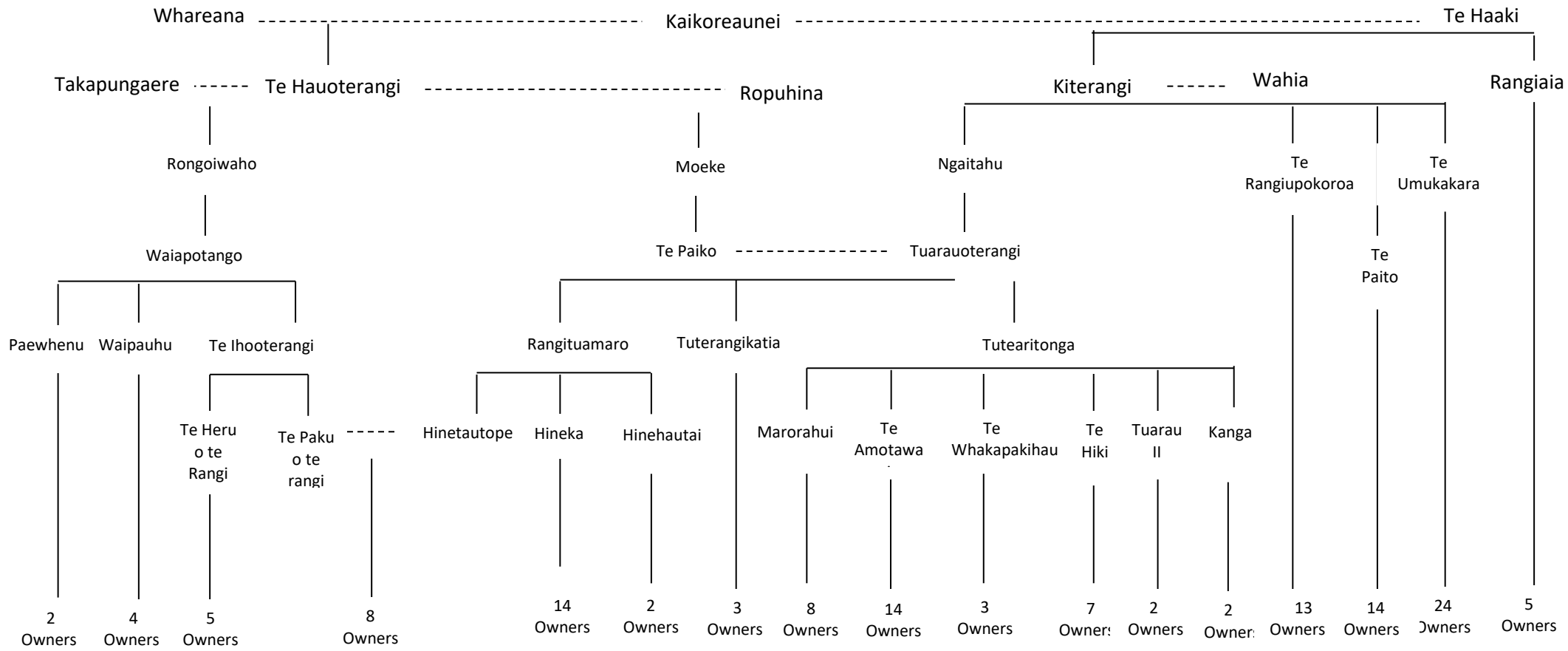
In 1917, when the relative interests of the 1881 owners were being considered before the Land Court, 31 Lists were produced to show how the 179 owners were linked to Mangatu. In addition, whakapapa supporting these lists were presented. The Lists and the accompanying whakapapa are fully discussed in Part III of this report and the links to Te Haaki and Whareana are demonstrated. In the following whakapapa, it can be seen that 130 of the 179 owners have this linked. A summary of the Lists and numbers within them follows and the compiled overview whakapapa is on the next page.³⁰

From	through	List Nos.	No. of owners
Paewhenua		pt.27	2
Waipauhu		p.29	4
Te Ihooterangi	Te Heruoterangi	26	5
Te Ihooterangi & Rangituamaro	Te Pakuoterangi & Hinetautope	2, 17	3, 5
Rangituamaro	Hineka	5	14
Rangituamaro	Hinehautai	14	2
Tuterangikatia		4	3
Tutearitonga	Marorahui	1, 8	5, 3
Tutearitonga	Te Amotawai	pt.6, 18,	13, 1
Tutearitonga	Te Whakapakahau	pt.6	3
Tutearitonga	Te Hiki	pt11	7
Tutearitonga	Tuarau II	12	2
Tutearitonga	Kanga	19	2
Te Rangiupokoroa		9, 20	11, 2
Te Paito		15, 16	7, 7
Te Umukakara		7, 10, pt11, 12, 13, 31	5, 7, 7, 1, 3, 1
Te Haaki	Te Rangiaia	21	5
			130

²⁸ Ibid, p.19

²⁹ The following whakapapa is a summary compilation of whakapapa that will be presented in this report. Although only the numbers of owners are given, the names to those owners will be noted in detail in Part III. Also, the whakapapa on which this compilation has been based, are explained and presented in Part III.

³⁰ As indicated in the following table, 130 are shown to have an ancestral link to Te Haaki or Whareana. A further 20 were identified as on the list through 'aroha' (List 3) The remaining 29 were other Ngariki lines (List 22: 2 owners, List 23:2 owners, List 24:2 owners, List 25:1 owners, List pt.27:10 owners, List 28:1 owners, List pt.29:1 owners, List 30:10 owners)



II. REVIEW OF THE 1881 MANGATU CASE

In the Turanginui report, the Tribunal reviewed the decision of the Court in the 1881 Mangatu title investigation. This was done to evaluate the claims brought forward by Ngariki Kaiputahi which in large part centred on the results and aftermath of this title investigation. As noted in the Introduction, overall the Tribunal found that the Native Land Court judge erred in his interpretation of the evidence brought before him. As a result, although the block had been claimed jointly under Ngariki and Ngati Wahia, the rights of the former were made subordinate to the latter. In the case of Ngariki Kaiputahi, this judgment left an ongoing legacy when the title was further advanced through to the determination of the relative interests of owners. Those who held interests from Ngariki were deemed to hold a lower level of interest than those who could claim partly or fully from Wahia. Awards made in relation to Ngariki Kaiputahi, therefore, were less than their claimed interests in the block.

In the broadest of terms these findings of the Tribunal are relevant to the matters being evaluated in this report. As will be shown, there were some members of Te Whanau a Kai who also were able to claim only through their Ngariki descent and therefore were similarly affected by the judgment's findings on Ngariki. As explained in the Introduction, , however, despite the Tribunal's findings, there is still a need to further evaluate the 1881 Mangatu case as there are a number of other aspects that are not directly considered by the Tribunal but yet go to the heart of the question of the level of relationship that Te Whanau a Kai had in relation to Mangatu.

The complexity of the evidence presented in 1881 has been commented on by the Tribunal. This complexity does not arise, as is often the case in other Land Court cases, from there being hundreds (and even thousands) of pages of evidence where varying views of history are expounded by rival claimant groups. In the 1881 Mangatu case, much of the complexity arises from the way in which evidence was presented. The two most relevant protagonists in the case are Wi Pere, representing the Ngariki/Ngati Wahia claimants, and Wi Mahuika, representing those Te Whanau a Taupara who were counter-claimants. In both cases, these men presented evidence-in-chief that, despite its apparent length, was in fact rather truncated and often enigmatic. When a number of obscure single word or single sentence responses feature in cross-

examination, the apparent complexity of evidence is multiplied. It is not surprising, then, that the judge presiding over the case felt a need to describe the evidence presented to him as "confusing". The review of the content of the Mangatu case will involve, in part, a close examination of the testimony given, checking for inconsistencies within and between various witnesses but primarily Wi Pere and Wi Mahuika. The aim of this is to bring some clarity to what the evidence given during the 1881 hearing of the Mangatu case is actually saying.

In addition, however, the review will also take into consideration evidence from other cases or other sources that deal with the same narrative of events that was being put forward in the Mangatu case. As noted in the Introduction, due to the timeframes available for this project, this review does not represent a full review of the pre-European history of the Turanga district. Instead, it is limited to an effort only to bring clarity to the meaning and ramifications of the evidence presented for Mangatu in 1881. As noted in the Introduction, this analysis will demonstrate that, when compared with other cases, the testimony given in Mangatu often represented only a partial telling of various historical narratives and that different and varying terms were used in the Mangatu case to describe various protagonists involved in these narratives from the terms used in other cases. The narrative given in Mangatu often left an inaccurate impression of the events or persons that were being discussed.

In addition, evidence and viewpoints from later cases dealing with Mangatu No.1 will also be used to explain, contextualise or evaluate the 1881 evidence. These cases began in 1917 - 36 years after the original title case. By this time it might be thought that knowledge may have dissipated and potentially be of less value. In fact, as will be noted in Part III of the report, later cases largely relied on the evidence given in 1881. In fact, much of the later evidence produced in relation to Mangatu is really in the nature of analysis and interpretation. Much of the later comment comes from the addresses of the conductors or legal counsel representing various parties. This might be thought to lessen the value of this later evidence, as it represents subjective argument to forward the interests of one party over another. While it is true that the later commentary needs to be treated with some caution, it should not be discounted entirely. Firstly, several of the conductors are either named owners (who in 1881 were children) or the children of those who had participated in 1881 and therefore were reflecting the information told to them by those involved in the title case. Secondly, the later commentators often were seeking to make sense of the enigmatic or obscure references and the apparent inherent contradictions within the 1881 evidence. This is done using the same methodology adopted in this report - by

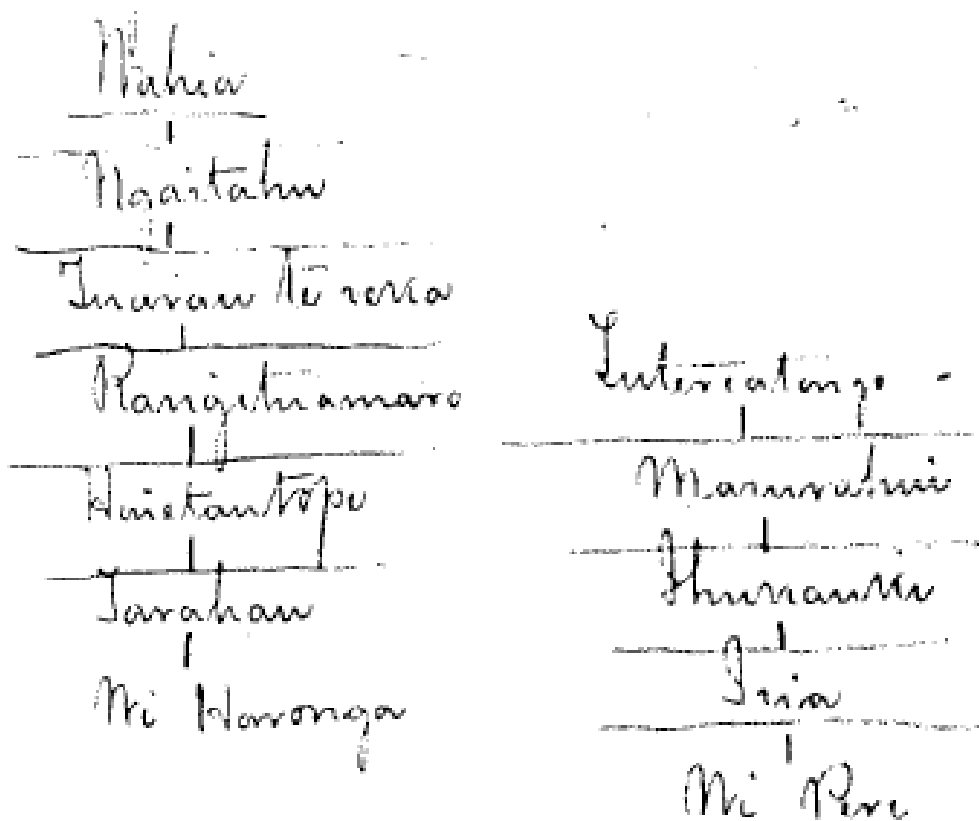
closely evaluating the 1881 evidence and pointing out inconsistencies, or by considering other Land Court cases where the same narratives were given but in greater detail or better clarity than in 1881. In addition, the conductors or legal counsel from the post-1917 Mangatu cases would raise questions, provide an alternative viewpoint or draw apparently logical conclusions from the evidence produced in 1881. This information still has the potential to provide insight despite the knowledge that all information and argument was being put forward to support partisan positions. As long as caution is used, and the partisan positions can be brought forward at the same time as the information, the later comment is also of use.

As indicated in the Introduction to this report, the review of the evidence put forward in 1881 is undertaken partly with a view to raising the possibility that had the full information been provided the judge would have not found matters so confusing and that possibly a different understanding - and therefore judgment - would have been reached. This is suggested as the judge in 1881 seems to have misunderstood the evidence provided and produced a judgment based on several contradictions. These will be explained towards the end of this Part of the report. While a reviewing of the judgment of 1881 is a natural progression from a review of the evidence put forward in the case, it is not the most important focus of the report. As this report will show, and as the Tribunal has already found, the incorrect premises of the judgment left a legacy where the standing of Ngariki and award received by Ngariki owners were less than it might have been had the judgment been in accordance with the evidence put forward in the case. The primary aim of this report, however, is to evaluate the level of relationship that Te Whanau a Kai had in Mangatu No.1. Despite the difficulties of the judgment, it is accepted by the Tribunal (and by Te Whanau a Kai in their evidence to previous Tribunal sittings), that the 179-person ownership list correctly reflected the Ngariki and Wahia ownership of the block. The association of these owners to Te Whanau a Kai especially will be considered in Part III of the report when the whakapapa affiliations of the owners will be closely reviewed using the evidence produced during the post-1916 process to identify the relative interests of the Mangatu owners. The process of that evaluation, however, begins in this Part and in the review of the evidence and judgement of 1881 case. The argument that will be put forward is that had the full extent of available facts been put forward in relation to the customary rights associated with Mangatu, not only would the judgment have differed, but the relationship that Te Whanau a Kai had with Mangatu No.1 would have been clear.

Introducing Claims

At the beginning of the hearing, when the parties were introducing their claims, in accordance with Court procedure the claimants appeared first. As there was a Crown purchase in the vicinity of the Mangatu block, the initial focus of Wi Pere's evidence was on recording the boundaries of the block and providing witnesses to testify on the survey that had occurred. In addition, a portion of the Mangatu block was cut off for the Government to cover survey costs.³¹

The claimant case was then introduced by Wi Pere with the words: "This block belonged to Ngariki. Wahia also. Ngariki were the original owners."³² A whakapapa then follows tracing descent from Wahia. This whakapapa descends three generations to the two brothers Rangituamaro and Tutearitonga (spelt as Tutearatanga in this part of the minutes). The descent line follows from the brothers down to Wi Haronga and Wi Pere.



³¹ Mangatu Title Investigation 1881, MLC Gisborne MBk 7, pp.99-102

³² Evidence of Wi Pere, Mangatu Title Investigation 1881, MLC Gisborne MBk 7, p.102

The significance of including a whakapapa for Wi Haronga is explained by the fact that Wi Haronga had lodged the application for the title investigation of Mangatu along with Wi Pere.³³ Wi Pere then further explained: “All the descendants of Tutearatanga [sic] are in this block, also the children of Rangituamaro.”³⁴ Wi Pere then addressed the Ngariki part of the claim.

The Ngariki are intermarried with Wahia. They are one people through marriage. I will now give some of genealogies of the sections of Ngariki (genealogies traced) They all know their own claims.³⁵

Although these words might be easily glossed over, as one of the objectives of this analysis is to closely consider what is meant when the term Ngariki is used in the Mangatu case, these words appear to have some significance. Having opened by noting the groups associated with Mangatu - Ngariki and Wahia - and having then presented personal whakapapa from the tupuna Wahia for he and his co-applicant, Wi Pere then addresses the Ngariki connection. The initial emphasis of his discussion of Ngariki is to note that they are intermarried with Wahia to the point that they have become one people through marriage. The discussion of Ngariki at this point places emphasis on how closely connected they are with Wahia's descendants. Importantly, Wi Pere then provides 'some' genealogies of 'sections' of Ngariki. It is most unfortunate that these are not recorded in the minutes. Wi Pere appears to be presenting several whakapapa lines and he is noting that there were several sections of Ngariki. Given his previous words, it is possible that these whakapapa also demonstrated the intermarriage that had occurred between Ngariki and Wahia's descendants. Without any specific evidence this point can not be taken any further. Returning to Wi Pere's words, “The Ngariki are intermarried with Wahia. They are one people through marriage,” This report will argue that Wi Pere is referring to the Ngariki lines with whom Ngati Wahia had married at several points over successive generations - including the descent lines from Kai and his two wives Te Haaki and Whareana. It will also be suggested, that Wi Pere does not again refer to these lines during the rest of his evidence as any subsequent reference to Ngariki, which speaks of them as a distinct, separate group, relates to other sections of the kinship group.

³³ Tribunal, Wai-814 2004, op cit, p.664

³⁴ Evidence of Wi Pere, Mangatu Title Investigation 1881, MLC Gisborne MBk 7, p.102

³⁵ Ibid

Wi Pere concluded his opening address by discussing specific pieces of land. The counter claimant cases were then outlined and their evidence is taken before the claimant case is returned to. When the brief statements of objections were given the following appeared:

- Pimia Aata claimed through the tupuna Anarehi with Ngariki as the hapu
- Hori Mokai claimed through Te Ranginuiaihu presenting a whakapapa linking him to that tupuna
- Kani te Hau claimed from the Ngariki tupuna Po and presented a whakapapa from Po to himself
- Heremaia Rauwehe claimed through Ngariki but presented a whakapapa from Te Rangi through Wahia
- Tiopira Ruahuihui claimed through Whakarango and was the only counter claimant immediately admitted by the claimants.
- Wi Mahuika claimed the whole block “under Ihu and conquest” and then presented a whakapapa from Te Ranginuiaihu to himself through Taupara.
- Riparata claimed through Po.
- Te Hira Kiriahu claimed through Ngaitamatea and Ngariki with Aitanga a Mahaki said to be the “great tribe”. The claim was through Mokaihuatini's descendants who were said to make up the “younger branch of Ngariki.”
- Wi Patene claimed from occupation on the land “for generations” and presented a whakapapa from Hawairau through Mahaki
- Piti Moreti claimed through Ngariki and Taupara
- Paora Haripa
- Hoera Katipo claimed through Ngariki and conquest over the northern part of the block.³⁶

These various claims and what became of them will not be addressed; the Tribunal has already done this. It will be argued, however, that two of these counterclaims, which were presented first and which Wi Pere therefore heard, influenced much of the way he presented his Mangatu evidence.

³⁶ Mangatu Title Investigation 1881, MLC Gisborne MBk 7, pp.103-5

Wi Mahuika

As the Tribunal has observed, Wi Mahuika's counterclaim did not aim to substitute the claim brought forward by Wi Pere. Instead it aimed to have Whanau a Taupara included among the owners for the block.

Mahuika's Mangatu Evidence

Wi Mahuika began his evidence by claiming through Te Ranginuiaihu and then presenting a whakapapa from Mahaki, to Te Ranginuiaihu, then Taupara down to himself. He also noted an ancestral connection to Ruapani by presenting a whakapapa from Ruapani to Te Noinoi, Te Ranginuiaihu's wife. Wi Mahuika then broadly referred to the conquests of Mahaki although he noted that these fights occurred outside of Mangatu. Nevertheless, after noting that Aopatunga was Mahaki's pa, he seemed to suggest a fight had occurred there and that Mahaki “defeated Ngariki and took their land.”

It is unclear how much stock should be placed on this claim of the Ngariki defeat other than viewing it as a broad introduction. Even if it occurred, as Mahuika noted, it did not involve Mangatu land. After the sentence that Mahaki “defeated Ngariki and took their land”, Mahuika's next sentence was: “He defeated Ngatipo also.”³⁷ This introduced Mahuika's story of Te Ranginuiaihu and the Ngariki tupuna Po.

In his evidence, Wi Mahuika noted that his people had first gained a claim on the southern end of Mangatu through the tupuna Te Noinoi, a descendant of Ruapani and wife of Te Ranginuiaihu. Although little further detail is given, the suggestion that Ruapani influence extended up to, and onto the southern end of Mangatu would not be amiss as lands occupied by the descendants of Ruapani have been shown to extend up into this area. According to Wi Mahuika, it appears that Te Ranginuiaihu moved to settle onto the land.

When Ihu settled on this land Po made war against him. Ihu went to extreme S[outh] of the Block and sent messengers to ask Ngatamahaki [sic] to come and fight against Po. They all assembled and when Po heard of it, he fled to Opotiki and so the land all came to Ihu. Ihu heard that [illegible] Po was being ill-treated so he sent for him and he came back on this land and the land

³⁷ Evidence of Wi Mahuika, Mangatu Title Investigation 1881, MLC Gisborne MBk 7, p.154

remained under Ihu & Po's mana. Po was a member of Ngariki Ngotoawe.
[Rotoawe]³⁸

Aside from noting the narrative itself, there are a few important things in this testimony. Firstly, despite there being conflict between Te Ranginuiaihu and Po, Mangatu was said to have remained under the mana of both Te Ranginuiaihu and Po. Secondly, Mahuika identifies that Po's section of Ngariki was known as Ngariki Rotoawe.

Mahuika, then begins a new narrative which effectively is the main plank of his evidence. The first sentence following on from the story of Te Ranginuiaihu and Po introduces what would be a long narrative covering a number of pages of minutes: “Disturbances arose through Ihoterangi [sic], Wi Pere's ancestor.” (As shown in the compilation whakapapa of Part I, Te Ihoterangi was a descendant of Whareana and Kai) Thereafter follows a presentation on a series of conflicts which are sometimes known as the 'Pikai fights'. This same story was told later in the case by Wi Pere who had also presented it previously in other cases such as Poututu and subsequently in cases such as the Rangatira partition. This narrative, as told by Wi Pere, will be examined closely later in this report to demonstrate that, although a number of groups participated in the described events over the years, the story essentially is a Te Whanau a Kai narrative.

Wi Mahuika's account of the 'Pikai fights' is significantly different than Pere's and needs to be considered as the Mangatu judgment reflects that Mahuika's evidence was accepted by the Court.

In summary, Wi Mahuika presents the following narrative of initial events which, although having several minor differences, essentially reflects the same narrative as that presented by Wi Pere later in the case and on other occasions:

- Ihoterangi came into conflict with a section of Whanau a Kai
- Ihoterangi called a taua together
- Te Whiwhi (of Whanau a Taupara) sought to mediate, initially recommending against fighting, but then supporting Ihoterangi
- An incident then occurred which resulted in the killing of Pikai, Te Whiwhi's son
- "Whanau a Kai" were defeated at Mapouriki pa and on another occasion after which they gained refuge with Rongowhakaata³⁹

³⁸ Ibid. Mahuika then noted that Pera Te Uatuku belonged to Ngariki Kaiputahi.

From this point, Wi Mahuika's narrative ceases to mention Ihooterangi, Whanau a Kai or any other persons of groups than Te Whiwhi and those who were with him. Furthermore, the narrative solely focuses on the way in which Te Whiwhi repeatedly attacked and defeated Ngariki at several battles. The narrative concluded with an account of how Wi Mahuika's father returned Rawiri Tamanui (of Ngariki Kaiputahi) onto the land.⁴⁰ As will be shown later in this report, all of this evidence on battles was completely different than the evidence that Wi Pere would give. Despite the originating and early events of the Pikai fights being described by Wi Pere in the same way as Wi Mahuika, the battles mentioned by Wi Mahuika were different than those mentioned by Wi Pere when he discussed the Pikai fights.

In his evidence, Wi Mahuika alleged that when Te Whiwhi was building a coalition of forces to attack Mapouriki pa, he sent a message to Ngapuhi and Ngatuketenui and the chief Hirokiroki to come but they did not. According to Mahuika, after the defeat at Mapouriki, Ngapuhi and Ngatuketenui fled to Uawa. Mahuika noted that after Whanau a Kai found refuge with Rongowhakaata, the 'pursuit' of them ended. Seeking utu for his non-appearance at Mapouriki, Te Whiwhi then fought Hirokiroki at Wheao where, Mahuika alleged, 'Ngariki' was defeated. (Wheao stream is located on Mangatu). A person named Ruha was said to have been killed there as well as Tahekeheke's younger brother. Wi Mahuika then named a series of fights that occurred thereafter at which Ngariki were further defeated: at Huruhuru, Otarapani, Te Apiti. (These three places are located on Mangatu). Subsequently Mahuika added that battles had occurred at Hapete and Potakaoneone.⁴¹ During the first two fights, the tribe said to be under Te Whiwhi's command was Ngapotiki. For Te Apiti, Whanau a Taupara⁴² and Ngaitamatea were sent for. According to Wi Mahuika, after the defeat of Ngariki at Te Apiti, the prisoners were brought to Waerenga and other pa. After 'some time' they were said to have been "put back on the land by the conquering tribes." Thereafter, however, the Ngariki were said to have laid a snare to kill Ihooterangi. According to Wi Mahuika, Te Whiwhi learnt of this plan and he went "and drove them clean off the landnone of Ngariki remained."⁴³ The snare was said to have been made by Kuika.⁴⁴ Wi Mahuika then told the story of how his father had allowed Rawiri Tamanui back onto the land.⁴⁵

³⁹ Ibid, pp.154-5

⁴⁰ Ibid, pp.155-6

⁴¹ Ibid, p.158. Wi Mahuika later noted an order for the battles as being Te Uruuru, Apiti, Kokparoa, Ruapekapeka. When later speaking of Potakaoneone, Wi Mahuika noted it was 'long after' Mapouriki but before the defeat of Mahuika's forces at Papahikurangi. [p.159]

⁴² The minutes record 'Whanau a kai' which is then written over. Although it still doesn't look like Whanau a Taupara, other evidence suggests this is what Wi Mahuika was referring to.

⁴³ Evidence of Wi Mahuika, Mangatu Title Investigation 1881, MLC Gisborne MBk 7, p.155

Wi Mahuika then faced cross-examination. In response to a question from Pima Aata, he responded that he did not know the names of any of the Ngariki who were driven away.⁴⁶ In response to Wi Pere, Wi Mahuika noted that he had never heard of Rangiwahakataetaea being in Pikauroa pa (a pa located on Mangatu).⁴⁷ Instead, he noted the pa was Te Ranguinuihu's and subsequently Te Whiwhi's.⁴⁸ (Wi Pere would later identify Pikauroa pa as being Ihooterangi's pa which his grandson Rangiwahakataetaea later took over and used as his basis of operations.) In fact, Wi Mahuika claimed that Te Whiwhi had many pa on the land. Initially, Te Whiwhi lived at Whenuakura (near Patutahi) at the time Pikai was killed. He then was involved in a number of fights 'outside' (ie off the Mangatu block) at which time his pa was at Popoia (near Waituhi). He then went 'inland' (presumably a reference to coming on to Mangatu block) and fought Ngariki. As a result, Te Whiwhi was said to have had pa at Uku and Ngawaerenga. (As noted below, Uku was on the Rangatira Block and Ngawaerenga also seems to be off the Mangatu block.) Mahuika added: "After fighting Ngariki he [Te Whiwhi] had many pa's on this land"⁴⁹ These are not specifically named, however.

In response to a question by Wi Pere, Wi Mahuika did note that Rangiwahakataetaea and his "family" were with Te Whiwhi in all the fights. He then alleged that, outside of Mangatu, Rangiwahakataetaea was known as being of Whanau a Taupara.⁵⁰ He also generally noted that both Titirangi and Kaumoana joined in the fights that he spoke of.⁵¹ For Wi Mahuika, however, Titirangi was of Ngariki and was at the defeat at Ngariki at Te Apiti. (And yet, as will be shown later in the report, whakapapa shows that Titirangi and Rangiwahakataetaea were first cousins)

During the cross-examination, Wi Mahuika commented on Ngariki firstly in response to Wi Pere and then in response to the Assessor.

The preserved birds made by Ngariki on Maungahaumi were brought to me, not by the Ngariki which we had conquered because they were utterly destroyed. The hapu of Ngatipo are not living on this land. I am of Ngatipo. The remnants of Ngatipo are not living on this land.

⁴⁴ Ibid, p.159

⁴⁵ Ibid, p.156

⁴⁶ Ibid, p.157

⁴⁷ Ibid

⁴⁸ Ibid, p.158

⁴⁹ Ibid

⁵⁰ Ibid, p.159

⁵¹ Ibid, pp.158 & 159

[By Assessor] There are two divisions of Ngariki. Ngariki Kaitutahi [Kaiputahi] were beaten, the Ngariki Ratoawe retained their mana. The conquerors took the place of Ngariki who were completely beaten. Wahia was a descendant of the conquering tribe. Whiwhi's conquest finally settled the mana on this land and settled all former fightings. I consider that Wi Pere and I are the rightful owners as we are from the two conquering chiefs.⁵²

Other Relevant Evidence

As will be shown later in this report, the evidence of Wi Mahuika was of some importance in shaping the judgment of the Court over Mangatu. Therefore, it is of importance to consider this evidence closely.

As noted previously, Wi Mahuika's description of the killing of Te Whiwhi's son Pikai and the battle at Mapouriki essentially was the same as that later relayed in the case by Wi Pere. Nevertheless, it will be shown that there is much additional evidence on the Pikai fights from other Land Court cases than that given in Mangatu either by Wi Mahuika or Wi Pere. As Wi Pere himself is the source of much of the additional evidence, the review of the initial events of the Pikai fights will be produced later in this report when Pere's case in Mangatu is examined. At this point in the report, the various fights that Wi Mahuika claimed led to the breaking of Ngariki will be considered.

Wi Mahuika named six battles that were said to have occurred after Mapouriki. Further evidence has been found in relation to five of these battles which provide further insight into their origins and this evidence will be considered. The evidence comes from other witnesses in the 1881 Mangatu case, or from other cases before and after Mangatu.

⁵² Ibid, p.160

Huruhuru and Wheao

As noted above, Wi Mahuika mentioned that after Mapouriki Te Whiwhi attacked Hirokiroki at Wheao for not coming to assist him at Mapouriki. In Mahuika's testimony it is the first in a series of attacks on Ngariki that result in the breaking of this group, at the Mangatu judge later noted.

That the killing of Hirokiroki occurred appears to be confirmed by Pera Te Uatuku, of Ngariki Kaiputahi, who acknowledged during the Mangatu case that Hirokiroki was one of his tupuna and that he had been killed by Wi Mahuika's tupuna - presumably a reference to Te Whiwhi.⁵³ As Wi Mahuika was quite specific in his evidence on the timing of the attack against Hirokiroki at Wheao (ie after Mapouriki), that the reasons for it occurring was because of events associated with Mapouriki and that he could provide specific details of other who were killed, it appears quite believable that the event occurred as he said. As will be noted below, it is not the event that is put under question by other evidence, only its timing as having occurred amidst a series of post-Mapouriki battles. The battle at Wheao can not be considered in isolation, however, as other evidence connects it closely with the fight at Huruhuru pa. Indeed, in his rendition of post-Mapouriki battles, Huruhuru is the next battle mentioned by Wi Mahuika. For this battle, however, Wi Mahuika provides no evidence other than the name of Huruhuru.

Wi Mahuika's lack of detail about the fight at Wheao was picked up by Panapa Waihopi who was part of Wi Mahuika's case and who testified after him.

I have heard Wi Mahuika[']s evidence as far as it has gone it is correct. He left out the description of the first fight which conquered the land. [ie Wheao] It was caused by Te Whiwhi wanting food. The food off this land was brought by Ngatiwahia and given to Akurangi who [had] married a woman of Ngatiwahia named Kauko. Akurangi was the son of Te Whiwhi.

Te Whiwhi was living at Te Uku Pa on Rangatira Block. Whiwhi sent to another pa to Ngapotiki and asked them to waylay the persons who brought the food. They were surprised and killed except one. Next day [they] went on to Huruhuru and fought there.⁵⁴

Panapa Waihopi's evidence, therefore, links fighting at Wheao and Huruhuru but provides a different origin for why the fighting occurred. There are several other matters to consider. Before

⁵³ Evidence of Pera Te Uatuku, Mangatu Title Investigation 1881, MLC Gisborne MBk 7, p.195

⁵⁴ Evidence of Panapa Waihopi, Mangatu Title Investigation 1881, MLC Gisborne MBk 7, pp.161-2

analysing this narrative, however, further evidence about Wheao and Huruhuru will be presented as each piece of evidence provides a further insight into these events which is best considered once all of the information is presented.

Wi Pere also provided evidence about Wheao and Huruhuru. During the Mangatu case, however, he did not really provide much additional information. At various points within the evidence he did confirm that Akurangi was a son of Te Whiwhi, that he had married a Ngati Wahia woman named Kauho and that it was Kauho's relations who brought her food.⁵⁵ Other than this, however, Wi Pere did not note anything further about the consequences that occurred after the food was brought.

It was during the Rangatira case of 1897 that Wi Pere provided a great deal more evidence of the incident over the food and the fighting at Huruhuru. It began when Wi Pere began to tell a narrative about a certain man named Ngarangi:

This man Ngarangi. Certain fighting had commenced about birds. They were brought to Akurangi's kainga and eaten by him and his wife. [ie Kauho] The people who procured the food were Ngariki and a section of N. Wahia. Certain people saw this man and his wife eating and told his father Te Whiwhi and then the father was "pouri" because some of the birds were not given to him. Then the old man Te Whiwhi called to Te Iho o terangi and Ngapotiki to gather kahika berries. So they came to gather the berries at the mouth of the Wheao stream. Te Whiwhi and Te Iho o terangi decided to kill these people and sent for an ope to do so and they did. Some of course got away.

The first fighting was at Te Huruhuru – the man Ngarangi fled from that fight and took up his abode with Haronga at Pukaingakakahu and others of Ngariki were all gathered together there.⁵⁶

A close examination of Wi Pere's evidence shows that two fights occurred. The first is the attack by Te Ihooterangi and Te Whiwhi on those who had come to gather berries at the Wheao stream⁵⁷, while the second was the attack on Huruhuru. This supports Panapa Waihopi's version who speaks of two conflicts - one an attack on those who gathered the food (although the site of this attack is not mentioned) and the second being an attack at Huruhuru. There are a couple of minor points to clear up between the two accounts. Although Panapa Waihopi does not

⁵⁵ Evidence of Wi Pere, Mangatu Title Investigation 1881, MLC Gisborne MBk 7, pp.182 & 183

⁵⁶ Evidence of Wi Pere, Rangatira Title Review 1897, MLC Gisborne MBk 26, pp.242-3

⁵⁷ Although the reading of the first sentence "So they came to gather the berries at the mouth of the Wheao stream" makes it appear that it was Te Ihooterangi and Ngapotiki who were gathering berries, the sentence about the attack of Te Whiwhi and Te Ihooterangi on "these people" leads to the impression that it noted.

specifically mention Wheao when speaking of the first fight, his evidence picks up on that of Wi Mahuika's evidence and the "first fight" that Mahuika spoke about - which was Wheao. In Wi Pere's account, he speaks of killing at Wheao and then the first "fight" at Huruhuru. The reference to fight probably refers to the fact that Huruhuru was a pa that presumably had to be attacked. That it occurred the next day after the killing at Wheao is recorded by Panapa Waihopi.

A narrative of two consecutive attacks - the first at Wheao followed by an attack on Huruhuru - is specifically confirmed by comment recorded in 1918 by W. Pitt, who that time was a conductor for Whanau a Taupara, although previously he had represented Ngariki groups in 1917:

Ngarikis were living on Mangatu - had retired from Manukawhitikitiki long before. Wheao was a fight where they were met. They had no pa there - caught at the crossing, driven towards their own pa at Huruhuru.⁵⁸

This comment, therefore, represents the view that Pitt had formed in considering the evidence and possibly in speaking with others.

The above is sufficient evidence to conclude that Wheao and Huruhuru were connected, one having followed the other, the origin of which was the taking of food to Akurangi and Kauho. This then is contrary to Wi Mahuika's evidence of Wheao being caused by events that took place before the attack on Mapouriki pa and involving Hirokiroki not coming to fight at Mapouriki. That Wheao was connected with the food incident is further reflected by evidence given in 1921 by Himiona Katipa when he testified that the fight at Wheao was due to Te Whiwhi being angry because of food being taken to Akurangi. Presumably in response to a specific question, the minutes recorded Katipa as saying did not know the timing of the fight at Wheao, however.⁵⁹

Of even greater significance than the cause of Wheao and Huruhuru, is Wi Pere's additional comment about the timing of these fights. This evidence was given in the Rangatira case and follows his testimony noted above:

This [Huruhuru] is the fighting I speak of immediately after which the fighting about the Kaheka eel weir and Pikai commenced.⁶⁰

⁵⁸ Address of Pitt, Mangatu 1918, MLC Gisborne MBk 46, p.93

⁵⁹ Himiona Katipa, Mangatu 1921, MLC Gisborne MBk 46, p.184

⁶⁰ Evidence of Wi Pere, Rangatira Title Review 1897, MLC Gisborne MBk 26, pp.242-3

Wi Pere's evidence about the timing of Wheao and Huruhuru, therefore, is completely different that of Wi Mahuika's with Wi Pere firmly placing the timing of these conflicts as having occurred immediately prior to the Te Ihooterangi's dispute with others over the eel weir at Kahika and the killing of Pikai that resulted from the escalating actions that occurred. This is a very significant difference. Further comment on its implications, however, will be held until further evidence about fighting at Te Apiti, as noted below, can be considered.

There is a further piece of Wi Pere evidence about Huruhuru to note. Later in the Rangatira hearing, when Wi Pere was asked questions about Huruhuru, he provided a further perspective of what the conflict was about:

Q Had the fighting at the Huruhuru anything to do with the land.

A It was about food and food grew on the land.

Q Was it about this land or lands outside

A It commenced on a portion of the Wahia lands on a part of Mangatu and all the Ngariki there were killed or dispersed.⁶¹

Again, another significant comment with Wi Pere expressing his view that as Huruhuru was a dispute about resources, it was also therefore about land. And the land involved? It was not about Rangatira which was the case in which the evidence was given. Instead, according to Wi Pere, it was about Mangatu. Yet a further significant comment the implications of which will be further considered when additional information in relation to Te Apiti is considered next.

⁶¹ Ibid, p.249

Te Apiti

As noted above, after recording the allegedly post-Mapouriki fights at Wheao and Huruhuru, Wi Mahuika had also mentioned successive fights at Otarapani and Te Apiti. Although little further evidence about the former has been found, there is important alternative evidence about the latter.

Otarapani is a place, a pa, located on the Mangatu block. In Wi Mahuika's sequence of naming battles, Otarapani follows Huruhuru but is before Te Apiti. There is little additional evidence about Otarapani. There are two other mentions of Otarapani that arise during the Mangatu case. The first comes when Wi Mahuika was questioning Wi Pere. Although, as usual, the question was not recorded in the minutes, it appears that Wi Mahuika suggests to Wi Pere that those involved in the incident at Otarapani left there and travelled to Te Apiti where Wi Mahuika had recorded that the next conflict had occurred. Wi Pere, however, responded that he had never heard that this was the case.⁶² In fact, as Wi Pere had said earlier, all he had heard of Otarapani was: "At Otarapani no one was killed on either side. Ihoterangi stopped it."⁶³

Therefore, whereas Wi Mahuika had inferred that Otarapani was one in a series of fights that was part of the conquering of Ngariki, Wi Pere, whilst inferring that some incident had occurred at Otarapani, recorded that it was bloodless.

The next fight in the supposed conquest of Ngariki that Wi Mahuika had testified to in the Mangatu case was Te Apiti, a pa that was situated on the Mangatu block. As with Wheao, Wi Mahuika had provided some details of the events that had occurred. He noted that those Ngariki who were captured at the fight at Te Apiti were brought back to pa to the south of the block after which they were allowed to return to their land until the time that Te Whiwhi learned of a plot to kill Te Ihooterangi. A man named Kuika was involved in this plot. Te Whiwhi, having learned of this plot, allegedly responded by driving Ngariki off the land - ie Mangatu. It is also important to note that Wi Mahuika also referred to a fight named Potaka Oneone about which no details were provided. The relevance of this will be noted below.

⁶² Evidence of Wi Pere, Mangatu Title Investigation 1881, MLC Gisborne MBk 7, p.187

⁶³ Ibid, p.182

Rongowhakaata Halbert described a narrative in which several of the above details feature. Although there are problems with Halbert's rendition of events associated with post-Mapouriki fights and incidents occurring at Te Apiti,⁶⁴ there are nevertheless a number of details that, by their nature, suggests their authenticity and which provide some insight into this series of events. As with Mahuika, Halbert's narrative around Apiti occurs after Mapouriki. It involves an account where Te Ihooterangi intended to go to Mangatu to collect a tribute of food, said to be from Ngariki. In this story, an intention to kill Te Ihooterangi was learned of. Therefore, as the food was about to be handed over, the plotters were attacked. Some escaped and made their way to Te Kowhai pa where fighting continued until nightfall. During the night, Ngariki were said to have returned to the battlefield and mutilated the dead bodies of their attackers. Hence the name associated with this part of the conflict was Kotikotipo (night of mutilation). Another name recorded for the fighting that had occurred during the day was Te Poutaka Oneone (meaning kits of earth). This name was associated with the discovery, at the end of the day of battle, that the food being unloaded was found to be kits filled with earth and sticks to look like birds and eels. This was proof that an ill-intention had been planned. According to Halbert, the instigator of the plot was identified as being Kuika. The next day, the mutilation was discovered which led to an attack on those responsible at Te Apiti and a defeat of Ngariki although Kuika escaped.⁶⁵

The Halbert story is useful in that provides much more information than Wi Mahuika's brief account as presented in the Mangatu case. Halbert records these events as occurring after Mapouriki. He confirms Mahuika's evidence that there was a plot to kill Te Ihooterangi and that Kuika was the instigator. He provides a link between Te Poutaka Oneone and Te Apiti not evident in Wi Mahuika's brief mention of Te Poutaka Oneone. Halbert shows that Te Poutaka Oneone and Te Apiti were part of the same series of events with one event occurring before the other. On the other hand, Halbert's account is seriously out of step with that of Wi Mahuika in that Te Whiwhi is not mentioned at all by Halbert - whereas Wi Mahuika claimed that he was the main player in responding to the plot to kill Te Ihooterangi. Furthermore, whereas Wi Mahuika has this event as the final action that cleared Ngariki off Mangatu, Halbert notes that there is another conflict after these events at Te Apiti that results in a conquest of Ngariki. (In the latter

⁶⁴ In addition to the fact that Halbert places the fighting at Te Apiti as occurring after Mapouriki, the account described below is recorded as occurring before Huruhuru which Halbert describes thereafter. Clearly Halbert has heard about a fight at Te Apiti that occurred after Huruhuru as he then has to create a second post-Huruhuru second battle of Te Apiti.

⁶⁵ Rongowhakaata Halbert, *Horouta: the history of the Horouta canoe, Gisborne and East Coast*, 2012 edition, Libro International, Auckland, pp.119-120

case, little stock should be put in Halbert's telling of a subsequent fight. As noted above, this is one of the problems with the Halbert account).

Halbert's material generally confirms the broad narrative of Wi Mahuika brief narrative on the fighting that took place at Te Apiti. There is evidence, however, more contemporary to the 1881 Mangatu case, that confirms that fighting took place at Te Apiti, but provides an alternative narrative. This differing perspective comes entirely from Wi Pere.

Prior to the Mangatu case, Wi Pere had provided a brief snippet of information about the events that occurred at Te Apiti. During the 1875 Manukawhitikitiki case, Wi Pere referred to a plot and to a fight at Te Apiti.

After this another murder was planned by Ngatipo. The proposed plan of the murder was found out and stopped. In consequence a fight happened at Te Apiti when they were defeated.⁶⁶

As there is mention of a planned and prevented murder and that as a result a fight occurred at Te Apiti, it is reasonable to conclude that the murder being referred to was the planned murder of Ihooterangi. Interestingly, Wi Pere identifies that the party who intended to commit the murder, and therefore those who were defeated at Te Apiti were Ngatipo. As indicated elsewhere in this report, the use of the term 'Ngatipo' was broadly applied within the Land Court. Little definitely can be said about this group with certainty other than to note that when Ngatipo were mentioned they were viewed as being part of Ngariki.

It was during the Mangatu case, and cross-examination from Wi Mahuika, that Wi Pere mentioned Apiti on three occasions. Each answer has obscure elements in their wording that will require discussion.

The first reference clearly relates to the events at Te Apiti.⁶⁷

Ngariki Kaiputahi and Ngatiwahia and a number of Ngatipo were killed on this land. [Mangatu] Rangiwhakataiaia and his people went with Whiwhi. He [Rangiwhakataiaia] saved the remnants of Ngariki. The prisoners taken at Apiti were conducted to S[outh] end of the block and then killed except Ngatiwahia who were saved by my ancestors.

⁶⁶ Evidence of Wi Pere, Manukawhitikitiki Title Investigation 1875, MLC Gisborne MBk 2, p.51

⁶⁷ Evidence of Wi Pere, Mangatu Title Investigation 1881, MLC Gisborne MBk 7, p.187

There is a specific record of Te Apiti in this quote which anchors the text. Nevertheless, the first two sentences about the persons killed on Mangatu and Rangiwahakataetaea going with Te Whiwhi might represent not just Te Apiti but also the conflict that occurred at Wheao and Huruhuru. Aside from this minor point, the first sentence notes that the parties on the receiving end of the attack by Te Whiwhi and Rangiwahakataetaea and Rangiwahakataetaea's people were Ngariki Kaiputahi, Ngati Wahia and Ngatipo. Once again, as with Huruhuru, Wi Pere has noted distinctly that the persons being attacked, in addition to Ngariki Kaiputahi and Ngatipo, (Ngariki groups that were mentioned by Wi Mahuika as having been attacked), also included Ngati Wahia. Although Wi Pere is not specific in mentioning what branch, as with Huruhuru the evidence is saying that Ngati Wahia who were on the land and with other Ngariki groups, were subject of attack from Ihooteangi's descent line and allies. The ramifications of this statement will be considered below.

The meaning of the next statement - "He [Rangiwahakataetaea] saved the remnants of Ngariki." - is immediately explained by the next sentence. Before looking at this, however, it is important to note Wi Pere's use of the word 'Ngariki' in the above statement. In saying that Rangiwahakataetaea saved Ngariki and then in the next sentence noting that those saved were Ngati Wahia, is effectively a statement that Ngati Wahia were acknowledged as being Ngariki. Given the assumptions always made when Mangatu is considered that Wahia and Ngariki were distinct, this seems a rather large conclusion to draw entirely from just one sentence. As will be seen in this report, however, there is other evidence where Wahia descendants are described as being Ngariki or that their connection to Mangatu is through their Ngariki connections.

The next statement is also very significant. It notes that those taken prisoner at Te Apiti were taken away to the southern end of the block and executed. It also notes that the 'Ngatiwahia' among the prisoners were saved. Wi Pere notes only that the 'Ngatiwahia' were saved by his ancestors. Given the previous sentence of Rangiwahakataetaea saving Ngariki, it can be assumed that this is what he is referring to. However, Rangiwahakataetaea is not an ancestor of Wi Pere, it can be assumed that the ancestors plural that Wi Pere is referring are Rangiwahakataetaea's "people" who were there as Wi Pere does have a descent line from Rangiwahakataetaea's grandfather Te Ihooteangi.

The killing of the prisoners of Te Apiti denotes that the recorded events on Mangatu - of birds not being given to chiefs or plots being made against chiefs - were either of more serious nature than they appear at first sight or that matters had escalated to a serious degree. It is possibly Halbert's narrative of Kotikotipo that explains the need for such significant retribution. It is also interesting that Wi Pere's account differs from Wi Mahuika's. Mahuika's account notes the attack on Te Apiti and the removal of prisoners to the southern end of Mangatu. There is no mention of killing of prisoners with Wi Mahuika suggesting that eventually the prisoners were put back on the land. It is only when the plot to kill Te Ihooterangi was learnt of that Wi Mahuika claims that Ngariki were cleared off the land although no details is given of fighting or of those who were removed. There certainly is no mention of Wahia's descendants being part of the general label of 'Ngariki' or being the subject of attack.

The second reference by Wi Pere that is believed to relate to Te Apiti, and which emerged during Wi Mahuika's cross-examination of Wi Pere would be obscure in itself, but when considered within the context of the statement above, it is believed that this reference also refers to the events that occurred at Te Apiti:

Tarahau [Rangiwhakataetaea] was the protector of Ngariki who belonged to himself but he killed some of Ngariki who did not belong to him.⁶⁸

The previous statement had noted that Rangiwhakataetaea saved the remnants of Ngariki after Te Apiti and that he saved 'Ngatiwahia'. It is argued that the above statement is an extension of these comments. Interestingly, the terminology use is that Rangiwhakataetaea protected those Ngariki "who belonged to himself". Such a simple statement has several ramifications. We know from the previous statement that he saved the descendants of Wahia who were at Te Apiti which Wi Pere variously described as being Ngariki. In the above statement, Wi Pere again notes that it was Ngariki that were saved but only does belonging to Rangiwhakataetaea - that is, to whom Rangiwhakataetaea was related. Again this would fit with the previous statement that Rangiwhakataetaea saved the Ngarikis who were Wahia's descendants. That he was closely related to them will be fully demonstrated in the next Section of the report. For now, however, it can be noted that Rangiwhakataetaea's mother was a direct descendant of Wahia. The final point to make about Wi Pere's statement is that Rangiwhakataetaea was viewed by Wi Pere as being part of Ngariki.

⁶⁸ Ibid, p.191

The third reference to Te Apiti by Wi Pere is believed to come through the comments he made in relation to the Te Poutaka Oneone incident which Halbert noted was part of a series of events which culminated in the attack on Te Apiti:

Oneone fight was just before the Pikai fight. The fight over Pikai was not on this land but on Repongaere. Takaoneone was the cause of the first fight against Ngariki. They went to fight along with Ngatiwahia against their own people.⁶⁹

As noted previously, the Te Poutaka Oneone incident occurred immediately before the attack on Te Apiti, so they are inseparable in the time. Therefore, when Wi Pere notes that the Te Poutaka Oneone incident occurred before the Pikai fights, he is also saying that Te Apiti, with the significant events that occurred then, also was before the Pikai fights. As with Wheao and Huruhuru, this is specific evidence from Wi Pere that Te Poutaka Oneone and Te Apiti, both mentioned by Wi Mahuika, occurred prior to the Pikai fights and not, as Wi Mahuika believed, after Mapouriki. The ramifications of Wi Pere identifying that four of the six fights relied on by Wi Mahuika to describe a post-Mapouriki conquest of Ngariki actually occurred before the beginning of the Pikai fights will be further considered below.

The exact meaning of the remainder of the above statement is more difficult to decipher. What is meant by Wi Pere saying that Te Poutaka Oneone - the filling of food pots with earth - was the cause of the 'first fight' against Ngariki. Does that first fight mean Te Apiti? It is difficult to consider what else it could mean. It would not refer to the Pikai fights as Wi Pere never characterised these as being fights against Ngariki. As will be noted later in this report, Wi Pere described them as fights against Te Whanau a Kai. Would it mean Huruhuru. If so, it is not quite clear how Te Poutaka Oneone and Huruhuru are connected. If Te Apiti is the meaning of the phrase 'first fight' is this a suggestion that Te Poutaka Oneone and Te Apiti occurred before Wheao and Huruhuru? Wi Mahuika stated a different order. With all four fights occurring before the eel weir conflict and the Pikai fights, what would be the effect of viewing Te Poutaka Oneone and Te Apiti as occurring before Wheao and Huruhuru? Probably little. Nevertheless, the likelihood is that 'first fight' refers to Te Apiti and that use of these words reflect the significance of the Te Apiti conflict - ie first major fight.

⁶⁹ Ibid, p.188

As for the final sentence - "They went to fight along with Ngatiwahia against their own people." - this is far more problematic to decipher but possibly not that important to do so. Who went with Ngati Wahia to fight against whom? It could mean Rangiwahakataetaea going to Te Apiti accompanied with some of Ngati Wahia (possibly his mother's branch of Wahia descendants) to fight against other Ngati Wahia and Ngariki who were seen as their own people. Or it could mean that Ngariki, who are the last group referred to in the previous sentence, went with Ngati Wahia to fight against Rangiwahakataetaea and his people who, as noted above, were also viewed by Wi Pere as being Ngariki. The only difficulty with this view is that it is generally held that Rangiwahakataetaea's party came against Te Apiti rather than the people of Te Apiti or on the Mangatu block as going anywhere to fight Rangiwahakataetaea's people. Given this, the former explanation is the more likely. What is common to either interpretation is the impression that all those fighting were interconnected and of Ngariki.

There is a further minor matter to consider in relation to the fight at Te Apiti. As noted above, Wi Mahuika had testified that Hirokiroki was killed at Wheao, after Mapouriki. The previous examination of the fight at Wheao stream indicates that it was closely connected with Huruhuru which Wi Pere dates to a period prior to the Pikai fights. One further difference emerged when Wi Pere spoke of Te Apiti during the Mangatu case. During cross examination by Hira Kirikahu, Wi Pere referred to the fight at Apiti and added "Hirokiroki was killed there by me." Clearly the "by me" refers to his tipuna. So in Wi Pere's only mention of the killing of Hirokiroki, he again states that it related to pre-Pikai events rather than post-Mapouriki events. He also differs from Wi Mahuika by saying it occurred at Te Apiti rather than Wheao.⁷⁰

⁷⁰ Ibid, p.192. This difference was picked up in 1918 by the Te Whanau a Taupara conductor who naturally sided with Wi Mahuika's testimony. [Address of Pitt, Mangatu 1918, MLC Gisborne MBk 46, p.100]

Commentary

Having presented Wi Pere's evidence on the events described by Wi Mahuika is his Mangatu testimony, the ramifications of the two accounts need to be considered. There are two aspects to this. The first is to consider what is the potential effect of Wi Pere's statements in relation to those made by Wi Mahuika. The second aspect is to consider the implications for Mangatu history arising from the acceptance of Wi Pere's statements. In the latter situation, an overall consideration of exactly where Wi Pere's statements - that a series of fights occurred on Mangatu prior to the Pikai fights - fit into a history of Mangatu, should not proceed until all of Wi Pere's evidence on Mangatu has been considered. Therefore, this point should be returned to when an overall commentary on the evidence presented in relation to the Mangatu block is entered into at the end of this Part of the report. Therefore the commentary that follows, considers the ramifications of what Wi Pere's evidence means in relation to the evidence put forward by Wi Mahuika.

Simply put, Wi Pere's evidence, fully considered, is a complete challenge to Wi Mahuika's evidence. This is not simply because it provides a different account of Mangatu history, but because the evidence, if it was found to be correct, actually attacks the heart of Wi Mahuika's theory of the case.

Wi Mahuika's case is that his tipuna conquered Ngariki the result of which is that the only rights that Ngariki had on Mangatu were those created by Wi Mahuika's tipuna allowing them back onto the land. Although Wi Mahuika makes broad reference to 'conquests' of Ngariki having been made by Mahaki and Ihu, the affects of these are acknowledged by Wi Mahuika to be limited. When telling the story of Ihu and Po, the narrative ends with Wi Mahuika acknowledging that both had mana on the land. Therefore it was the actions of Te Whiwhi that counted. As Wi Mahuika noted: "Whiwhi's conquest finally settled the mana on this land and settled all former fightings." As will be noted later in the report, this is how the Mangatu Court came to view Wi Mahuika's evidence. When subsequently explaining the part of the 1881 judgment that found in favour of Wi Mahuika's case, the judge noted "that the mana over the Ngariki and on this land descended from Te Whiwhi".

Wi Pere's evidence in response to Wi Mahuika is not easy to perceive during the Mangatu case it either having been given as short comments in response to cross-examination or it

having appeared in other forums where Wi Pere commented on the events identified by Wi Mahuika. Although not necessarily impressive as a clear and solid body of evidence that presents a cohesive alternative view, the snippets of comments provided by Wi Pere nevertheless, albeit in piecemeal form, present a complete response to and, if accepted, a complete undermining of Wi Mahuika's case.

Most significantly, Wi Mahuika presents a series of fights against Ngariki, that collectively are said to add up to a conquest. They allegedly occur after Mapouriki through the agency of Te Whiwhi pursuing his own agenda against Ngariki. Wi Pere's evidence, if accepted, shows that the fights occurred before the Pikai fights and that Te Ihooterangi and his grandson Rangiwhakataetaea are the leading protagonists (and continue to be thereafter), with Wi Mahuika in a supporting role only. Whereas Wi Mahuika's story is a simple one of Te Whiwhi's forces conquering Ngariki, Wi Pere places emphasis on noting that all parties involved are Ngariki and that they are closely connected. Although some sections of Ngariki bear the brunt of the attacks, other sections, those who are Wahia's descendants, are saved from annihilation. There is no conquest of Ngariki therefore, only internecine conflict. As the final list put forward by Wi Pere as owners of Mangatu represented all parties in the recorded conflict - Wahia's descendants, Te Ihooterangi and Rangiwhakataetaea's descent lines, and even Ngariki Kaiputahi and other Ngariki lines from Putahi - the conflicts did not affect claims to the land.

Aside from the difference between the overall theories of the case put forward by Wi Mahuika and Wi Pere, all of the details of the small amount of testimony put forward by Wi Mahuika are countered by Wi Pere.

- Wi Pere states all battles referred to by Wi Mahuika occurred before Pikai not after Mapouriki
- Wi Pere states that Hirokiroki was killed at Te Apiti by his tipuna not killed at Wheao by Te Whiwhi
- Wi Pere states that Hirokiroki was killed as part of the events at Te Apiti and not because he failed to assist Te Whiwhi at Mapouriki
- Wi Pere states that fighting at Wheao and Huruhuru occurred over an incident with food collecting of Mangatu whereas Wi Mahuika says it occurred because Hirokiroki failed to assist Te Whiwhi at Mapouriki. (Wi Pere's viewpoint is confirmed by several other Mangatu commentators)
- Wi Pere states that Wahia's descendants were associated with all attacks on Ngariki at Huruhuru and Te Apiti, whereas Wi Mahuika records that Ngariki alone were attacked
- Wi Pere states that aside from Wahia's descendants, the Ngariki prisoners from Te Apiti were killed whereas Wi Mahuika states that they were held in various pa and then returned to the land
- Wi Pere states that the plan to kill Te Ihooterangi led to the fighting at Te Apiti whereas Wi Mahuika states that it occurred after Te Apiti and resulted in the removal of Ngariki from Mangatu

Wi Pere: Ngariki Evidence

Following the presentation of the various cases of Wi Mahuika and the various other counter-claimants, Wi Pere presented the case of the claimants appearing as the first and main witness. It will be suggested that much of the evidence presented was shaped by the evidence presented in two of the counter claims.

Ngariki Whakapapa

The first words recorded in the minutes, once the claimant case begins and Wi Pere's name is recorded in the margin, are: “The origin of Ngariki.” These words are followed by a long whakapapa beginning with the tupuna Arikinui and extending down 21 generations to Pera Te Uatuku (spelt as Utuakutu in the minutes.)⁷¹ As noted by the Tribunal, Pera Te Uatuku and the Ngariki Kaiputahi case was being presented as part of the claimant case. So Wi Pere is presenting a Ngariki whakapapa that relates to his fellow claimant. By way of explanation, Wi Pere then testifies:

This is the origins of the Ngariki tribe. They descended From the four Ariki's. I will speak as to remarks being the Anarehi ancestor of Ngariki as stated by Pimia. Anarehi is not in any way connected with this [?]. I have given. [?] that I have just given lives with a descendant of [?] names [?]Parawhera Anarehi was not descended from Ngariki. [Review minutes]⁷²

This explanation suggests that the presenting of Pera Te Uatuku's whakapapa was Wi Pere's response to the claim made by Pimia Te Ata. In fact, Wi Pere provides three further examples of offshoots from the whakapapa to Matenga Taihuka, Tiopira Tawhiao and Rawiri Matiu, all of whom he subsequently includes in his list of owners. These additional whakapapa are followed by Wi Pere addressing and dismissing others who had counter claimed in the case as Ngariki.⁷³

⁷¹ Evidence of Wi Pere, Mangatu Title Investigation 1881, MLC Gisborne MBk 7, p.172

⁷² Ibid, p.173

⁷³ Ibid

Te Ranginuiaihu and Po

Wi Pere, then presents a series of narratives of the way in which Te Ranginuiaihu and his descendants through Wahia have interacted with the block and Ngariki. He began by telling the same story of Te Ranginuiaihu and Po told by Wi Mahuika with a variety of small differences.

Kopuaterakiaka was the place where Ihu lived outside S[outhern] boundary. While there Po laid a snare to entrap him. Po was a section of Ngariki. Ihu was told of the snare and he left the place and went to Ngauaerenga to stay. Then [he] sent to Po to come and fight openly and a person was sent to Papawherowhero. Po fled to Opotiki and stayed at Waiau. Ihu was sorry and sent for him. He came and was located at Motu and they sent birds etc to Ihu and peace was made.⁷⁴

Later in his Mangatu evidence, Wi Pere reiterated that “Ihu had no Pa on the block he lived just outside.” and that he sent his people to get Po “to come out and face him fairly.”⁷⁵ Another version of this narrative was provided by Wi Pere at the 1875 Manukawhitikitiki case:

The original owners of the land was Po who was the principal chief of Ngariki tribe who are also called Ngatipo. One of my people told Po that some one was going to murder him. It was Tahua Taki who heard of the proposed murder. A challenge was sent to Po to come and have a fair fight. In consequence, through fear, Po and all his people ran away to Waiau at Opotiki. One of my ancestors sent messenger to enquire as to their welfare..... The Whakatohea treated the people with contempt. They were invited again to return by my ancestor. They returned and occupied a piece of land near to this block. I received tribute in the way of flora [?] etc from them. ...The people who I invited back continued to occupy the land adjacent to our own and worked for my people.⁷⁶

Compared with Wi Mahuika, Wi Pere does not say that Po “made war against” Te Ranginuiaihu. In addition, whereas Wi Mahuika set the events between Te Ranginuiaihu and Po as occurring on Mangatu, Wi Pere does not. Firstly, Te Ranginuiaihu lived off the block and secondly, when Po came back he lived at Motu. As with Wi Mahuika, however, Wi Pere does not really present this as a conquest. Instead, the few details presented record that there was peace with Po atoning for his indiscretion by sending birds to Te Ranginuiaihu. Wi Mahuika also did not suggest any subordination noting that the land was held under the mana of both Te Ranginuiaihu and Po.

⁷⁴ Ibid, pp.173-4

⁷⁵ Ibid, p.187

⁷⁶ Evidence of Wi Pere, Manukawhitikitiki Title Investigation 1875, MLC Gisborne MBk 2, pp50-1

Te Ranginuiaihu and Parua

After telling the story of Te Ranginuiaihu and Po, Wi Pere went straight on to presenting the following account of Te Ranginuiaihu and Parua.

Ihu sent on a message to Ipuwhakahenui to attack Parua because he [Parua] had said his [Ihu's] heart should be cooked. Whanuapanui came and overthrew Parua who was a descendant of Ngariki. When Parua was killed a greenstone was given to Apanui for their services. Ihu then went to take his [Parua's] people Ngatimaru. They were at Opapa. When he came there they came out and killed Ihu also Nonohi. The son [Ranginaoaoariki] when he heard the cries said he would go back with his parents and they killed him.⁷⁷

Some context is required to fully understand what Wi Pere is referring to. Parua is a descendant of Kahungunu.⁷⁸ Parua married the sisters Papakanui and Rutanga, the daughters of Arikiritu. Arikiritu was a descendant of Waimamaku, the son of Marutaiaroa. In his time he was chief of Ngati Maru who had mana over the lands of Houpapa and Waimaha.⁷⁹

Although Te Ranginuiaihu and Parua had fought alongside each other on various campaigns, the two had fallen out at some time. Parua came to Te Karaka, where Te Ranginuiaihu was living, built a pa and made the statement that he would roast Te Ranginuiaihu's heart as an offering for his house.⁸⁰ Te Ranginuiaihu called on Whanau Apanui who came and killed Parua. Te Ranginuiaihu then took both of Parua's wives as his own. Te Ranginuiaihu had a child with Rutanga named Hakore. When Hakore became an adult, Te Ranginuiaihu visited Houpapa with the intention of securing land for his daughter. He came with some members of his whanau and stayed for some time. Although it is said that Arikiritu was annoyed by this long stay, it was Hinepuakirangi - the daughter of Papakanui and Parua - who took action and sent to Wairoa for the Ngati Hingahinga tupuna Kauwaetere. As his army approach Houpapa, Te Ranginuiaihu and his family was attacked by Ngati Maru within the kainga. Te Ranginuiaihu and his wife Nonoikura were killed. Although his son Whakauaki escaped, he returned to die by the side of his parents.⁸¹

⁷⁷ Evidence of Wi Pere, Mangatu Title Investigation 1881, MLC Gisborne MBk 7, p.174

⁷⁸ Usually seen as a grandson, although, as noted below, sometimes suggested to be a great-grandson.

⁷⁹ Clapperton, op cit, p.73

⁸⁰ Ibid

⁸¹ Ibid, pp.75-6

As indicated above, Wi Pere relays the narrative of the killing of Parua without explaining how it relates to the Mangatu block. The role that Wi Pere's narrative plays in his presentation of the Mangatu case can be only considered after examining further evidence given a bit later in the hearing.

When the subject of Parua is again brought up, Wi Pere presents a series of comments without explaining the connection between them.⁸² These are summarised and re-ordered below as a first step to understand their meaning:

- Hineteaorangi married Kahutapere
- They had twins Tarakiuta and Tarakitai
- The food off the mountain (presumably Maungahaumi) went to the twins
- Tupurupuru was killed on account of fighting having commenced
- "Hinetea[o]rangi child was Rakaihakeke"
- Parua was killed by Te Ranginuiaihu "and so he [Ihu] got his claim over this land."
- Hineteaorangi's other children were the daughters Kura and Pari "both married and lived with Whakarau at Waikohu."⁸³ The daughters had no pa on Mangatu neither the Whakarau.

Although Wi Pere does not make an explicit link between this set of statements, a connection can be made if wider information about the people noted in the above narrative are considered.

Hineteaorangi was a significant chieftainess of Ngariki who is usually presented as being the daughter of the Ngariki chief Tamarere. Tamarere, with his brother Porangahau, is said to have conquered the Mangatu block. Subsequently, however, Tamarere was killed in battle with Kahutapere, Taururangi and Mahaki after which Hineteaorangi married Kahutapere. They had six children including the twins Tarakiuta and Tarakitai. These twins were killed by Rakaihikuroa who was the father of Tupurupuru. As a consequence, Tupurupuru was killed by an ope under Kahutapere.

⁸² Evidence of Wi Pere, Mangatu Title Investigation 1881, MLC Gisborne MBk 7, p.175

⁸³ Waikohu is situated to the east of Te Karara, approximately 6 kilometres along State Highway 2

As noted above, after having presented the statement of Tupurupuru's killing, Wi Pere then goes on to discuss the children of Hineteaorangi. At this point, Wi Pere specifically notes that Rakaihakeke was a child of Hineteaorangi. (This is not generally stated as being the case.)⁸⁴ Wi Pere also discussed two other children of Hineteaorangi - Kura and Pari - and stated that they did not have pa on Mangatu as they married Whakarau and moved away.⁸⁵

Prior to providing this information on Kura and Pari, Wi Pere refers again to the killing of Parua by Te Ranginuiaihu. Not specifically mentioned by Wi Pere is that Parua was the son of Rakaihakeke. This fact connects Wi Pere's two consecutive statements - one about Rakaihakeke being the son of Hineteaorangi and the other about the killing of Parua.

Despite now knowing something about the identity and connection of those persons featuring in Wi Pere's statements, Wi Pere still does not make clear what he is trying to say. Firstly, Wi Pere is stating that Hineteaorangi is important. (The exact reason is not stated but Hineteaorangi was an important) Hineteaorangi had the twins Tarakiuta and Tarakitai whose alleged importance in relation to Mangatu appears to be that they were children of Hineteaorangi who received food from the Mangatu block. Wi Pere is saying that once the twins were dead, (killed by Tupurupuru), the rights of the twins would go to others of Hineteaorangi's children. Given that that the two daughters Kura and Pari moved away, the inference is that it was Rakaihakeke, the remaining child of Hineteaorangi, who received the twins former rights to Mangatu. The further inference is that Parua, as Rakaihakeke's son, was next to receive the rights to Mangatu which essentially have been described as being to receive food off the mountain. Therefore, this is the reason for Wi Pere telling this story: - by the killing of Parua, Te Ranginuiaihu received the rights that were previously held by Parua.⁸⁶

The efficacy of this narrative depends on all of the information in the statements being correct. As noted above, however, the statement that Rakaihakeke was Hineteaorangi's son is not correct. This is further discussed below.

⁸⁴ Kahutapere and Raikahakeke are usually depicted on whakapapa as brothers rather than as father and son. (Halbert, op cit, p.300) A belief that had some currency at the time and for some time, was that Raikahakeke was the son of Kahutapere and Hineteaorangi. By this he would have inherited Hineteaorangi Ngariki land interests. (For examples see List 21 and 26 of the 1917 Mangatu relative interest case: a whakapapa recorded by Te Kani te Ua [See Mereta Kawharu, "Te Mana Whenua o Te Aitanga a Mahaki", 2000, Wai-814 A25, p.82]) Clearly, by his testimony, Wi Pere similarly held this view.

⁸⁵ Interestingly, Wi Pere makes no reference to Kokakura and Matangiorua who also are held to be children of Hineteaorangi. (Halbert, op cit, p.300)

⁸⁶ Kawharu, op cit, pp.80-1

There is another problem. Even if the narrative as stated by Wi Pere as accepted for the moment, we need to evaluate the suggestion that as Parua held rights over Mangatu, his killing meant that Te Ranginuiaihu received these rights. The story is somewhat ambivalent as a vehicle to show ongoing dominance over Ngariki as a wider entity of people as Te Ranginuiaihu subsequently was killed. (see above). After the killing of Te Ranginuiaihu and his family, Te Whanau a Mahaki, with the assistance of Te Whanau a Apanui, brought a taua to attack Houpapa. Arikututu was killed as was the man who actually killed Te Ranginuiaihu. Response came soon after, however, when Hinepuakirangi again called on Kauwaetere to retaliate. A combined force of Ngati Rua, Ngati Hine and Ngati Maru attacked at Hihiroroa (on the Waikohu block) and went against the Mahaki pa at Pawerawera. This action was said to have avenged both the death of Parua and the killings at Houpapa.⁸⁷

Returning to the significant problem with Wi Pere's narrative around Hineteaorangi and Parua. The only thing that links Parua to the supposed rights on Mangatu held by Hineteaorangi is the claim of Hineteaorangi being the mother of Rakaihakeke. As noted above, although this belief was abroad at the time and for some time, it is probably not a correct theory. Therefore Wi Pere may have been mistaken. Without there being a direct whakapapa link between the Mangatu rightholder Hineteaorangi and Parua the supposed inheritor of these rights, the story of Ihu gaining these rights by the killing of Parua is not sustained as there is no proof of Parua having any rights over Mangatu.

⁸⁷ Ibid, pp.21 & 76

Wahia's Descendants and Ngariki

Having told the story of Parua's killing followed by Te Ranginuiaihu's death, Wi Pere then presented a narrative on the relationship of Ngariki with the following of Te Ranginuiaihu's descendants:

- Te Ranginaonaoariki
- Wahia
- Ngaitahu
- Tuarauoterangi
- Tutearitonga and Te Rangituamaro
- Hineka and Hinetautope
- Rangiwhakataetaea

Te Ranginaonaoariki

Wi Pere says very little about Te Ranginuiaihu's son, (and the father of Wahia), Te Ranginaonaoariki other than the mention that he died with his mother and father at Opapa and the following: "Ranginaoriki [sic] was his name and lived at Huapiri Pa, it is still standing. The food collected by Ngatipo went to him."⁸⁸

At a later date, during a 1921 hearing over Mangatu, one further piece of evidence about Te Ranginaonaoariki was provided by one of the 1881 owners Rawinia Ahuroa who suggested that the Manawaraurakau pa at Te Urukokomuka belonged to Te Ranginaonaoariki.⁸⁹ At the same hearing witness Matenga Taihuka added that another pa at Te Urukokomuka named Te Huapiri also belonged to Te Ranginaonaoariki.⁹⁰ In fact, witness and conductor Himiona Katipa claimed that Te Ranginaonaoariki built Te Huapiri pa.⁹¹

As noted, both Manawaraurakau pa and Te Huapiri lay on the Te Urukokomuka stream which acts as part of the southern boundary. Both sites have been mapped as archaeological sites. The two sites are located almost next to each. In addition to lying alongside the Te Urukokomuka

⁸⁸ Evidence of Wi Pere, Mangatu Title Investigation 1881, MLC Gisborne MBk 7, p.174

⁸⁹ Rawinia Ahuroa, Mangatu 1921, MLC Gisborne MBk 46, p.151

⁹⁰ Matenga Taihuka, Mangatu 1921, MLC Gisborne MBk 46, p.163

⁹¹ Himiona Katipa, Mangatu 1921, MLC Gisborne MBk 46, p.175

stream, they also lie about 4-5 km due east of the settlement today at Whatatutu. The NZAA, places the both on the north bank of the Te Urukokomuka stream and therefore only just inside of the Mangatu block.⁹²

Wahia

Wi Pere did provide a little more evidence in relation to Te Ranginaonaoriki's son Wahia:

The food collected by Ngatipo went to him [Te Ranginaonaoriki]. His son Wahia took his place when he died. His pa was at Manawaraukau. When they set their snares one of Ngatipo overthrew them. Not until Wahia were the Ngatipo touched [?] in any way. Wahia went out on the coast to live at Herekuri....⁹³

These recorded minutes about Wahia are somewhat garbled and difficult to make sense of. Later in his evidence, Wi Pere added a bit more information about Wahia.

I have explained Wahia's claim it is by conquest. Ihu's mana went to Wahia because he lived on the land and conquered it.... A plot was made against Wahia so he made a stand and took this land and defeated Ngariki (one part) a remnant remained on the land and he was their chief. Only the lands on the streams belonged to Ngatipo⁹⁴

During the 1921 Mangatu hearing witness Matenga Taihuka and Himiona Katipa noted that Wahia continued with the occupation of Manawaraurakau pa at Te Urukokomuka.⁹⁵

Ngaitahu

Wi Pere, in his 1881 evidence, continued with his recitation of the way in which Te Ranginuiaihu's descendants through Wahia were associated with Mangatu. As noted above, Wahia had moved out to the coast where he was killed. According to Wi Pere, one of his sons returned to Mangatu.

⁹² Manawaraurakau pa and Te Huapiri were recorded as wahi tapu on the 2006 Gisborne District Council Combined Regional Land & District Plan. (Appendix 2, p.1) The Plan recorded their NZ Archaeological Assoc sites numbers: X17-25 (Manawaraurakau) and X17-26 (Te Huapiri). The location is shown on the online map of the NZAA.

⁹³ Evidence of Wi Pere, Mangatu Title Investigation 1881, MLC Gisborne MBk 7, p.174

⁹⁴ Ibid, p.187

⁹⁵ Matenga Taihuka, Mangatu 1921, MLC Gisborne MBk 46, p.163 & Himiona Katipa, Mangatu 1921, MLC Gisborne MBk 46, p.175

Ngaitau went back and lived on this land. Pimia called it Tarata the pa where he went to live. The food of the land was taken to Wahia's son Ngaitahu.

In 1921, Himiona Katipa also suggested that Tarata pa belonged to Ngaitahu.⁹⁶

The Tarata pa was recorded on the Gisborne District Plans as a wahi tapu and mapped on the NZAA online site map. The pa (which had the site identifier of X17/23) is shown to be about 2 km northeast of both Manawaraurakau pa and Te Huapiri pa lying just to the north and east of where an airstrip located on Omapere Road is located.⁹⁷

Tuarauoterangi

It was Ngaitahu's son Tuarauoterangi who was next discussed by Wi Pere:

When he [Ngaitau] died his child [Tuarau] used the forest for birds etc. He lived at Mapiri [Omapere]. Angiangi and Ngariki and saw the snares or whakatau was made [?]. Tuarau heard it and went and asked them to fight. Angiangi was struck by Tuarau who then seized Kaiparo who seized him by the neck and was choking him. He was rescued by his sister. Tuarau cut off Kaiparo's head off [sic] and Angiangi was then slaughtered and nearly everyone [at] the Pa was killed. After this fight no fighting took place. Tuarau lived on one side of the stream and Ngariki the other. [illegible] was the pa of Ngariki. The mana then fell to my ancestor Tuoterangi [sic]. They [Ngariki] lived in subjection to Ngatiwahia.

Omapere has been noted as being the pa of Tuarauoterangi.⁹⁸ Omapere was also identified as a pa belonging to Ngaitahu.⁹⁹ While Tarata pa is in the locality of Omapere, both the Gisborne District Plans and NZAA online site map specifically record an Omapere pa as being distinct from Tarata. This pa (which has the site identifier of X17/25) is very close to the location of Te Huapiri pa and also lies on the Te Urukokomuka Stream.

⁹⁶ Himiona Katipa, Mangatu 1921, MLC Gisborne MBk 46, p.175

⁹⁷ See 2006 Gisborne District Council Combined Regional Land & District Plan. (Appendix 2, p.1) and NZAA X17-23

⁹⁸ Himiona Katipa, Mangatu 1921, MLC Gisborne MBk 46, p.175

⁹⁹ Matenga Taihuka, Mangatu 1921, MLC Gisborne MBk 46, p.163

Tutearitonga and Te Rangituamaro

Wi Pere did not say much in the Mangatu case about the two sons of Tuarauoterangi other the following brief mention:

"Rangituamaru [sic] did not attack Ngariki."¹⁰⁰

Hineka and Hinetautope

Wi Pere did provide more information on the daughters of Te Rangituamaro. During the 1881 hearing he presented a whakapapa from Te Rangituamaro through Hineka and Haronga down to Herini Te Kani. Of Hineka, Wi Pere noted that Hineka went to where her husband Tamaihikitiakiterangi lived.

At a later date, during a 1921 hearing over Mangatu, witness Himiona Katipa recorded the following about the two sisters.

When Hineka [was] taken to Ngatikanohi [Tamaihikitiakiterangi's people] the mana went to Hinetautope.¹⁰¹

Himiona Katipa added that Hinetautope lived on Mangatu down to the time of Rangihakataetaea.¹⁰²

Rangihakataetaea

During the 1881 hearing Wi Pere presented a whakapapa from Hineka's sister Hinetautope showing that she married Te Pakuoterangi. Their son Rangihakataetaea is recorded as well as his son Wi Haronga, Wi Pere's co-applicant.¹⁰³

The mana still remained with Rangahakataetaea [sic] and his younger brothers. It remained solely with this section.

¹⁰⁰ Evidence of Wi Pere, Mangatu Title Investigation 1881, MLC Gisborne MBk 7, pp.174-5

¹⁰¹ Himiona Katipa, Mangatu 1921, MLC Gisborne MBk 46, p.176

¹⁰² Ibid

¹⁰³ Evidence of Wi Pere, Mangatu Title Investigation 1881, MLC Gisborne MBk 7, p.174

During the 1921 hearing over Mangatu, Rawinia Ahuroa suggested that Te Mapere pa and a fishing pond, located at Mangapapa on Mangatu No.1, belonged to Te Rangiwhakataetaea.¹⁰⁴ In addition, Pikauroa was identified as Te Rangiwhakataetaea's pa.¹⁰⁵

The Pikauroa pa also was recorded on the Gisborne District Plans as a wahi tapu and mapped on the NZAA online site map. The pa (which had the site identifier of X17/24) is shown to be immediately south and less than a kilometre from Tarata pa within the vicinity of Omapere Road.¹⁰⁶

Himiona Katipa noted that Te Rangiwhakataetaea did not occupy on Mangatu continuously. He also occupied Repongaere and he had a pa on the Rangatira block named Te Matai.¹⁰⁷

Commentary

A comment can be made on this segment of Wi Pere's evidence. Essentially, having recorded Te Ranguinuihu's conflicts with Po and Parua, and suggesting that he gained rights from these encounters, Wi Pere goes through Te Ranguinuihu's descendants from Wahia, and then Ngaitahu, to suggest that Ngariki remained in a state of obligation with these descendants. The group in such a position were not specifically named throughout but the inference is that they are Ngatipo - the descendants of Po. Often the words of Wi Pere, as recorded in the minutes are not clear. Generally, however, it appears that an obligation of providing food continued down the generations; that from time to time conflict would arise (as in Wahia's time). At the time of Tuarau, a serious conflict arose over which the Ngariki inhabitants of a pa were killed. The limited impacts of this conflict, however, are shown as Wi Pere described Tuarau's people living on one side of a stream and Ngariki on the other. Later, in 1918, the conductor for the Wahia case made the same point - that despite all the conflict recorded by Wi Pere, this did not materially change the occupation on the Mangatu block.

Old people we called said it was N'Wahia and Ngariki who occupied.

¹⁰⁴ Rawinia Ahuroa, Mangatu 1921, MLC Gisborne MBk 46, p.151

¹⁰⁵ Ibid, p.152. See also Matenga Taihuka, Mangatu 1921, MLC Gisborne MBk 46, p.163

¹⁰⁶ See 2006 Gisborne District Council Combined Regional Land & District Plan. (Appendix 2, p.1) and NZAA X17-23

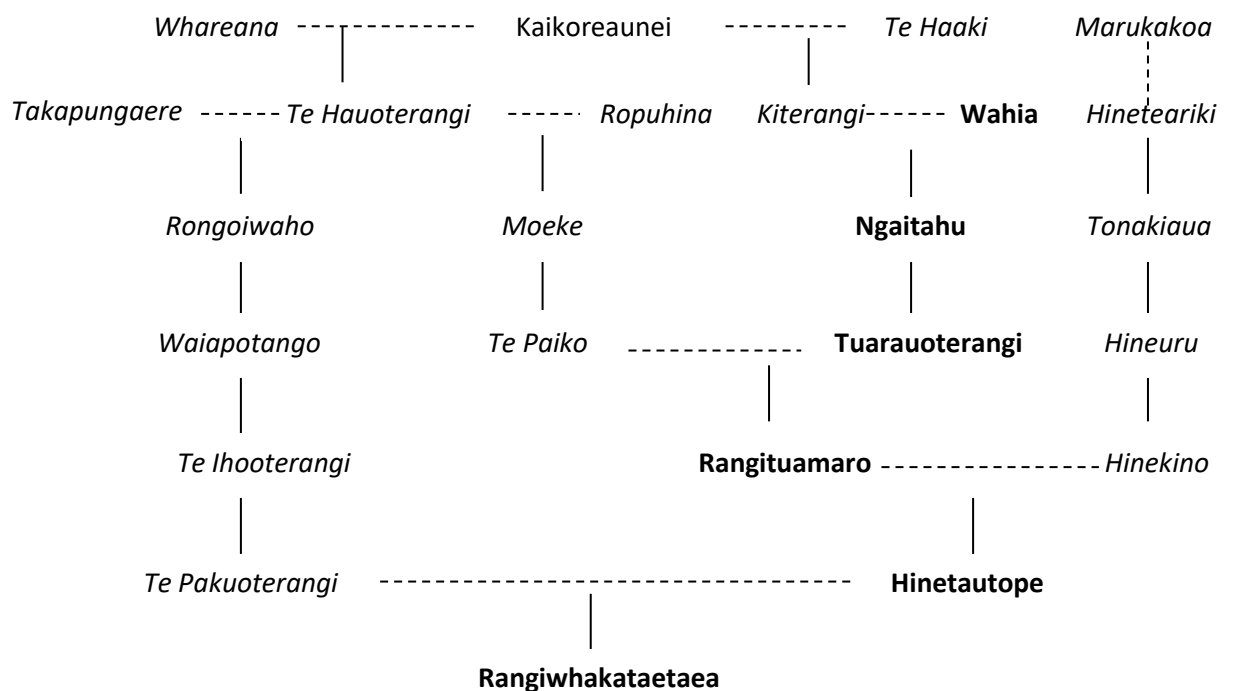
¹⁰⁷ Himiona Katipa, Mangatu 1921, MLC Gisborne MBk 46, p.176

Occup[atio]n by N'Wahia and Ngariki is conclusively proved. Occup[atio]n since Ihu's death remained undisturbed till time of Te Whiwhi and Ihooterangi - over 100 years.¹⁰⁸

The identity of the Ngariki that Wi Pere is talking about in this section of his evidence is not made clear. It can be said, however, that the Ngariki being discussed by Wi Pere seems to be a group who was external that Wahia's descendants would come into conflict with and live separately from. And yet, Wi Pere had spoken that the Ngariki, through marriage, had become one people with Ngati Wahia. The whakapapa to be presented in the next Part of the report will demonstrate that many of Te Ranginuiaihu's descendants from Wahia maintained a practice of marrying into Ngariki lines:

- Wahia married Kiterangi - daughter of Te Haaki
- Tuarauoterangi married Te Paiko - grand daughter of Te Hauoterangi
- Rangituamaro married Hinekino - descendant of Marukakoa
- Hinetautope married Te Pakuoterangi

The links of these marriages is shown below:



¹⁰⁸ Address of Sim, Mangatu 1918, MLC Gisborne MBk 46, p.75

When the notable genealogist Hetekia Te Kani Te Ua (1892-1966), presented this whakapapa showing descent from Wahia, he included the whakatauki next to each of the names from Wahia down:

*Ko Maungahaumi te maunga
Ko Wahia te tangata, ko Ngariki te iwi
Ko Ngaitahu te tangata, ko Ngariki te iwi
Ko Tuarau te tangata, ko Ngariki te iwi
Ko te Rangituamaro te tangata, ko Ngariki te iwi
Ko Hineka te tangata, ko Ngariki te iwi*¹⁰⁹

The mention of Maungahaumi links this to Mangatu. For each generation from Wahia downwards to Hineka, while members on this descent line are recorded as being the lead persons, Ngariki is always recorded as the iwi. This suggests that the line of Wahia descendants identified by Wi Pere as holding the mana within Mangatu, held this mana within a context of Ngariki remaining the iwi of the land.

Already, as noted above, the suggestion that Te Ranginuiaihu held mana over Ngariki through conquest can be largely discounted as problematical when the evidence is considered closely. Te Kani Te Ua began the whakatauki at Wahia who, of course, married Kiterangi. The marriage into Ngariki descent lines maintains the position of the iwi on the Mangatu land.

There is another piece of evidence which records the same sentiments of the above whakatauki. During a 1921 hearing in relation to Mangatu, when Himiona Katipa speaks of Hineka. he notes:

Maungahaunui is the mountain.
Ngariki the tribe.
Hineka the chieftainess.¹¹⁰

This gives additional provenance to Te Kani Te Ua's record.

¹⁰⁹ Gary Clapperton, op cit, C11, Table 19, p.38

¹¹⁰ Himiona Katipa, Mangatu 1921, MLC Gisborne MBk 46, p.176

Wi Pere: Pikai Fights

Having presented the above evidence in relation to Ngariki, Wi Pere next presented a large amount of evidence on a series of events that were significant in the Turanga district. Dubbed the 'Pikai fights', and allegedly extending over a number of years, a wide area of land was affected as warring groups ranged across the district and large areas of occupation were abandoned as people either fled the district or lived in pa for their defence. Although these events are significant, there is a question as to the role that the Pikai fights narrative played in the Mangatu case. The Pikai fights narrative accounts for most of Wi Pere's evidence by far as the various and numerous developments are told. Yet, Wi Pere does not give any clue as to why the narrative is being told. As noted above, although Wi Pere's story of the killing of Parua initially is told without explanation, eventually Wi Pere does say “and so he [Ihu] got his claim over this land.” With the Pikai fights narrative, the story is longer and more complex, but Wi Pere does not say why he is telling the story. In fact, at one point he acknowledges that although the series of events impacted a large number of people for a long time, it had no impact on land tenure in the district, including Mangatu, as everyone resumed their pre-war places of occupation. As far as Mangatu was concerned, the Judge agreed. Although the Mangatu judgment is fully reviewed later in the case, it is worth noting at this point that the Judge said of the Pikai narrative “But all these wars had no relation to this block...”

Given this, the question arises as to why Wi Pere spent so much time relating the events of the Pikai fights. It appears that the answer to this may lay in the evidence of one of the counter claims that had been presented prior to Wi Pere opening his case. As noted above, Wi Mahuika had provided evidence on the Pikai fights most of which focused on the role played by his tupuna Te Whiwhi in undertaking a series of attacks and defeats of Ngariki. Wi Mahuika's version of events, however, greatly varied from the account that Wi Pere would tell. As Wi Mahuika had largely relied on these events as the basis of his claim for having conquered Ngariki, it appears Wi Pere felt the need to present what he believed were the real events of the narrative.

Nevertheless, in presenting the narrative of the Pikai fights in the Mangatu case, it appears that Wi Pere had his own agenda. In addition to Wi Pere's account being greatly different from that of Wi Mahuika, there is evidence of that the version of the Pikai fights presented by Wi Pere in Mangatu in 1881 is somewhat different than other versions of the Pikai fight that Wi Pere

presented in full both before (in the 1880 Poututu case) and after (in an 1897 Rangatira case) the 1881 Mangatu case. The difference essentially focuses on Wi Pere's identification of key participants in the narrative. The Pikai fights have been described by Keith Katipa of Whanau-a-Kai as an internecine war. In the Mangatu case, Wi Pere often studiously avoids mention of the word 'Whanau-a-Kai' despite he having used it on other occasions when presenting the narrative. In addition, he avoids using the word 'Ngariki' as well. The apparent reasons for doing so will be considered later in this report. For the moment, Wi Pere's Mangatu account of the Pikai fights will be presented and reviewed in comparison to other accounts given by him at other times..

The origins of conflict

As noted previously, when assessing the evidence of Wi Mahuika, Wi Pere had identified the conflicts at Huruhuru and Wheao and at Te Apiti as occurring prior to the killing of Pikai. These conflicts, then, clearly provide the origins to the events that subsequently occurred. As indicated previously, Te Ihooterangi had been a central character in the Huruhuru/Wheao and Te Apiti conflicts. Not surprisingly, he retained a central position in the events that led immediately to the Pikai fights.

Interference with an eel weir

Of these events, Wi Pere began his narrative in the 1881 Mangatu case as follows:

Pikai fight was caused by the clothes of Te Hau being burnt. Auru was accused of doing it. [Atuaira] was seized and taken. Whanauakai and party seized the Kahika at Repongaere.¹¹¹

Wi Pere's rather enigmatic words at this point require some explanation.

As noted by Te Whanau a Kai kaumatua Keith Katipa, the incident being referred to relates to taonga belonging to Kai's son, Te Hauoterangi, that were passed down to his great grandson Te Auru. Unfortunately, these taonga were destroyed in a house fire. Angry at the loss, Te Auru's

¹¹¹ Ibid

cousin Te Ihooterangi, enforced the law of muru by confiscating other garments belonging to Te Auru. Te Auru's response was to enlist the support of his cousin Te Hiki.¹¹²

As for Wi Pere's reference to seizing "the Kahika at Repongaere", in the Rangatira case, Wi Pere explains that this related to a dispute over an eel weir.

At the time of Te Ihooterangi and Te Whiwhi the cause of the fighting was an eel weir at Repongaere. This was a trouble between relatives. They went and put up their eel weirs in front of each other. Te Kahika was the first post set up. Te Whanau a Kai set up a post in front of Te Ihooterangi's at Te Kahika it was called Te Kotipu.¹¹³

It is interesting to note that whereas in Mangatu Wi Pere notes both the burning of Te Hauoterangi's taonga and the erection of the post Te Kahika as being among the events that led to conflict, in the Rangatira case the eel weir story alone is relayed.

Later in the Rangatira case, Wi Pere specifically notes that it was Te Auru's son - Whakahere - who "called on Te Whanau a Kai to build their weir in front of that of Te Iho o terangi."¹¹⁴

In the Poututu case, Wi Pere specifically notes who led the interference with the eel weir.

A quarrel took place about an eel weir at Repongaere belonging to my ancestor Te Iho o terangi, in consequence of Te Hiki and his people having cut off the approach of the eels to it from up the stream by making another one. He [Te Hiki] belonged to Te Whanau a Kai, also Te Iho o terangi.¹¹⁵

Notably, in all three cases, the party interfering with the eel weir are named by Wi Pere as Te Whanau a Kai. In the Poututu case, he describes Te Hiki as Te Whanau a Kai but also notes that Te Ihooterangi is Te Whanau a Kai. In the Rangatira case, Wi Pere notes that these conflicts were "trouble between relatives". Additionally, in the Manukawhitikitiki case, the closeness of the protagonists was again noted by Wi Pere: "The fight about Pikai was mine. It was a quarrel between brother. It was about an eel weir near to Repongaere."¹¹⁶

¹¹² Katipa, op cit, 119, p.8

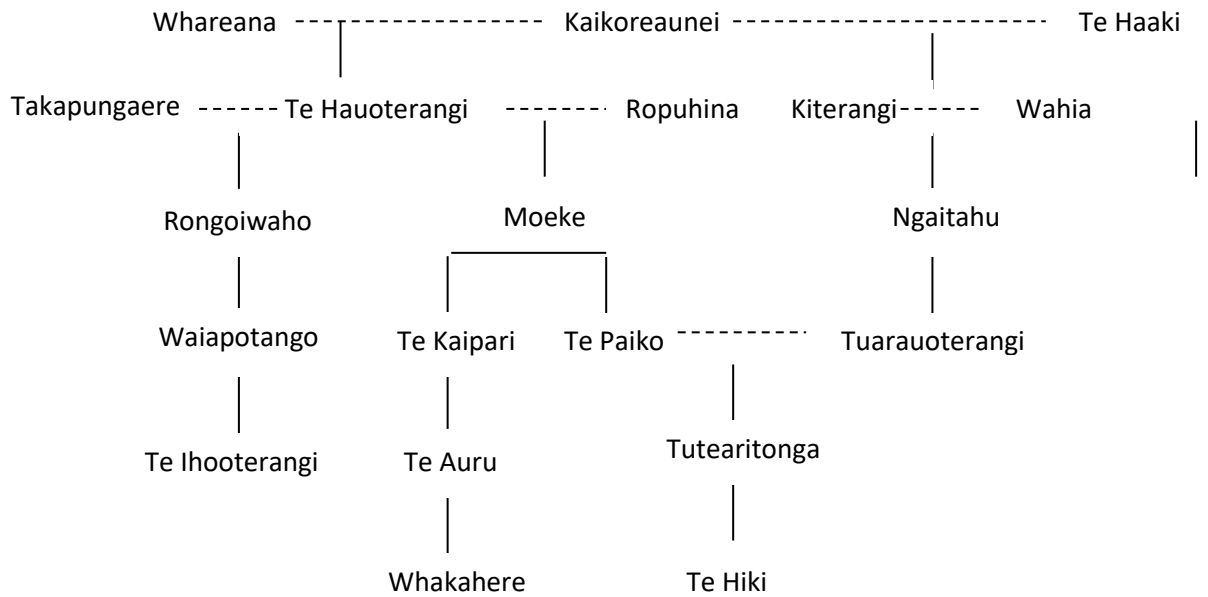
¹¹³ Evidence of Wi Pere, Rangatira Title Review 1897, MLC Gisborne MBk 26, p.199

¹¹⁴ Ibid, p.229

¹¹⁵ Evidence of Wi Pere, Poututu Title Investigation 1880, MLC Gisborne MBk 6, p.192

¹¹⁶ Evidence of Wi Pere, Manukawhitikitiki Title Investigation 1875, MLC Gisborne MBk 2, p.51

The following whakapapa shows the close relationship of the protagonists mentioned above: Te Ihooterangi, Te Auru, Whakahere and Te Hiki.



Te Whiwhi's advice to Te Ihooterangi

Te Ihooterangi intended to react to the interference with his eel weir with an armed response. Before examining this, one important fact to note was at this time, one of Te Ihooterangi's pa was Pikauroa which, as noted previously, is located in the Mangatu No.1 block.¹¹⁷ In the 1881 Mangatu case the events following the interference with the eel weir were described by Wi Pere as follows:

Ihuoterangi [sic] and Rangiwharetatarata [Rangiwhakataetaea] raised a war party. Ngaitamatea, Ngapotiki & another [Te Whanau a Taupara]. They came from inland and assembled at Popopoia. When Whiwhi arrived he spoke to Ihuoterangi [sic] and asked them [Te Ihooterangi's war party] to go [to] their settlement at Repongaere and so fight among themselves as relations. He thought other tribes would be drawn [in] & the fighting become general. He told the other tribes to proceed home.¹¹⁸

¹¹⁷ Evidence of Wi Pere, Rangatira Title Review 1897, MLC Gisborne MBk 26, pp.194: "the hapu of Te Iho o terangi in that day their pa was called Pikauroa it was in Mangatu No.1 block " Wi Pere records this piece of information when presenting the narrative of an attack on Te Matai (see below) which is said have occurred at the time of the Pikai fights - after the attack on Mapouriki pa and before the attack on Papahikurangi pa.

¹¹⁸ Evidence of Wi Pere, Mangatu Title Investigation 1881, MLC Gisborne MBk 7, pp.175-6

In the above quote, Wi Pere acknowledges that the two contending parties were relations, although he stops short of naming them both as Whanau a Kai as he did in the Poututu case. As noted below, from this point in Wi Pere's testimony in the Mangatu case, only the groups opposing Te Ihooterangi - Te Hiki's people - are specifically identified as Whanau a Kai.

In the Rangatira case, however, when Wi Pere spoke of Te Ihooterangi raising a war party, he noted they came from Ngai Tamatea, Ngapotiki, Te Whanau a Taupara, “and also from Te Whanau a Kai”. When he spoke of Te Whiwhi's advice, it was described as follows:

.....Te Whiwhi went to the ope and this is what he said to them to Iho o terangi “you go yourself to these people it is a squabble among relatives – let Ngapotiki, Ng. Tamatea and Te Whanau a Taupara go back to their own places”.¹¹⁹

The use of the phrase “a squabble among relatives” was similar to the phrase Wi Pere used in Mangatu. In the Poututu case, the reference again to both contending parties was made clear:

Te Whiwhi said to Te Iho o terangi “let you only go to Repongaere. Let Ngapotiki, Ngatamatea and Whanauatapara return to their homes as this is a dispute by Te Whanau a Kai amongst themselves.”¹²⁰

Rangiwhakataetaea's Lament

The next reference in Wi Pere's 1881 Mangatu evidence deals with the response of Te Ihooterangi to Te Whiwhi's advice that he manage matters himself and not involve others. Considering the event is rather dramatic, in the Mangatu case Wi Pere gives little indication of its significance in the two sentence summary he presented:

Rangiwhakataitaia got up his own party, about 100, and bade farewell to the tribes. Whiwhi persuaded them to come back again.¹²¹

A more complete version of the story had previously been presented by Wi Pere during the Poututu case:

¹¹⁹ Evidence of Wi Pere, Rangatira Title Review 1897, MLC Gisborne MBk 26, p.199

¹²⁰ Evidence of Wi Pere, Poututu Title Investigation 1880, MLC Gisborne MBk 6, p.192

¹²¹ Evidence of Wi Pere, Mangatu Title Investigation 1881, MLC Gisborne MBk 7, pp.175-6

At this Te Iho o terangi became angry and took about thirty of them in party and ascended a hill to a pa called Te Popoia. On reaching the pa one of the number named Tarahau [aka Rangiwahakataetaea], a grandson of Te Iho o terangi, took off his clothing and called to those below. "Farewell return to your kaingas, I am going that when my throat is cut it might be done at my own kainga and washed in the water of it." At this Te Whiwhi became sorrowful and he and others joined in requesting Te Iho o terangi and his party to stay.¹²²

A very similar account is given in the Rangatira case where it is said that Te Ihooterangi and 60 men climbed to the hilltop pa where Rangiwahakataetaea called out "here am I going onto my own kainga and if my head is to be cut off let it be at my own kainga and let the blood of the wounds be washed at my own kainga".¹²³

This section of the report has considered evidence in relation to several events: the destruction of taonga belonging to Te Hauoterangi, the muru that followed as conducted Te Ihooterangi, the interference with Te Ihooterangi's eel weir, his determination to attack those concerned by calling together an army of allies, the warning by Te Whiwhi to not involve other tribes and the lament of Rangwhakataetaea which kept the allied army together and ready to attack.

When Wi Pere tells this story in the Mangatu case, it is presented as being a situation where Te Ihooterangi is injured by and decides to take action against Te Whanau a Kai. When all of the information is considered, including that from later Mangatu cases and from other cases where Wi Pere had told the same narrative, it is evident that the 1881 Mangatu narrative represented a partial telling of the story only.

Other evidence clearly shows that the named protagonists on all sides - Te Ihooterangi, Te Auru and Te Hiki were acknowledged to be of Te Whanau a Kai. In the case of Te Hiki, despite his descent from Wahia, he is generally described as being a chief of Te Whanau a Kai. Therefore, the full narrative really is of an internecine dispute among Te Whanau a Kai. That this was a dispute among relatives was recognised by Te Whiwhi in the warning he gave to Te Ihooterangi.

¹²² Evidence of Wi Pere, Poututu Title Investigation 1880, MLC Gisborne MBk 6, pp.192-3

¹²³ Evidence of Wi Pere, Rangatira Title Review 1897, MLC Gisborne MBk 26, pp.199-200

The escalation of conflict - the killing of Pikai

During the Mangatu case, Wi Pere described the killing of Te Whiwhi's son Pikai as follows:

Some of the young men went out to catch Pukekos. Whanauakai heard of the party staying here and came to meet them. Te Whiwhi and Ihuoterangi were on the other side of Waipawa River and the others were going to Maporiki [sic]. They cut these young people off from their kainga. They fought in the river. Pikai was among them and he was killed.¹²⁴

There are several points to note. In Mangatu, Wi Pere adopted the vernacular where those opposing Te Ihuoterangi were described as Whanau a Kai while those of Te Ihuoterangi's party (aside from the three hapu who came to help) are not given a collective title. Also, in the above account, the killing of Pikai seems to have occurred from a direct and deliberate attack by Te Whanau a Kai.

The other accounts of Pikai's killing given by Wi Pere are more nuanced. These tell of the 30 young men including Te Pikai going to catch the Pukeko to offer as sacrifice. On their return, they came across a taua of those Te Whanau a Kai who were travelling to Mapouriki to garrison the pa presumably in the advent of an attack. The taua was travelling in single file along a riverbank when Pikai and his party descended down to the River. In doing so, they had to cut through the single file of the Whanau a Kai who were going to Mapouriki. This was done as a deliberate provocation with one account recording that once the young men reach the river they taunted the taua. Eventually this behaviour cause a response and the taua descended down to the river and attacked the youths. One account presents this as a running battle from bank to bank. It also notes suggests that Pikai was the only person killed and that when this happened the fighting stopped and both parties withdrew to opposite sides of the River.¹²⁵ Another account, given in a later Mangatu case of 1921, by Matenga Taihuka as a witness, portrayed the events as follows: "Pikai challenged Wh'Akai to wrestle and Te Hiki said to his young men "if you catch him kill him".¹²⁶

¹²⁴ Evidence of Wi Pere, Mangatu Title Investigation 1881, MLC Gisborne MBk 7, p.176

¹²⁵ Evidence of Wi Pere, Poututu Title Investigation 1880, MLC Gisborne MBk 6, p.193. Evidence of Wi Pere, Rangatira Title Review 1897, MLC Gisborne MBk 26, pp.200-1

¹²⁶ Matenga Taihuka, Mangatu 1921, MLC Gisborne MBk 46, p.170

The next part of the narrative details the arrival of Te Whiwhi to view the body of his fallen son. In Mangatu, Wi Pere described these events as follows:

News of this [the killing of Te Pikai] was sent to Ngaitamatea and Whiwhi's party came they saw Pikai's body. Whanauakai removed to the hill top. Whiwhi came to where Pikai was and called to Hiki the chief of Whanauakai to come down and make peace over the body of his son. He [Te Hiki] derided him – and Whiwhi therefore said he would scatter them to the middle island. The three tribes carried the body inland.¹²⁷

One matter from this passage to note is that, again, in the Mangatu case, Wi Pere identifies the group opposing Te Ihooterangi as Whanau a Kai. Further to this, he names the chief of this group as Te Hiki. This seems another example of Wi Pere selectively presenting information in the Mangatu case. As whakapapa presented previously in this report shows, Te Hiki was the son of Tutearitonga, a person previously introduced in Wi Pere's evidence as the great grandson of Wahia.

Wi Pere's version of the above narrative presented in the Poututu case is very similar to that presented above. The group opposing Te Ihooterangi is still named as Whanau a Kai and Te Hiki is named as being among those Whanau a Kai. The additional information is that in addition to Te Whiwhi saying that he would drive Te Hiki's people to the south, Te Hiki had replied that he would drive Te Whiwhi to the volcano Whakari (White Island).¹²⁸

In the Rangatira case, a long narrative is provided of the exchange between Te Whiwhi and Te Hiki. The tragedy of the incident is made more clear beginning with the Te Whanau a Kai group carrying the body of Pikai across the river to where his group had gathered. When Te Whiwhi came to his son's body, he twice called out to Te Hiki to come down and make peace despite the killing that had occurred. It was only in the face of Te Hiki's staunch refusal and his taunt that it served Pikai right that Te Whiwhi spoke in anger to which Te Hiki responded as noted above.¹²⁹

¹²⁷ Evidence of Wi Pere, Mangatu Title Investigation 1881, MLC Gisborne MBk 7, p.176

¹²⁸ Evidence of Wi Pere, Poututu Title Investigation 1880, MLC Gisborne MBk 6, p.193

¹²⁹ Evidence of Wi Pere, Rangatira Title Review 1897, MLC Gisborne MBk 26, p.201

The Attack on Mapouriki Pa

After the killing of Pikai and taunting of Te Hiki an attack was made on Mapouriki pa as Wi Pere noted in the Mangatu case.

Mapouriki [sic] was Whanauakai's Pa. Rongawhakaata attacked and did not succeed, they put up a rahui and made peace. The three tribes then attacked the Pa and Rongawhakaata, seeing this, they joined the stormers and it was taken and a greenstone mere named Ngatira was given to Rongawhakaata and gave Repongaere to Te Whiwhi to give to Rongawhakaata to avenge Pikai's death. They all returned to their homes.¹³⁰

The attack on Mapouriki featured in both of Wi Pere's Poututu and Rangatira versions, with additional details being provided primarily relating to details of the battle.¹³¹

Although not specifically recorded by Pere, evidence given in later Mangatu cases records that Te Hiki was killed at Mapouriki.¹³² Te Hiki's son, Te Hori, was also in Mapouriki pa.¹³³ In addition, Te Kani Pere noted that Kaumoana and Piere were part of the forces opposing Mapouriki.¹³⁴ Ngariki Kaiputahi were also among the attacking forces. Both Rawiri Tumanui and Matiu Kahore were identified as being among Rangiwahakataetae's forces at Mapouriki.¹³⁵

In Mangatu, and other cases, Wi Pere noted that in the aftermath of Mapouriki, those living in the nearby pa Pohaturoa [Te Pouataroa] - said to be a mile from Mapouriki - made the decision to flee before they were attacked. They sought refuge at Uawa. In the Mangatu case, Wi Pere identified the groups who left as being Ngatukenenui, Ngapuhi and Ngaitama.¹³⁶ Later evidence reveals that Ngatukenenui was a Ngariki group with descent from Kaiputahi through Whakaware.¹³⁷ As for Ngapuhi and Ngaitama, tupuna for these hapu included Te Auru and his son Te Whakahere.¹³⁸

¹³⁰ Evidence of Wi Pere, Mangatu Title Investigation 1881, MLC Gisborne MBk 7, p.176

¹³¹ Evidence of Wi Pere, Poututu Title Investigation 1880, MLC Gisborne MBk 6, pp.193-4

¹³² Matenga Taihuka, Mangatu 1921, MLC Gisborne MBk 46, p.167. Also Te Kani Pere, Mangatu 1921, MLC Gisborne MBk 46, p.196

¹³³ Himiona Katipa, Mangatu 1921, MLC Gisborne MBk 46, p.184

¹³⁴ Te Kani Pere, Mangatu 1921, MLC Gisborne MBk 46, p.196

¹³⁵ Himiona Katipa, Mangatu 1921, MLC Gisborne MBk 46, pp.184

¹³⁶ Evidence of Wi Pere, Mangatu Title Investigation 1881, MLC Gisborne MBk 7, p.177. See also Evidence of Wi Pere, Poututu Title Investigation 1880, MLC Gisborne MBk 6, p.194.

¹³⁷ See descent line of Tiopira Tawhiao in Ngariki whakapapa I19(i) p.10

¹³⁸ Richard Towers, "Turanga Manu Whiriwhiri: Overview of Customary Interest Outside the Gisborne Inquiry District..." November 2008, p.39

In the Rangatira case, there was a slight difference in Wi Pere's evidence as he noted that only Ngapuhi and Ngai Tuketanui went to Uawa. He seems to suggest that Ngaitama, and another group named as Ngai Te Rangituamaro (presumably being the descendants of Rangituamaro) went with Te Whanau a Kai to Repongaere.¹³⁹

In the 1881 Mangatu case, Wi Pere noted that those in Mapouriki pa sought refuge at Te Arai with Rongowhakaata after further conflicts. He named three battles - Otai, Wahanui and Huia - that were said to have taken place before Whanau a Kai went to Rongowhakaata. The recorded minutes, however, do not make exactly clear what occurred at these battles.¹⁴⁰

Later cases dealing with Mangatu, produced much comment on Mapouriki pa, especially the identity of those inside the pa and the way that they had been labelled during the 1881 Mangatu case. With Wi Pere noting that those in the pa included some of the descendants of Rangituamaro (the descendants of Rangituamaro were among the attackers as well) and that the leader in the pa was Te Hiki, one of the descendants of Tutearitonga, it is quite clear that the pa included Wahia's descendants which Wi Pere labelled collectively as Te Whanau a Kai. This point was picked up by later commentators.

During the 1918 appeal by Te Whanau a Taupara to gain entry into the title of Mangatu No.1 (see Part II), as part of their case they pointed to the apparent inconsistency of Wi Pere's testimony on Mapouriki noting that Te Hiki also was a chief of Ngati Wahia and that therefore Ngati Wahia must have been inside Mapouriki.¹⁴¹ The conductor for the original 1881 owners of Mangatu No.1 pushed back against this viewpoint pointing to Wi Pere's evidence recording Te Hiki as a chief of Te Whanau a Kai only with no association to Ngati Wahia.¹⁴² Pitt, the conductor for Te Whanau a Taupara, responded by pointing to whakapapa and correctly noting that Te Hiki was the son of Tutearitonga who he claimed was the senior male line of Ngati Wahia at the time.¹⁴³

¹³⁹ Evidence of Wi Pere, Rangatira Title Review 1897, MLC Gisborne MBk 26, p.203

¹⁴⁰ The lack of punctuation and what appear to be missing words leaves an unclear narrative with two possibilities: either that Te Whanau a Kai, after Mapouriki, were successful at Otai and Wahanui before being beaten at Huia, or that Whanau a Kai were beaten at all three battles. [Evidence of Wi Pere, Mangatu Title Investigation 1881, MLC Gisborne MBk 7, p.176]

¹⁴¹ Te Whanau a Taupara were trying all means to find a way to be included in the block. This part of the strategy was to suggest that Wahia were conquered as a result of the Pikai fights and that this occurred through the action of Ihoterangi and Te Whiwhi, both of whom were connected to Te Whanau a Taupara. While this overall perspective was not reflective of the view held by the Ngariki and Wahia owners of Mangatu, the specific point in relation to Te Hiki is shown to be correct by the whakapapa presented in this report.

¹⁴² Address of Sim, Mangatu 1918, MLC Gisborne MBk 46, p.78

¹⁴³ Address of Pitt, Mangatu 1918, MLC Gisborne MBk 46, p.98

To further make the point that, despite Pere's labelling of those in the pa as Whanau a Kai only, there were other descendants of Wahia in Mapouriki, Pitt drew attention to Pere's comment: "N' Rangituamaro and others went to Repongaere from Mapouriki." As Pitt also noted, Ngati Rangituamaro would include the descendants of Rangituamaro's daughter Hinetaupe and yet, of course, Rangihakataetaea was one of the attackers of the pa.¹⁴⁴

When, in 1921, Matenga Taihuka appeared as a witness and spoke of the fight at Mapouriki, he identified Te Hiki's followers at Mapouriki as being Ngariki, Whanau a Kai and Ngati Wahia.¹⁴⁵ Under cross examination from Whanau a Taupara conductor Pitt, Taihuka again named these groups. He added that Te Hiki was a descendant of Wahia as was Te Hemara. He then added "All the desc[en]d[an]ts of Tutearatonga were there."¹⁴⁶

Others, such as Himiona Katipa did not agree keeping to Wi Pere's wording that it was Whanau a Kai in the Mapouriki pa.¹⁴⁷ Te Kani Pere took exception to Matenga Taihuka's claim that all of Tutearitonga's descendants were in Mapouriki pa.¹⁴⁸ He then explained, however: "The desc[en]d[an]ts of Tutearitonga and others are the Wh' Akai."¹⁴⁹ He later conceded, however, that Rangituamaro's descendants were in Mapouriki.¹⁵⁰

During the 1922 Appeal, W. Pitt, the long-serving conductor for Whanau a Taupara, picked up on the evidence given in 1921.

Matenga Taihuka, one of the witnesses for the other side, admit[ted] that all the descdts [sic] of Rangituamaro and Tutearitonga were in Mapouriki pa when W' a Taupara attacked it. Fight s[ai]d to be against W' a Kai. W' a Kai, N' Wahia and Ngariki are so closely connected as to be really indistinguishable. It was a fight between relatives I admit.¹⁵¹

Pitt was slightly in error here as Matenga Taihuka had not mentioned Rangituamaro's descendants. Later in the case he corrected this to note that Matenga Taihuka had only noted that

¹⁴⁴ Ibid

¹⁴⁵ Matenga Taihuka, Mangatu 1921, MLC Gisborne MBk 46, p.167

¹⁴⁶ Ibid, p.169

¹⁴⁷ Himiona Katipa, Mangatu 1921, MLC Gisborne MBk 46, p.184

¹⁴⁸ Te Kani Pere, Mangatu 1921, MLC Gisborne MBk 46, p.195

¹⁴⁹ Ibid, p.196

¹⁵⁰ Ibid, p.198

¹⁵¹ Address by Pere, Mangatu Appeal 1922, MLC Gisborne Appellate MBk 21, p.33

Ngariki, Whanau a Kai and Ngati Wahia were in the pa and that he had noted that this included Tutearitonga's descendants. Nevertheless, Pitt noted that it was Wi Pere who had made mention that Ngati Rangituamaro (ie Rangituamaro's descendants) had fled after Mapouriki. Pitt pointed out that Rangiwahakataetaea and his sister Hinearaiia were part of the group attacking Mapouriki and that they were descendants of Rangituamaro through Hinetautope. Therefore, while accepting that Rangituamaro's descendants were in Mapouriki, he had qualified this by stating that this did not include Hinetautope's descendants.¹⁵²

The above review of information in relation to the attack on Mapouriki pa, further highlights the problem of Wi Pere's 1881 evidence as provided in relation to Mangatu. In his narrative, the image of Te Ihooterangi and his allies attacking Te Whanau a Kai is maintained. From other sources, however, there is a wider acknowledgement that those in the pa included Ngariki and some of the descendants of Rangituamaro and Tutearitonga - Wahia's descendants - who still are broadly labelled as being Te Whanau a Kai. Not only this, but when later commentators review this, they acknowledge that Te Whanau a Kai, Ngati Wahia and Ngariki "are so closely connected as to be really indistinguishable." The full evidence on the attack on Mapouriki reveals further that the Pikai fights were an internecine dispute within Te Whanau a Kai which clearly included those of the Te Whanau a Kai who were descendants of Wahia as well.

¹⁵² Address by Pitt, Mangatu Appeal 1922, MLC Gisborne Appellate MBk 21, p.38

Te Matai, Te Toto and Papahikurangi

In Wi Pere's Mangatu evidence, the next narrative told was in relation to Papahikurangi where a combined Whanau a Kai and Rongowhakaata taua secured a victory against Te Ihooteurangi and Te Whiwhi resulting in the death of Te Whiwhi. The same sequence of events was put forward in Poututu. In the Rangatira case, however, Wi Pere provided a very long narrative about an attack on Te Matai pa which took place prior to Papahikurangi. Ostensibly, this was a story of an attack by Aitanga a Hauiti on the combined forces who had won at Mapouriki. In the Rangatira case, Wi Pere tells the story of Te Matai as part of an apparently distinct narrative about which people from the Turanga district were living in Uawa. It is presented before he begins narrating the events of the Pikai fight. Nevertheless, he makes it clear that Te Matai was connected with the Pikai fights. He also notes that it occurred after Whanau a Kai had sought refuge with Rongowhakaata but before Papahikurangi. The details of Wi Pere's narrative on the Te Matai fight provides insight into various whakapapa connections and how closely related people acted during the attack.

A very detailed account of Te Matai was presented. A summary of events will be given. It appears that Rongowhakaata sent a message to Te Aitanga a Hauiti to come and fight against Te Aitanga a Mahaki. Te Whanau a Taupara got wind of this and moved to their pa Te Matai. A message was sent to Ngapotiki to join them. That these events all occurred within a tight timeframe is revealed by the fact that not all of Ngapotiki managed to reach Te Matai before the Te Aitanga a Hauiti ope arrived and an attack began. It was noted that 60 Ngapotiki were inside the pa. Ngaitamatea also had not been able to reach the pa in time. On the other hand, aside from Te Whanau a Taupara and Ngapotiki, Whanau a Takahu and the “desc[en]d[an]ts of Te Iho o terangi” had made it into the pa.¹⁵³ Wi Pere specifically noted that Rongowhakaata also formed a section of the ope attacking the pa.¹⁵⁴ In addition, some time later in the narrative he recorded that “Te Whanau a Kai were not in that pa they were with Rongowhakaata”.¹⁵⁵ The presence of Rongowhakaata at Te Matai was not surprising as they had sent for Hauiti to come. The presence of Te Whanau a Kai is not surprising as they had sought refuge with Rongowhakaata after the defeats at Mapouriki and other places.

¹⁵³ Evidence of Wi Pere, Rangatira Title Review 1897, MLC Gisborne MBk 26, pp.194-5

¹⁵⁴ Ibid, p.195

¹⁵⁵ Ibid, p.198

An account is given by Wi Pere of the first attack on the pa which was not successful. Presumably the strength of the pa and its garrison was such that the attackers decided to besiege the pa and starve the occupants out. After some time, they lost patience with this tactic and decided instead to burn the pa down instead. Three attempts to do so were also unsuccessful. The siege lasted two months. By this time, rewharewha (influenza) had infected those within the pa.¹⁵⁶

At this point Wi Pere relays a story of interest. This relates to Kauika [aka Kuika], a person who fled from Te Apiti (on the Mangatu block) to Uawa and who therefore, not surprisingly, was in the Hauiti taua. (As noted previously, Kuika was identified as the person who devised the plot to kill Te Ihooterangi.) Kuika was aware that his nephew Tamanui was in the pa. (Although not stated specifically, this probably was a reference to Rawiri Tamanui, of Ngariki Kaiputahi). Kuika repeatedly called his nephew's name. Te Whanau a Taupara in the pa began to think that Tamanui should be killed lest he join the attackers and reveal how bad were the circumstances of the people in the pa. Wi Pere notes that when a man named Titirangi heard of these plans he bundled Tamanui out of the pa, thereby saving his life.¹⁵⁷ What Wi Pere does not specifically note, but appears to be highly likely, is that Titirangi was probably the same who, as shown by whakapapa in this report, was Te Ihooterangi's grandson through Te Hikuoterangi.

As bad as the situation was for those within Te Matai pa, circumstances also worsened for those in the attacking ope when the influenza spread among them also. Another story is then told by Wi Pere which again has relevance for this report. It involved Haronga whom Wi Pere described as one of the rangatira of Te Aitanga a Hauiti attacking the pa.

Before relating the story, it is important to note Haronga's connections to those in Te Matai pa. As noted previously in this report, Hineka was a descendant of Wahia to whom, Wi Pere had claimed, the mana of her forbears in relation to Mangatu had descended. Wi Pere noted that Hineka had married Tamaihikitiakiterangi and moved to his home at which time, according to Himiona Katipa, Hineka's mana was transferred to her sister Hinetautope. Haronga was the son of Hineka and Tamaihikitiakiterangi.

¹⁵⁶ Ibid, pp.196-7

¹⁵⁷ Ibid, p.197

Therefore, at a latter point in the siege of Te Matai, Haronga reached out to Rangiwahakataetaea. Haronga was described by Wi Pere as being a "relative" of Rangiwahakataetaea. As whakapapa in this report shows, Rangiwahakataetaea was a first cousin to Haronga through their mothers. Haronga told Rangiwahakataetaea that if he saw Haronga's whare on fire in the morning, it would mean that the Hauiti ope was departing. Next morning this turned out to be the case. Haronga's section of the ope travelled via Waimata to Whangara. The rest of Hauiti from Uawa travelled up the Waihora River. When Rongowhakaata (and therefore Te Whanau a Kai) saw the whares on fire they too abandoned the siege.¹⁵⁸

Thereafter, the occupants of Te Matai pa waited until the impacts of the influenza passed. When recovered they headed north to attack those who had laid siege to Te Matai. They attacked Hauiti at Turihaua and Pouawa but did not go as far north as Whangara.¹⁵⁹ After the Te Matai fight was over Rangiwahakataetaea returned onto the Mangatu block.¹⁶⁰

Presumably, it was this attack by the Te Matai occupants which drew a response from Te Aitangi a Hauiti. A battle was fought at Te Toto which Wi Pere noted was on the Wairongomea block. In the Mangatu case, Wi Pere told the story of Te Toto following his mention of the three hapu - Ngapuhi, Ngaitama and Ngatukenenui - who had left Pohaturua after the battle at Mapouriki seeking refuge at Uawa. His evidence on Te Toto is told (or recorded) in a manner that makes the narrative somewhat unclear.

[The three hapu joined] with Itangahauiti [sic] and overthrew Ngaitamatea at Te Toto in Wairongomea block. Fighting next day, Ngaitamatea routed[?] the war party. Tuhangairangi made signs to N[gai]Tamatea to the effect that his party were retiring. Kopuapara was the name of the place. Tuhangairangi joined the victors as satisfaction for defeat of Ngaitamatea at Te Toto.¹⁶¹

The Tuhangairangi referred to above is Maaka Tuhangairangi, grandfather of Tiopira Tawhiao of Ngatukenenui.

Although the battle of Te Toto is not mentioned substantively in the Poututu case, it is referred to in Wi Pere's evidence in Rangatira. In this case it is noted that having fled to Uawa from

¹⁵⁸ Ibid, p.197

¹⁵⁹ Ibid, p.198

¹⁶⁰ Evidence of Wi Pere, Mangatu Title Investigation 1881, MLC Gisborne MBk 7, p.187

¹⁶¹ Ibid, p.177

Pohaturoa, Maaka Tuhangairangi had been with the Hauiti contingent besieging Te Matai pa.¹⁶² Not surprisingly he accompanied Hauiti when they sought utu for the killings at Turihaua and Pouawa.

This Maaka ancestor of Tiopira Tawhiao went to Uawa. Maiateahu was the name of his pa. Maaka came from this place to besiege the Matai pa.

After the besieging of the pa. Te Whanau a Taupara, Ng Tamatea and Ngapotiki lived at Waerenga and after they had been a long time in that pa an ope of Te Whanau a Hauiti rose accompanied by Maaka and his relative Whakahere and they came against Te Wh[anau] a Taupara, Ngapotiki and Ng[ai] Tamatea and they fought at Te Toto in the Kopu a Paua block. Maaka got behind Te Aitanga a Hauiti his weapon being a taiaha to cover their retreat and he waved his taiaha to the enemy as a sign to the enemy that they might pursue with all speed. This was his “aroha” to his people and when the retreating party got into the bush he fled leaving their rear exposed and Te Whakahere was captured and killed and the name of the place where he was killed is called Te Putanga a Whakahere.¹⁶³

As noted previously, Whakahere was of Whanau a Kai being the son of Te Auru.

The next battle was Papahikurangi. It appears that the war party from Uawa joined with Rongowhakaata and the Whanau a Kai who was staying with them at Te Arai. At a later hearing Matenga Taihuka identified that essentially, the attacking forces at Papahikurangi were the same people who had been the defenders inside Mapouriki pa which he had formerly identified as Te Whanau a Kai, Ngati Wahia and Ngariki.¹⁶⁴

The Papahikurangi attack was referred to by Wi Pere twice during the Mangatu case:

They joined together and Papahikurangi was taken and the three tribes [Te Whanau a Taupara, Ngapotiki, Ngaitamatea] were defeated. Te Whiwhi was killed there also family of Ihoterangi [sic]. Takeka who killed Te Whiwhi.¹⁶⁵

The defeated hapus [from Uawa] then joined in with Whanauakai and Rongawhakaata and fought at Papahikurangi [against] the three hapus. Whiwhi was killed there and his people defeated. Also two of Ihuterangi's [sic] children.¹⁶⁶

¹⁶² Evidence of Wi Pere, Rangatira Title Review 1897, MLC Gisborne MBk 26, p.196

¹⁶³ Evidence of Wi Pere, Mangatu Title Investigation 1881, MLC Gisborne MBk 7, p.177

¹⁶⁴ Matenga Taihuka, Mangatu 1921, MLC Gisborne MBk 46, p.170

¹⁶⁵ Ibid, p.177

¹⁶⁶ Ibid, p.178

The deaths at Papahikurangi caused Te Ihooterangi remorse which brought admonishment from Te Whiwhi, presumably before he was killed.

When Te Papahikurangi fight took place Iho o terangi wept as all his people were killed and Te Whiwhi turned on him and said “why do you cry you would fight when I told you go by yourselves – you and I will both be killed” and they were.¹⁶⁷

Although the attack on Papahikurangi was mentioned in passing by Wi Pere during the Poututu case,¹⁶⁸ it was given the greatest coverage by Wi Pere during the Rangatira case.

Hunangaherenga was the pa ...when they came to Papahikurangi where they met the other ope and fought without advantage on either side and peace was made by Te Apaapa. Te Whiwhi's ope went into an old broken pa called Pohaturoa. When they woke in the morning the pa was surrounded by Rongowhakaata, Te Whanau a Kai etc. In the early morning the pa was attacked. The old man Te Whiwhi got up in the pa and called to Apaapa “What have I done that I should be murdered by you” as he had made peace. The pa was taken and those in it crossed to the other side of the river and this was done at the suggestion of a young chief Te Rangi Whakataetaea that they should retreat fighting. Te Whiwhi was killed. Seven old men were killed at the same time. When these saw Te Whiwhi killed one rushed forward, when he was killed then another and so on. That was how my mother was called Riria Manaranui in commemoration of all these seven being killed in the middle of the track. People were killed on both sides and the rest got away.¹⁶⁹

In the Mangatu case, Wi Pere described the aftermath of the defeat at Papahikurangi as follows:

Rangiwhakataitaia [sic] took the leadership when Te Whiwhi was killed [at] Papahikurangi. After this, they went to Opotiki and shortly returned and attacked a place at Whenuakura. Only women were there and they killed them. They then occupied Pikauroa. The great defeat was at Pipihikurangi [sic], then peace was made.¹⁷⁰

As noted previously, Pikauroa pa was located on the Mangatu block and had been the pa of Te Ihooterangi.

Commentators in later cases evaluated Wi Pere's evidence on Rangiwhakataetaea's return to Pikauroa pa. Sim, the conductor for Ngati Wahia in 1918, claimed that Rangiwhakataetaea was

¹⁶⁷ Evidence of Wi Pere, Rangatira Title Review 1897, MLC Gisborne MBk 26, p.207

¹⁶⁸ Evidence of Wi Pere, Poututu Title Investigation 1880, MLC Gisborne MBk 6, p.194

¹⁶⁹ Evidence of Wi Pere, Rangatira Title Review 1897, MLC Gisborne MBk 26, p.204

¹⁷⁰ Evidence of Wi Pere, Mangatu Title Investigation 1881, MLC Gisborne MBk 7, p.177

an owner of Pikauroa pa. Noting Wi Pere's evidence that Rangiwahakataetaea assumed leadership over the allied hapu of Ngati Tamatea, Nga Potiki and Whanau a Taupara after Te Whiwhi's death, Sim noted that these hapu only went to Pikauroa pa once Rangiwahakataetaea was leader. They had not gone when they were under Te Whiwhi's leadership.¹⁷¹

Wi Pere's evidence in the Poututu case was similar although he noted there that after the return from Opotiki, the first attack had been carried out on a Rongowhakaata group. Wi Pere also added that a series of fights took place from time to time after this.¹⁷² During the Rangatira case Wi Pere explained that Rangiwahakataetaea and the others were at Opotiki for just two weeks and that they left as they feared an attack from Whakatohea. He also noted that after occupying and repairing Pikauroa, an attack was made on Te Arai, a skirmish out in the open resulting in a defeat for Rongowhakaata.¹⁷³ Later, a group gatherings pipi were killed was thereafter named Te Oropipi.¹⁷⁴ Some time later, a further attack was made on a Rongowhakaata group gathering tutu.¹⁷⁵

In the meantime, at some point, Te Ihooterangi, now an old man, had been killed. He and his family had moved into Pakowhai pa. At a time when the people of the pa were away at Repongaere eel fishing, a party of Rongowhakaata, possibly including Whanau a Kai, found him alone and killed him.¹⁷⁶

¹⁷¹ Address of Sim, Mangatu 1918, MLC Gisborne MBk 46, p.74

¹⁷² Evidence of Wi Pere, Poututu Title Investigation 1880, MLC Gisborne MBk 6, p.194

¹⁷³ Evidence of Wi Pere, Rangatira Title Review 1897, MLC Gisborne MBk 26, pp.204-5

¹⁷⁴ Ibid, p.205

¹⁷⁵ Ibid

¹⁷⁶ Evidence of Wi Pere, Mangatu Title Investigation 1881, MLC Gisborne MBk 7, p.177. Also evidence of Wi Pere, Rangatira Title Review 1897, MLC Gisborne MBk 26, pp.206-7

A Peace Accord is made

The events that have been noted previously took place over a number of years. Although this was not mentioned by Wi Pere in either the Mangatu or Poututu case, he made a point of recording this in the Rangatira case. At one point, Wi Pere noted that the fighting extended over ten years.¹⁷⁷ Later in his evidence, after recording the above information about the raids being made out of Pikauroa pa, Wi Pere noted: “The old generation of Te Whiwhi and his contemporaries had all died out by this time and the people who took part in these fights were their children.”¹⁷⁸ Despite providing the most detail about the Pikai fights in the Rangatira case, Wi Pere still noted that he was “skipping over many fights”. To make the point that the fighting was intergenerational, he noted that the children and grandchildren of Te Ihooterangi had taken part in the fighting.¹⁷⁹ In fact, he added, the third generation had grown to middle age.¹⁸⁰ Not surprisingly, therefore, a desire for peace arose among the relations who were fighting each other.

Over time, a reason to seek peace emerged among those Whanau a Kai who were still residing with Rongowhakaata. A series of killings took place. In the Mangatu case, Wi Pere quickly and somewhat unclearly passes over these events and the peace that resulted:

...four of them were killed by Rongawhakaata. Terihiku was one. Whanauakai desired to make peace with the three hapus, they sent to Karere for that purpose. The hapus came and took Te Huia. It was for the hapus to join Whanauakai and fight against Rongawhakaata, they joined and took Ungangahakinga and they avenged Te Whiwhi and Ihoterangi [sic]. Next day they took Ngaparore.¹⁸¹

Wi Pere's evidence in Poututu also broadly refers to events where, following killings by Rongowhakaata, Whanau a Kai made a truce with Ngapotiki and attacked and defeated Rongowhakaata.¹⁸²

¹⁷⁷ Evidence of Wi Pere, Rangatira Title Review 1897, MLC Gisborne MBk 26, p.196

¹⁷⁸ Ibid, p.205

¹⁷⁹ Ibid

¹⁸⁰ Evidence of Wi Pere, Rangatira Title Review 1897, MLC Gisborne MBk 26, p.206 In his later evidence Matenga Taihuka disagreed: “The young men at the former [Mapouriki] were still young at the latter [Papahikurangi].” [Matenga Taihuka, Mangatu 1921, MLC Gisborne MBk 46, p.170]

¹⁸¹ Evidence of Wi Pere, Mangatu Title Investigation 1881, MLC Gisborne MBk 7, pp.177-8

¹⁸² Evidence of Wi Pere, Poututu Title Investigation 1880, MLC Gisborne MBk 6, p.194

It is the Wi Pere's evidence in Rangatira that provides the most detail on the process and therefore insight into the events being described.

Whanau a Kai were living at Ngaparore and Hunangahenga in the Rongowhakaata lands and while living there and pursuing their usual associations in getting food, arahe, tawa berries etc Rongowhakaata used to fall on and slaughter isolated persons whilst in the bush. They had time to time killed altogether four persons. The last killed was called Tere. Then Kaumoana of Te Wh[anau] a Kai and the ancestors of Peka [Kerekere] decided after discussing the matter that the best thing to do would be to make peace with Te Wh[anau] a Taupara, Ng Tamatea and Ngapotiki.¹⁸³

....Now at Kaumoana's suggestion he went to Pikauroa pa and said to the chiefs of Wh[anau] a Taupara and Ngapotiki.... Pakaru and Mokaitautini, Te Rangiwhakataetaea were the chiefs - also Te Uruao - the young chief was Mahuika. Kaumoana made peace and they spoke of the murder of the four people of Te Wh[anau] a Kai and they decided all to fight against Rongowhakaata. Kaumoana and his companions only were there – remainder of Wh[anau] a Kai being still with Rongowhakaata.¹⁸⁴

One interesting point in this narrative are two of the Whanau a Kai persons mentioned in this narrative. Kaumoana features prominently. There is another person of interest mentioned. As show in whakapapa presented in this report, Peka Kerekere is descended from Te Amotawai, a child of Tutearitonga and sibling of Te Hiki. As might be recalled, much of the action began with the trouble between Te Hiki and Te Ihooterangi. In all his accounts, Wi Pere chooses to depict Te Hiki as Whanau a Kai. The reference above to Peka Kerekere's ancestors who were living among Rongowhakaata shows that others from this same descent line of Tutearitonga were on the opposite side from Te Ihooterangi and the three allied hapu. This would be somewhat expected and it is to be noted once again that the collective name being used for the opponents was Whanau a Kai. Somewhat more surprising is the presence of Kaumoana amongst the Whanau a Kai residing with Rongowhakaata who were therefore the opponents of Te Ihooterangi and Te Whiwhi. As whakapapa in this report shows, Kaumoana was the son of Waipauhu and therefore the nephew of Te Ihooterangi. Exactly how it came to be that one of Te Ihooterangi's closest relative came to be engaged against his forces shows how complex and complicated this long-running civil war became over time. Again, what is interesting is that Kaumoana is among those collectively labelled as being among Whanau a Kai. Therefore, both sides of the Te Whanau a Kai whakapapa - the descendants of Whareana and Kai through Te

¹⁸³ Evidence of Wi Pere, Rangatira Title Review 1897, MLC Gisborne MBk 26, p.206

¹⁸⁴ Ibid, p.207

Hauoterangi and the descendants of Te Haaki and Kai through Kiterangi and Wahia and subsequently Tutearitonga - are named by Wi Pere as Whanau a Kai in the Rangatira case. Even in the Mangatu case, although individuals are not named, the group living with Rongowhakaata who made peace with their enemies are still referred to as being Te Whanau a Kai.

Wi Pere's evidence in the Rangatira case continues on to provide detail on the events that subsequently occurred as the various Whanau a Kai groups were united as Kaumoana return with his new allies.

The ope went on to Ngaparore & Hunangahenga and [?] Te Wh[anau] a Kai who had withdrawn from the pa to join the ope having represented to Rongowhakaata they were going to seek food.

They reached the place where Te Wh[anau] a Kai [were] at night and in the morning they proceeded against the pa having, at the suggestion of Wh[anau] a Kai, loaded themselves with fern to induce the enemy to think they were Te Wh[anau] a Kai returning. They were not recognised till they got right up and the pa was taken – took both pas on the same day. That is why the Wh[anau] a Kai are sometimes called Kawanga Aruhe and it has passed into a saying “Don’t believe anything said by those lying Kawangaaruhe”¹⁸⁵

Having achieved victories at Hunangahenga and Ngaparore, a desire arose to continue a campaign against Rongowhakaata. The attack against Tapatahi pa was presented in some detail by Wi Pere during the Mangatu case.

From thence [they] returned to Patutahi, Whanauakai proposed to fight Rongawhakaata at Mangatuke. Rangiwhakataitaia [sic] opposed it and that [Whanauakai] should be taken inland and eat them. At night Rangiwhakataitaia again spoke and laid the plan of attack. He had an evil dream and advised them to desist. One of Whanauakai stood up and said he had no courage. He said he could give them plenty of fighting next day. Tapatahi was attacked in the morning by the whole lot. Rongawhakaata defeated them. They were under Te Amaru. The three tribes and part of Whanauakai with them and a section with Rongawhakaata under Te Poki. Chiefs of Ihitamaki [sic] were killed at that fight also one of Whiwhi’s sons Akurangi. Some escaped. Rangiwhakataitaia and his teinas escaped, none were killed. They returned by the main land to this block [Mangatu] to Pikauroa Pa.¹⁸⁶

Wi Pere provided even more detailed account of these events during the Rangatira case. These details do not need to be gone into at any length. It can be noted, however, that the Rangatira

¹⁸⁵ Ibid, pp.207-8

¹⁸⁶ Evidence of Wi Pere, Mangatu Title Investigation 1881, MLC Gisborne MBk 7, p.178

evidence demonstrates the depth of the insult to Rangiwahakataetaea and also how his advice for a battle plan was ignored. Therefore, when the battle began to turn against the attackers, Rangiwahakataetaea withdrew his forces as a way of punishing those who had boasted of their skill and insulted him. Nevertheless, according to Wi Pere, after this attacked peace was made with Rongowhakaata and the Mahaki hapu, among whom he included Whanau a Kai and Rangiwahakataetaea's people remained united.¹⁸⁷

Thereafter, Waingarepo pa was occupied by Whanau a Kai and Whanau a Taupara under Pakaru as well as Ngai Tamatea. This pa was said to be located on the Waipaoa block. The Pikauroa pa, located on the Mangatu block, was occupied by the “descendants of Te Iho o terangi”, a section of Te Whanau a Kai under Kaumoana and a group named as Te Whanau a Takuha.¹⁸⁸

Wi Pere's accounts in the Mangatu and Rangatira case then detail the joint attack by these allied groups against Aitanga a Hauiti at Pourewa pa and their withstanding of a subsequent significant attack into the district by Whakatohea. The details of these actions do not need to be relayed in this report.

¹⁸⁷ Evidence of Wi Pere, Rangatira Title Review 1897, MLC Gisborne MBk 26, pp.208-9

¹⁸⁸ Ibid, pp.209 & 212

Cross Examination

Having presented his evidence-in-chief in the 1881 Mangatu case, Wi Pere faced cross-examination. In the following analysis of this cross-examination, the only points considered are those where Wi Pere faced questions dealing with the identity and associations of various persons and groups within the Mangatu block.

When cross-examined by Pimia Aata, Wi Pere responded as follows about Ngariki:

You are descended from Po and so am I. The descendants have long ceased to exist on this land. After all the fighting was over the fighting hapus were reduced to Ngariki & [blank in minutes] and the last fight was at Kokeparaoa.¹⁸⁹

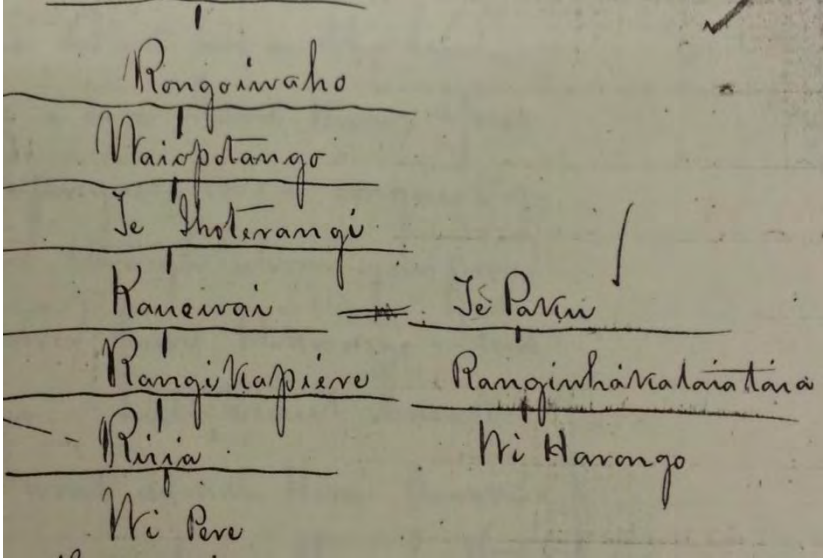
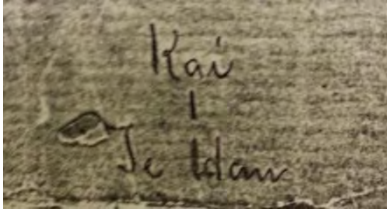
This comment, due to the way it is recorded, is difficult to interpret. It does seem to indicate that Wi Pere includes Ngariki as one of the "fighting hapus" left after all the fighting was over. This is far from saying that Ngariki were conquered as a result of the Pikai fights. In fact, as the above review of Wi Pere's evidence in Mangatu over the Pikai fights shows, Ngariki were not specifically mentioned at all in the narrative. At a later date, Wi Pere's comment above was picked up. During the 1922 Appeal, the conductor appearing for the Ngariki appeal, when attempting to contend that it was wrong to suggest that Ngariki were subordinate to Wahia, specifically noted that Wi Pere had noted that Ngariki remained one of the "fighting hapus".¹⁹⁰

Following Wi Pere's above response to Pimia Aata during the 1881 Mangatu case, without any explanation, the minutes record a whakapapa from Kai down through Te Ihooterangi to Wi Pere on one side and, on the other side, from through Te Ihooterangi through Rangiwakataetaea down to his co-applicant Wi Haronga. (See below).

In the minutes, the answers immediately following do not indicate that questions were asked about this whakapapa. This leads to the conclusion that it was the whakapapa itself that was the answer to a question that would have been something like 'can you trace the descent of yourself and Wi Haronga from Kai?'

¹⁸⁹ Evidence of Wi Pere, Mangatu Title Investigation 1881, MLC Gisborne MBk 7, p.184

¹⁹⁰ Address by Downs, Mangatu Appeal 1922, MLC Gisborne Appellate MBk 21, p.5



A set of answers are then recorded in the minutes to unrelated questions about rahui and tawhiti before the following text is recorded:

Rangihakataiataia [sic] was g[and]son of Ihoterangi [sic]. I admit Ihu's claim. Whanauakai have no claim on this land. My ancestors from Kai down have always lived on this land. You and I descend from same ancestor and go into certain blocks under that ancestor, under others you have not got in.¹⁹¹

These responses have to be explained. Firstly, it appears that these questions by Pimia Te Ata are a follow on from her having got Wi Pere to record his whakapapa from Kai. In doing so, Pere showed Te Ihoterangi, a person who played a large role in his narrative, (and who he generally avoided as labelling with any collective term), as being a descendant from Kai. Similarly, the whakapapa from Kai to Wi Haronga also travels through Te Ihoterangi and then Rangihakataiataia the latter of whom similarly featured largely in Wi Pere's narrative and who again was not given any collective labelling.

Having recorded this whakapapa it appears, from the answers given above, that Pimia Te Ata tried to develop matters further. Wi Pere again states that he admits a claim from Te

¹⁹¹ Evidence of Wi Pere, Mangatu Title Investigation 1881, MLC Gisborne MBk 7, p.185

Ranginuiaihu. This is not surprising as his evidence-in-chief had referred to this. He then says two sentences that seem immediately contradictory: “Whanauakai have no claim on this land. My ancestors from Kai down have always lived on this land.” Taking the second sentence first, Wi Pere is acknowledging that descendants from Kai, as shown in the whakapapa and including Te Ihooterangi, Rangiwhakataetaea, Wi Pere and Wi Haronga have always lived on Mangatu. Yet, as noted in the first sentence, Wi Pere does not think Te Whanau a Kai have a claim to Mangatu.

What does this all mean? Wi Pere acknowledges that Kai's descendants lived on Mangatu, but says that Te Whanau a Kai do not have a claim. In my view Wi Pere is saying that Kai is not the ancestor for the Mangatu block. In saying that he admits Te Ranginuiaihu's claim, Wi Pere is also saying that despite this Te Ranginuiaihu's claim on Mangatu did not go to his son Kai. Furthermore, however, despite saying there are no claims of Mangatu labelled as Whanau a Kai, (that is, coming from Kai himself), Wi Pere acknowledges Kai's descendants have always lived on the land. If Kai's descendants have always lived on the land, and yet Kai is not the source of take tupuna, the source of the occupation of Kai's descendants on the land must be Kai's wives Te Haaki and Whareana, who, as this report has shown, have Ngariki lineage from the apical take tupuna Arikinui. In the case of Te Haaki, her descendants with her Ngariki lineage went to her daughter Kiterangi who married Wahia.

It would have been simpler if Wi Pere had said as much - that Kai's descendants lived on the land through the Ngariki lineage of his two wives one of whom married with Te Ranginuiaihu's line through Wahia. This would have given explanation to Wi Pere's claim of the block both from Ngariki and Wahia and his original statement of the two lineages having become one people through intermarriage. But this is yet another example of Wi Pere being very reluctant in joining the dots and making such definitive statements. The reason why will be considered at the end of this Part of the report.

Several more statements are made by Wi Pere during cross-examination that reinforce the comments made above. For example, at one point he noted: “I don’t admit Whanawhakai [Whanauakai] through Ihu”¹⁹² This further substantiates the view stated above that Te Whanau a

¹⁹² Ibid, p.186. The misspelling by the Court recorder gave a pause for thought especially as there are a number of names of persons with similar spelling. Nevertheless, one sentence after making this comment, Wi Pere referred to a brother and sister who are strongly associated today with Whanau a Kai: "I won't admit Heni Auriki and Peka Kerekere in this land they have

Kai were not owners in the land from Te Ranginuiaihu and then Kai. At another point Wi Pere makes this point more clearly: “none of the descendants through Ihu cultivated on this land. ...only those who came in through Wahia have any rights.”¹⁹³

As to the Ngariki side of Mangatu ownership, Wi Pere responded to an unrecorded question from the Assessor: “The two Ngariki’s owned this land - one who joined the conquerors remained but the other was driven away. All grandchildren of Ihoterangi [sic] were Ngariki.” This comment is of great significance. This report has deduced that descent from Whareana through Te Ihooterangi linked one part of Te Whanau a Kai to Mangatu through the Ngariki ancestry under which the block is partly claimed. Yet through much of his evidence-in-chief Wi Pere speaks about Ngariki as if they were an external group to he and his claimants, and that often these Ngariki were on the receiving end of conflict from Wahia's descendants. Yet, as indicated previously, there were several different Ngariki groups. This includes those with which Te Whanau a Kai have a relationship through whakapapa. In the Manukawhitikitiki case Wi Pere acknowledged the close marriage links of Wahia's descendants to Ngariki line: “At the time, through intermarriage with a section of Ngariki, we lived together. Wahia was the descendant. I was now a Ngariki.”¹⁹⁴ In relation to Te Whanau a Kai, there are two ways in which they are linked to Mangatu as Ngariki:

- Those descended from Te Haaki who have a whakapapa that joins with Wahia and is often reinforced by marriages back into Te Whanau a Kai and other Ngariki descent lines over successive generations
- Those descended from Whareana who are not intermarried with Wahia's descendants but who were not conquered and who, in fact, under Te Ihooterangi, were among the victors during the early stages of the Pikai fights.

Wi Pere's statements above specifically link Te Ihooterangi as being Ngariki and note all his grandchildren (which includes Rangihakataetaea) were Ngariki.

no claim through their father." It appears he is reluctant to open the ownership up to any of those who are known as Te Whanau a Kai. Subsequently, however, in both these cases, they were admitted as owners to Mangatu.

¹⁹³ Evidence of Wi Pere, Mangatu Title Investigation 1881, MLC Gisborne MBk 7, pp.192-3

¹⁹⁴ Evidence of Wi Pere, Manukawhitikitiki Title Investigation 1875, MLC Gisborne MBk 2, p.51

Mangatu Evidence: Commentary

Having presented at some length the evidence presented during the 1881 Mangatu title investigation, and contextualised it with supplementary evidence from later Mangatu cases or Wi Pere's evidence from other cases, it is important to record the findings from the review.

Overview

The following series of statements can be made:

- that the origin of the mana whenua over Mangatu was held through Ngariki whakapapa
- that Te Whanau a Kai's originating tipuna, the sisters Te Haaki and Whareana, and their descendants, provide and account for a number of the Ngariki connections to Mangatu
- that Wahia and his descendants were connected to this mana whenua through the whakapapa connections they made and sustained with Ngariki through intermarriage. On Mangatu, Wahia's descendants were Ngariki.
- that there may have been conflicts with other groups of Ngariki with whom Wahia's descendants had not married, but, to the time of the Pikai fights, these conflicts do not seem to represent a conquest of these other Ngariki
- that, in the time of Te Ihooterangi, (who, as a descendant of Whareana, was also of Ngariki and shared at least ancestral claims to Mangatu), there were conflicts with some of those Ngariki descended from Kiterangi and Wahia as well as those from other Ngariki descent lines. Although the conflicts were serious and resulted in significant loss of life, they collectively still do not appear to represent a conquest as there were no clear victors in the long war that ensued, the conflict came to an end with all sides reconciled and no land at Mangatu had been given up by one group to another.

These conclusions have been reached through a close review of the evidence in the Mangatu and other relevant cases. The findings have been extracted from the evidence. They are not, however, apparent from an initial glance of the cases led in Mangatu and without assistance from other relevant case. Instead, the two main cases run for the 1881 Mangatu case, present a different basis of claim.

Wi Mahuika

Wi Mahuika relied on three series of 'conquests' of Ngariki to explain how they had become subjugated. Each of these have significant problems to provide the basis of a claim that Ngariki were conquered:

- The conquests of Mahaki: Very little detail is given in relation to these. More significantly, however, Wi Mahuika acknowledged that this conquest did not involve Mangatu land.
- The conflict between Te Ranginuiaihu and Po: The narrative does not really reflect a conquest as such. More importantly, however, Wi Mahuika acknowledged that thereafter Mangatu remained under the mana of both Te Ranginuiaihu and Po.
- The series of battles that resulted in Te Whiwhi's conquest of Ngariki: Wi Mahuika provides comparatively scant evidence on these battles. More importantly, however, according to Wi Pere, these battles occurred before the killing of Pikai, whereas Wi Mahuika had noted that they occurred after the killing of Pikai. Wi Mahuika's evidence, if correct, suggested that these battles occurred at the end of the series of conflicts after Pikai's death leaving the impression that Te Whiwhi achieved the final achievement of vanquishing Ngariki off Mangatu. Wi Pere's evidence, however, shows that these battles represented the beginning of conflict after which the Pikai fights continued. In addition, Wi Pere provides a number of details that directly challenge the accuracy of Wi Mahuika's account of these battles.

This analysis leaves the status of Wi Mahuika's evidence, and case, as presenting two alleged conflicts with Ngariki that even Wi Mahuika does not hold represent a complete conquest of

Mangatu and one claim of conquest based on a series of events the facts of which are seriously challenged by the evidence from Wi Pere.

Wi Pere

The case presented by Wi Pere was as flawed as that of Wi Mahuika:

- although Wi Pere begins his case by noting the intermarriage between Ngariki and Wahia's descendants, he provides little evidence on this to make clear the exact nature of connected whakapapa. Instead, possibly in response to Wi Mahuika's case, he presents a case that also relies on showing conflict with a part of Ngariki
- The conflict between Te Ranginuiaihu and Po: As with Wi Mahuika's case, the narrative presented by Wi Pere does not really reflect a conquest as such and also does not seem to relate to specifically to Mangatu.
- The conflict between Te Ranginuiaihu and Parua: the claim that Te Ranginuiaihu gained rights from the killing of Parua arises from a whakapapa error made by Wi Pere that assumed Parua had Ngariki rights on Mangatu. With Parua not having demonstrable rights there, his killing does not bestow rights on Te Ranginuiaihu.
- Rights descending from Te Ranginuiaihu: Wi Pere's record of rights held by Te Ranginuiaihu's descendants through Wahia is predicated on the above two flawed narratives on how Te Ranginuiaihu gained rights to Mangatu. Instead the evidence shows that any rights gained by Wahia were through his sole Ngariki connection - the marriage to Kiterangi, the daughter of Te Haaki. Thereafter, Wahia's descendants held rights through the Ngariki side of their whakapapa. Wi Pere does not make this clear, however, although his original acknowledgement that Ngariki and Wahia were one people through intermarriage show that he was aware of the reality of the whakapapa.
- The Pikai fights: a narrative told at great length by Wi Pere within the 1881 Mangatu case, Wi Pere does not really say how these events tie into any claim over Mangatu.

Analysis had shown that this long series of events represents internecine fighting among the Ngariki descent lines from Te Haaki and Whereana. Although the conflict may have originated in Mangatu and been associated with food taken from the Mangatu block, the conflict that developed ranged around the Turanga district. Defeats and victories were experienced by opposing parties and the ultimate result was reconciliation.

Therefore, as with Wi Mahuika, Wi Pere presents a case that somewhat disguises the underlying nature of claims to Mangatu. Whereas Wi Mahuika's case seems based on facts that were not correct, Wi Pere's seems to founder through his providing only a partial telling of various historical narratives and a less than full explanation on how the various protagonists were associated. As with all narratives based on conflict, the emphasis is put on differences between the groups rather than their highlighting their associations. The irony is that we only learn about the limitations of Wi Pere's evidence from evidence presented by Wi Pere in other cases where he appears to be more frank and fulsome in his explanations. The following additional points of details can be noted about Wi Pere's evidence in Mangatu:

- although Wi Pere opens the case by referring to Ngariki and Ngati Wahia being one people as a result of intermarriage, his subsequent evidence on the relationship between Ngariki and Ngati Wahia treats Ngariki as a distinct external group with whom Ngati Wahia chiefs have a somewhat rocky relationship. When doing so, it is evident that he can not be not referring to the Ngariki with whom Ngati Wahia intermarried over the generations - ie the descendants of Te Haaki and Whareana - or those Ngariki associated with Te Ihooterangi who were not conquered in any way, but he does not say as much.
- Wi Pere's long recitation of evidence on the Pikai fights appears to have been presented as a response to Wi Mahuika's sweeping overview of these events during which he briefly documented the process through which Ngariki allegedly were conquered by Te Whanau a Taupara. In Mangatu, and other cases, Wi Pere's evidence-in-chief on the Pikai fights do not mention the word 'Ngariki' nor do they mention the word 'Wahia'.

- in Mangatu, when Wi Pere, in his evidence-in-chief mentions Te Ihooterangi, or the people with him, or his descendants, he does not provide a collective name for them despite the describing Te Ihooterangi and his people in other cases as being Te Whanau a Kai, describing his nephew Kaumoana as Whanau a Kai and acknowledging in cross-examination that all of Te Ihooterangi's grandchildren were Ngariki.
- in Mangatu, consistent with the terminology used in other cases, Te Hiki and his people - ie those who opposed Te Ihooterangi and Te Whiwhi - are collectively termed to be Te Whanau a Kai despite their descent from Tutearitonga who Wi Pere presents elsewhere as being a descendant of Wahia. In the Rangatira case, the descendant of Te Hiki's sibling Te Amotawai, in the person of Peka Kerekere, are also collectively labelled as being Whanau a Kai.
- Wi Pere notes that among those who leave the Turanga district when fighting starts are Ngapuhi and Ngaitamatea. He does not describe them further other than to record their return when peace is made. In other cases, and from other information, it is clear that Ngapuhi and Ngaitamatea are the hapu of Te Auru and his son who also have direct whakapapa links to Whareana.
- in Mangatu, Rangihakataetaea is identified by Wi Pere as having received his mana over Mangatu from his mother Hinetautope, a descendant of Wahia. In the evidence on the Pikai fights, as presented in Mangatu and other cases, Rangihakataetaea, and the people with him, are not given a collective name other than being descendants of Te Ihooterangi. When speaking of Te Apiti, however, Wi Pere acknowledges Rangihakataetaea as being Ngariki and a descendant of Wahia. Following on from this point, during the whole of the narrative, Rangihakataetaea's role, including his eventual role as chief, is associated to his connection as grandson of Te Ihooterangi. He is with Te Ihooterangi's party at the beginning of the conflict making his famous speech that brought back all the tribes to fight alongside his grandfather during which time Repongaere (a Te Whanau a Kai kainga) is described as his kainga. Later in the fighting, once he has assumed leadership of the allied forces when Te Whiwhi dies, he resumes occupation of Pikauroa pa on the Mangatu block, a pa that formerly

was Te Ihooterangi's. The pa thereafter becomes a base for all operations. Finally, in cross-examination Wi Pere effectively acknowledges Rangiwakataetaea, as one of Te Ihooterangi's grandchildren, as being Ngariki.

A number of questions could be asked. Why did Wi Pere use the collective term of Whanau a Kai to describe a group as being frequently on the losing end of fighting when in fact the people being referred to were Wahia's descendants and the people attacking them were also descendants of Kai? Why does Wi Pere studiously evade use a collective term for Te Ihooterangi and Rangiwakataetaea when Te Whanau a Kai or, in terms of Mangatu, Ngariki would have sufficed? Was the presentation of part detail only or the use of different terminology in Mangatu, when compared with other cases, especially regarding collective terms, a deliberate approach?

It is difficult to answer these questions at this distance in time and without a much fuller study to divine Wi Pere's overall outlook or his approach to the Land Court. In some of his answers in cross-examination, it seems that Wi Pere is wanting to ensure that not all of Te Ranginui'aihu's descendants succeed - only those from Wahia. On the other hand, he would not name Kai as inheriting the land from Te Ranginui'aihu, but acknowledged Kai's descendants always lived on Mangatu this being a link to their Ngariki heritage from Te Haaki and Whareana.

It is especially difficult to assess the approach adopted by Wi Pere, when subsequently, despite the constraints he imposed on the evidence he presented in Mangatu, he did not seek to exclude any Wahia or Ngariki group from the list of owners. As will be shown in a following section, Wi Pere's list of owners seem to capture all of the Wahia or Ngariki lines with 130 of 179 owners being descendants of Te Haaki and Whareana.

Later Viewpoints

Several of the conclusions noted above were reached by those who came to review the Mangatu case thirty years later in a series of cases occurring between 1918 and 1922.

- **Te Ranginuiaihu and Po:** Commentators in later Mangatu cases also noted the apparent limitations of the 1881 evidence where it deals with Ihu and Po. Although these expressed viewpoints suited the argument the later conductors wished to run in these cases, it nevertheless reflects that those making the comments either felt that they were substantiated by the 1881 evidence, or that the comment made was a reasonable inference to draw from the evidence presented in 1881. For example, Sim, the conductor for the Wahia case of 1918, noted: "Ihu's conquest [was] bloodless." Although Sim still accepted the premise that Ihu obtained access to some of the territory of Ngati Po, he admitted that his view was "that I don't think [it] was in [the] nature of [a] conquest or attempted conquest - all for revenge or punishment."¹⁹⁵ In the same case, the opposing Te Whanau a Taupara agreed. Although still referring to a "first conquest" (which Wi Mahuika had linked to Ihu) the Te Whanau a Taupara conductor also used the word "bloodless" to describe the events and he added that Ngariki were "allowed to remain." Therefore, according to the Te Whanau a Taupara conductor, it was the "second conquest" - the Pikai fights - on which Te Whanau a Taupara relied noting that it "settled the ownership."¹⁹⁶
- **The Pikai fights:** In 1918, Sim - the conductor for the Ngati Wahia case - noted: "I always contended much irrelevant matter introduced at original hearing ...practically whole of history of Turanganui detailed. Only small portion applies to Mangatu. Fights don't affect land."¹⁹⁷ Sim went on to point out that despite Wi Pere suggesting that the fighting went on for a number of years, there was "no gain of territory". He added: "Wh[anau]a kai lost none I think - nor gained any by their victory at Papahikurangi when Te Whiwhi killed"¹⁹⁸ During the 1922 Appeal, it was also proposed that the fighting

¹⁹⁵ Address of Sim, Mangatu 1918, MLC Gisborne MBk 46, p.67

¹⁹⁶ Address of Pitt, Mangatu 1918, MLC Gisborne MBk 46, p.101

¹⁹⁷ Address of Sim, Mangatu 1918, MLC Gisborne MBk 46, p.67

¹⁹⁸ Ibid

"was only family disputes". It was also pointed out that there were no boundaries given for the "conquest". Finally, even if a conquest had occurred, it was not followed up by occupation.¹⁹⁹

- **Interconnectedness:** During the 1922 Appeal, the various conductors arguing their cases, had begun to connect the dots in relation to interconnectedness of Ngati Wahia and Ngariki and Te Whanau a Kai. The Te Whanau a Taupara conductor Pitt, when considering his clients' position that Whanau a Taupara had conquered Ngariki made the link that Ngariki and Wahia's descendants were closely interconnected.

Te Whiwhi's conquest over Ngariki. Ngariki who were conquered must have included a large no. of N'Wahia who were practically one people with them through so many intermarriages. Wi Pere himself says Ngariki and Wahia were one people. So Te Whiwhi's conquest was over both Wahia and Ngariki.²⁰⁰

Also during the 1922 appeals, another Whanau a Taupara conductor (Dunlop) stated the following:

There is close connection between W' a Kai and N' Wahia and these two hapus were associated together[?] on the fighting. This affords an explanation of much that seems inexplicable. It was fighting between sections of the one people.²⁰¹

In the same case, Moanaroa Pere, Wi Pere's son, presented one of the appeals. Pere noted: "W' a Kai and N' Wahia are practically one people through many intermarriages."²⁰² Pere then provided a number of references from past cases to substantiate this point, concluding "All this proves that W' a Kai and N' Wahia are one." At this point W. Pitt, the long-serving conductor for Whanau a Taupara interjected: "I have argued that since 1917. But this is the first time my opponents would admit it"²⁰³ When it was time for his address, Pitt added: "W' a Kai, N' Wahia and Ngariki are so closely connected as to be really indistinguishable."²⁰⁴

¹⁹⁹ Address by Downs, Mangatu Appeal 1922, MLC Gisborne Appellate MBk 21, p.5

²⁰⁰ Address by Pitt, Mangatu Appeal 1922, MLC Gisborne Appellate MBk 21, p.33

²⁰¹ Address by Downs, Mangatu Appeal 1922, MLC Gisborne Appellate MBk 21, p.23

²⁰² Address by Pere, Mangatu Appeal 1922, MLC Gisborne Appellate MBk 21, p.29

²⁰³ Ibid

²⁰⁴ Address by Pitt, Mangatu Appeal 1922, MLC Gisborne Appellate MBk 21, p.33

Mangatu Judgment and Awards

Arguably, Wi Pere's approach to telling the story of Mangatu ultimately set in place many of the effects that flowed on from the case beginning with the judgment to the various forums that exacerbated the effect of that decision. As a starting point to ascertain what these effects were, the judgment for the case can be examined.

As noted by the Waitangi Tribunal, who have considered the judgment of the Mangatu case in order to assess the Treaty claims that were being made by Ngariki Kaiputahi, the 1881 Mangatu judgment was short and did not involve any detailed discussion of the evidence put forward during the case. It simply began as follows:

The evidence on this claim is exceedingly confused but the Court is satisfied that the land originally belonged to Ngariki and that they were completely broken as a tribe in the time of Ihu and his sons and again by Te Whiwhi Grandfather of Waaka Mahuika, and that since then, though they continued to dwell on the land they can only have done so in subjection of the conquerors.²⁰⁵

This opening part of the judgment is immediately problematical. Firstly the Court is acknowledging that it was struggling with the 'confusing' evidence brought before it. Nevertheless, the Court was satisfied that Ngariki were the original holders of the block. Even this finding, based on the evidence put before the Court, is problematical. Very little detailed evidence was produced to actually prove original Ngariki ownership and occupation. The Court probably reached this level of acceptance as all groups pointed to Ngariki as original owners.

The Court's next statement that Ngariki was completely broken as a tribe in the time of Te Ranginuiaihu and his sons is also not supported by evidence. Wi Mahuika's evidence telling the narrative of Te Ranginuiaihu and Po ends with Wi Mahuika acknowledging that they jointly held mana over the land. Wi Pere's evidence cites the same Po story and, similarly, the impression is not that a tribe and their rights to Mangatu was broken as a result. Neither is it clear that the story of interaction between Te Ranginuiaihu and Po actually related to Mangatu. As for Wi Pere's rendition of the killing of Parua through which, it was said, that Te Ranginuiaihu took over Parua's rights over the land, this has been noted as being incorrect based on a mistaken

²⁰⁵ Mangatu Judgment, MLC Gisborne MBk 7, pp.199-201

assumption that Parua had Ngariki rights in Mangatu. Even if the story was correct as put forward by Wi Pere, as with the Po narrative, it does not add up to completely breaking Ngariki as a tribe. There were many Ngariki descent lines, including those from Te Haaki, Whareana and Kaiputahi, that would have been unaffected by these events. Furthermore, Wi Pere's narrative shows that when Te Ranginuiaihu tried to extend his authority over Ngati Maru, who were of Ngariki descent, he, his wife and his son were killed with Wi Pere not providing any narrative of utu occurring in the aftermath. (As noted, other sources show that a punitive response but this was equally responded to). The Court's finding that Ngariki were completely broken as a tribe in the time of Te Ranginuiaihu, therefore, is not based in any evidence put before it.

The Court's next statement is that Ngariki was broken again in the time of Te Whiwhi. This pronouncement demonstrates that Wi Mahuika's evidence on the Pikai fights has been completely accepted by the Court and Wi Pere's evidence, (which does not record Ngariki as being on the receiving end during the Pikai fights), has been somewhat rejected. Mahuika's evidence of battle after battle against Ngariki was presented without any detail and little naming of persons killed or those having done the killing. It is extremely light on detail and most sweeping in its claims. Furthermore, (although often it is not apparent from the way in which Wi Pere presents his evidence), the Wi Mahuika evidence on these battles is shown to factually incorrect if available alternative evidence is accepted. Yet the Court accepts this slight and incorrect testimony as sufficient to demonstrate the breaking of Ngariki as a tribe.

As noted previously, Wi Pere's extensive evidence about the Pikai fights appears to be aimed at showing that Wi Mahuika's evidence on Whanau a Taupara's sole role in them was fundamentally in error. The main way he did this was to show that other players - Te Ihooterangi and Rangiwahakataetaea - were just as, if not more, fundamental in directing the events that took place. In addition, the provision of detail on all the fights and the parties involved was to correct Mahuika's claim that the parties being fought against were Ngariki. Wi Pere does not use the word Ngariki once as being the losers in any fight. Instead those on the receiving end of attacks by Te Ihooterangi and Te Whiwhi and their forces and descendants over time were a group that he named as being Te Whanau a Kai. (although, as discussed, by Wi Pere's own description of whakapapa, they were actually descendants of Wahia. Not that the Court was informed of this).

So in reaching a view that Ngariki was again completely broken in the time of Te Whiwhi means that Mahuika's broad narrative with little detail has been accepted by the Court over Wi Pere's

detailed (and possibly for the judge over-detailed) narrative. The acceptance of the Court of Mahuika's narrative extends to such a degree that those supposedly fighting Ngariki are labelled as 'conquerors.'

Finally the Court accepted that since 'then' - which seems to be a reference to the time of Te Whiwhi - Ngariki have lived on the land in subjection to the conquerors. Taking the judgment overall the Court accepts the Wahia claim and the Whanau a Taupara claim and therefore they supposedly are viewed as the conquerors. The Court reaches the view of a Ngariki subjugation despite no evidence being lead on the way in which Ngariki accepted this subjugation.

The Court then continued with the judgment:

Disputes then occurred and much fighting between Te Whiwhi and Nga[t]iwahia with Whanauakai and between them and Ngapotiki, Whanauataupara, and Ngaitamatea and at a later period these disputes between nearly related hapus were still further complicated by alliances with or against Rongowhakaata and Whakatohea. But all these wars had no relation to this Block which remained after Te Whiwhi's death and until the return of the remnants of tribe in Hinekoia, unoccupied unless by a few of the Ngaitamatea and the remnants of Ngariki under their protection.²⁰⁶

There again, are a series of difficulties with these findings. Firstly, by addressing this round of fighting (which the Court notes involved Te Whiwhi) distinctly from the initial mention in the judgment of the fighting by Te Whiwhi, the Court essentially is now addressing Wi Pere's evidence about the Pikai fights. It is almost as if the Court sees the two narratives told by Wi Mahuika and then Wi Pere as two events: viz, the fighting by Te Whiwhi which broke Ngariki and then the fighting by Te Whiwhi and Ngati Wahia which the Court found was not relevant. Yet Mahuika does not suggest this. At the start of his evidence on Te Whiwhi, he relates the same story of the troubles of Te Ihooterangi and how this led to the killing of Pikai. So the two pieces of evidence, are relating to the same events although the stories are different. In fact, Wi Mahuika's objective was to associate Te Whiwhi to the same narrative on which Wi Pere based his claim to Mangatu.

As noted above in the quotation from the judgment, the judge notes that the fighting after the killing of Pikai was between Te Whiwhi with Ngati Wahia against Whanauakai. Neither

²⁰⁶ Ibid

Mahuika or Pere mention Ngati Wahia. The named comrades fighting with Te Whiwhi were Te Ihooterangi and Rangiwahakataetaea but their collective identity was never identified, when the story of the fights was told, as being Ngati Wahia. So the judge has reached a finding not based in evidence put before him but also missed a key point - that those being fought against by Te Ihooterangi and Te Whiwhi actually included some Ngati Wahia - due to evidence that was not put before him.

There are other odd little errors in the above quoted portion of the judgment. The judge talks of a later time when alliances complicated matters and mentions Rongowhakaata. Yet Rongowhakaata weren't involved at a later period, they were there from the beginning of the Pikai fights being part of the attack on Mapouriki and then soon after taking in the Mapouriki refugees. In addition, the Court noting that the Pikai fight had no relation to the Mangatu block ignores Wi Pere's evidence that the Pikai fights followed battles at Huruhuru and Te Apiti, (both located on Mangatu), over resources that were coming of Mangatu. It also ignores the role played by Pikauroa pa from which taua came and went. It also ignores that the Pikai conflict results in the abandonment of Mangatu land (which the Court acknowledges in the next section of the judgment).

The judgment then goes through other counter claims either dismissing them or allowing a limited area before declaring:

- that the 'chief owners' were Wi Pere and Wi Haronga and the descendants of Wahia
- that the descendants of Waaka Mahuika and those of the party who returned after Ruapekapeka also had claims to part of the block
- that Ngariki brought back on to the land had rights in respect of their residence.

The wording used is odd. Firstly the ownership was largely personalised to a few individuals. Saying the chief owners were two applicants (and then noting the descendants of Wahia) is an odd turn of phrase. Also noting that part of the block was owned by the descendants of Waaka Mahuika and then noting those others who returned after the last battle narrows the extent of ownership in this party despite the evidence of Wi Mahuika supposedly showing that all the hapu of Te Whanau a Taupara were involved in breaking Ngariki. Finally, limiting ownership to Ngariki who were brought back shows no understanding that there may have been Ngariki

groups who never left - ie the descendants of Whareana often termed as Te Ihooterangi's descendants, (some of whom married into Ngati Wahia and some who didn't) as well as other descendants from Te Ihooterangi's siblings such as Kaumoana.

Having reviewed the Mangatu decision, and the reference to Ngariki only being entitled as owners in respect of their residence, the Waitangi Tribunal, has noted that the judgment was, in effect, a denial of the ancestral rights of Ngariki. The Court erred in treating Ngariki as “a single, undifferentiated tribe”. As has been shown in the compilation whakapapa of Part I and the analysis of Part II, and will be further demonstrated in the review of whakapapa in Part III, that aside from Ngati Wahia's own Ngariki links, which continued to be renewed intergenerationally, there was Ngariki Kaiputahi, the owners connected to Mangatu through their descent from Whareana and several other Ngariki lines.

Despite such as restrictive judgment, the listing of owners under the Wahia and Ngariki award reflected a different result. The view of Whanau a Kai kaumatua Keith Katipa was that the Pikai fights were not over land. After the fighting, and over time, all parties were to be found "back on their original blocks and claiming landrights through their pre-Ihooterangi or Te Hiki status."²⁰⁷ That this was the case is reflected by the ownership list put forward for Mangatu. Despite the truncated case ran by Wi Pere and the constraints of the judgment, the Wahia and Ngariki ownership list put in by Wi Pere was broadly inclusive. This has been depicted in the compilation overview whakapapa in Part I and will be further demonstrated when the associations of the owners are further considered in Part III.

By the end of the Mangatu No.1 hearing, there were 179 owners recognised because of their Ngariki or Wahia connections. The Te Whanau a Taupara interest acknowledged in the judgment had been dealt with. In the aftermath of the decision, there was some discussion around the relativity of the Whanau a Taupara award. As a result, the Court had to explain that its judgment meant “that the mana over the Ngariki and on this land descended from Te Whiwhi and remained to them to the last to the time of Ruapekapeka and therefore they are entitled to participate as claimants”.²⁰⁸ To assist the process of determining what this finding meant in practical terms, the Court expressed the view that the Whanau a Taupara interest was around 6%.

²⁰⁷ Katipa, op cit, 119, p.9

²⁰⁸ Waitangi Tribunal, op cit, p.675

Thereafter, the issue of the Whanau a Taupara interest was dealt with by cutting off 6,000 acres from the original block and awarding this to Whanau a Taupara as the Mangatu No.4 block.

In relation to the rest of the block an initial arrangement was made whereby the Court issued title to 12 individuals and placed restrictions against alienation of the block by sale. In doing so, the 12 were representative trustees for the 179 persons who would subsequently be identified as having an interest in the block.²⁰⁹ The 12 trustees were:

- Wi Haronga
- Wi Pere
- Matenga Taihuka
- Pera Te Uatuku
- Tiopira Tawhiao
- Hori Puru
- Tiopira Korehe
- Anaru Matete
- Pirihi Tutakoe
- Rutene Ahuroa
- Peka Kerekere
- Paora Kingi

It has been noted that of these, eleven (that is, except Pera Te Uatuku) were said to be able to affiliate to Te Whanau a Kai.²¹⁰

The ownership list of 179 names do not record any identification as to how people stood in being Ngariki or Wahia. This would be a significant point of discussion at a later date and this is why it is considered in Part III of this report which deal with the 1916 to 1922 process of title finalisation.

²⁰⁹ Ibid, p.677

²¹⁰ Katipa, op cit, 119, p.12

III. TENURE DEVELOPMENT 1893-1923

The 1881 judgment did not represent the finalisation of title for Mangatu No.1. Instead, legislation regulating ownership would be passed in 1893 and, from 1916 to 1922, the relative interests of the 179 owners of 1881 would be assessed and awarded. Complicating the process further, was the resurgence of a Te Whanau a Taupara interest that successfully sought inclusion into the title of Mangatu No.1 in addition to the 1881 award of Mangatu No.4. This Part of the report will provide a summary of the process of finalising title. This really is done for the purpose of completing the story of how the Mangatu No.1 title was finalised. With the exception of the work of the 1916 Block Committee and the 1917 assessment of the 31 lists used to represent the relative interest of the 179 owners, the remainder of the 1916-1922 process does not relate to this report's key objective of assessing the level of relationship that Te Whanau a Kai had in relation to Mangatu No.1. Therefore, only a broad summary overview of the cases from 1918 to 1922 is presented.

As for the work of the 1916 Block Committee and the 1917 assessment of the 31 lists used to represent the relative interest of the 179 owners, these developments are considered in full. The reasons for this is that they further do inform the question on the relationship of Te Whanau a Kai to the Mangatu No.1 block. The nature of the analysis conducted with the 1916 and 1917 processes is explained below.

The 1917 Relative Interest Case

Part II has shown that the 1881 titling process consisted of a somewhat distorted presentation of evidence before the Court, followed by a judgment that seems to have misinterpreted the evidence put before the Court, followed by the presentation and confirmation of an ownership list that was broadly inclusive of all parties within the Ngariki and Wahia ownership base. This latter fact was not evident from the list itself. There was no identification of how the people on the list were affiliated to the block or how they were affiliated to each other. There was no suggestion of what interests in the land they each may hold.

The work of the 1916 Block Committee and the 1917 assessment of the 31 lists used to represent the relative interest of the 179 owners were all about discussing these matters: how were the owners, individually and in groups, affiliated to the Mangatu block in terms of their ancestry and their occupation. Based on this an award of interest was made. It is important, therefore, to consider this evidence closely to see what it might say about the relationship of Te Whanau a Kai to the Mangatu No.1 block. It is also important, however, to assess this evidence as well. As will be seen, and as has been observed by the Waitangi Tribunal, the tenor of the 1881 judgment constrained a free discussion of the origin and nature of rights within Mangatu No.1. Whereas a more open discussion appears to have occurred before the 1916 Block Committee, with preparedness to freely identify Ngariki connections, by the following year, in the more formal environment of the Land Court, the debate moved from being whether an owner was Ngariki or Wahia or both, to being one of whether they were Wahia or Ngariki only. Aside from the effects that this had on the awards made, for the purposes of this report, the hiding away of Ngariki connections further obscures a full assessment of the nature of the relationship of Te Whanau a Kai to the Mangatu No.1 block. Therefore, as well as a close study of the evidence produced in the 1916 and 1917 environment for the evidence produced, that evidence is further tested to identify any bias or shortfalls.

The source material for the analysis of the 1917 Lists consists of the following:

- a list produced by the 1916 Block Committee that placed the 1881 owners in one of four groups (Ngariki only, Wahia only, Ngariki and Wahia, Aroha).²¹¹
- the evidence presented in 1917 before the Native Land Court that discussed each List and the occupation of Mangatu by members on the list as well as the Court's findings and awards in relation to each List.²¹²
- the whakapapa presented in 1917 in support of the Lists.²¹³
- additional descent lines associated with the previously mentioned whakapapa.²¹⁴

These sources will be brought together and presented for each List largely without commentary as the evidence relates only to each list and is self evident. The entries for each List essentially will follow the same format. Firstly, the whakapapa related to each List will be presented. There will be two components to these whakapapa. The part of the whakapapa that was actually presented in 1917 will be clearly shown by recording those names in bold lettering. In addition, however, other relevant descent lines, discernible from other available whakapapa, will form part of the presented whakapapa but with the names recorded in italics. In the case of the Wahia lists, these additional names show links to Ngariki descent lines especially those that link to the originating Te Whanau a Kai tipuna Te Haaki and Whareana and their descendants. Sometimes, they will also show links to other descent lines of Wahia that might not have been put forward in 1917. In the case of the Ngariki lists, the additional descent lines are usually to other Ngariki lines including those involving Te Whanau a Kai tipuna.

²¹¹ See Wai-814 A21(b), [pp.137-145]

²¹² See NLC Gisborne Minutebook No.43.Wai-814 A21(b), [pp.213-295]

²¹³ It is clear from the Court minutes that specific whakapapa was presented in support of each List. These whakapapa are not reported in the minutes, however. Research has proceeded in the Tairāwhiti Land Court to try and locate these list which Te Whanau a Kai researchers had seen in the past. [Personal Communication Keith Katipa] The originals of the List whakapapa have not been located in the time available for this project. However, noted whakapapa scholar and researcher, the late Kiki Kerekere Smiler, had located and copied these Lists and compiled them together into one document. Without whanau permission, the actual document can not be reproduced but Te Whanau a Kai claimant Dave Hawea has been given the permission to utilise the information. The whakapapa has been faithfully reproduced in this report. In some cases, part of the whakapapa have not been used either because they trace back to very early tipuna or they include related persons of the family branch but who were not part of List. Where this occurs it is noted in footnotes.

²¹⁴ These whakapapa have been compiled by Te Whanau a Kai researcher Keith Katipa and are on the Tribunal record as Wai-814 I19(h) and Wai-814 I19(i).

Following the presentation of whakapapa, a record is made of the way in which the persons on the List were classified by the Block Committee. The final part of the entry for each List in the evidence given around the presentation of each List (usually relating to occupation or identity) and then the Court's findings on the List and the award given.

The Commentary that proceeds at the end of this Part of the report aims to provide an overview of what the Lists' evidence shows, noting similarities and differences, gaps and inconsistencies. An assessment will be made of what this evidence says in relation to the relationship of Te Whanau a Kai to the Mangatu No.1 block.

Prior to examining the data and evidence produced by the 1916 Block Committee and the 1917 relative interests process, a brief summary will be given, first of the title related events occurring in 1893 and 1916, then of the overall development of the relative interest case of 1917. These overview summaries will then be followed by an examination of evidence presented around all 31 lists as described above.

Developments 1893 and 1916

In the aftermath of the title hearing, the appointing of the 12 'trustees' became problematic in relation to whether it was supported by all owners and whether it interfered with the rights of the wider 179-person beneficiaries. There was ambivalence as to whether, despite the clear recording of 12 persons as trustees and 179 persons as interested in the land, the Court viewed the 12 trustees effectively as owners. The difficulty of the Land Court in dealing with the matter of trusteeship is a long running feature of its legal history. In the case of Mangatu, the matter was resolved by legislation. In 1893, the Mangatu No.1 Empowering Act was passed which fully recognised and then incorporated the 179 owners into the block. The legislation allowed for the subsequent election of a management committee and the subsequent identification of the relative interests of the 179 owners.²¹⁵ The first elected committee of management was made up of the following members:

²¹⁵ Waitangi Tribunal, *op cit*, p.678

- Hetikia Te Kani
- Peka Kerekere
- Pera Te Uatuku
- Hori Puru
- Matenga Taihuka
- Pirihi Tutekohe
- Rutene Ahuroa.

Six of the seven committee members were owners put into Mangatu in 1881. In addition, it has been noted that six committee members (that is, with the exception of Pera Te Uatuku) were said to be able to affiliate to Te Whanau a Kai.²¹⁶

Matters remained where they were for over a decade. Possibly spurred on by the death of Wi Pere in 1915, who had been very closely connected with the affairs of the block, the very next year a committee of owners was formed to go through the original ownership list, identify the ancestral basis of claim of those recorded as owners and identify an award to the various groups identified. This was allowed under the 1893 Act. Very little evidence is available as to the proceedings of the Committee.

The results of their deliberations in relation to descent is available with various owners being categorised as follows:

- Ngati Wahia only (51 persons)
- Ngariki only (64 persons)
- Both Ngati Wahia and Ngariki (63 persons)
- Included through 'aroha' (9 persons)²¹⁷

In relation to the Ngariki only owners, it appears that it was intended that 17,500 shares (and therefore acres), would be given out of the 100,000-acre block. On the basis of an average of 274.5 acres per persons, this indicates that the Ngariki award was being viewed as being lower than the awards made to others. (which averaged at 671 acres per person).

²¹⁶ Katipa, op cit, 119, p.13

²¹⁷ Waitangi Tribunal, op cit, p.678

Overview of 1917 case

Immediately there was some level of disagreement with the decision of the 1916 Committee and therefore, as allowed by the 1893 Act, the matter was referred to the Native Land Court. Initially, a preliminary hearing was held by the Court. The findings and allocations were submitted into the Court. In addition, however, another matter was referred to the Court as Te Whanau a Taupara, aside from its award of Mangatu No.4, now sought to be included in the Mangatu No.1 title as well. The 1916 Court, therefore, reviewed the 1881 judgment and reached the finding that Te Whanau a Taupara's claims had been sufficiently recognised by their Mangatu No.4 award.²¹⁸

This matter having been dealt with, the following year the Land Court again sat to allocate relative interests among the 179 owners identified in 1881. It became clear that the individual allocations proposed by the 1916 Committee were widely opposed by the 1881 owners or their representative descendants. Therefore, the matter was looked at anew.²¹⁹

The case was heard in Gisborne before Judge Michael Gilfedder. On 23 April 1917, the relative interests case began with the various conductors introducing their clients, opening their cases and submitting whakapapa and list of 1881 owners (or their descendants) that they represented.²²⁰ The first substantive matters discussed was in relation to the large shares given in 1881 to the original applicants Wi Pere and Wi Haronga. Therefore, it was decided that their cases for relative interests should be heard first. On 25 April 1917, the case for Wi Haronga was heard first. (See narrative re List 2) When the case for Wi Haronga closed the Court adjourned.

When, on 27 April, the Court sat again to consider the Mangatu relative interests, Judge Gilfedder was informed by Patu te Rito that a meeting had been held to discuss Ngariki shares with the result that the 'Wahias' were prepared to give 17,500 shares. Poneke Huihui also appeared, noting that he represented "the true Ngariki", and informing the Court that this offer was more than that which had been proposed by the 1916 Committee. However, the conductor Pitt then claimed that it was not decided to give 17,500 shares to Ngariki but that it had been agreed that the proportion of shares of Ngariki to Wahi should be two to five. He added that the

²¹⁸ Ibid, p.680

²¹⁹ Ibid

²²⁰ Mangatu Relative Interests 1917, MLC Gisborne MBk 43, pp.133-9

1916 Committee had identified 64 persons as not belonging to Ngati Wahia. It then appears that 'some time' was spent in arranging lists under either Wahia or Ngariki and making a separate list of those who got in the block either through marriage or aroha. In the latter case, it was proposed that 100 acres each should be given to those on the 'aroha' list. There were 20 persons on this list. There were 112 on the Wahia list and 47 on the Ngariki list.²²¹

The Court then suggested that at this stage “that the leading Ngarikis should place their claims for more than nominal shares before the Court.” In response, Poneke Huihui presented an address which began by firstly noting that the right of Ngariki had been recognised in the 1881 case and that at meetings “even now, the claims and rights of Ngariki are recognised by the Ng[ati] Wahia.”²²² Poneke Huihui noted Wi Pere's evidence recording that after the fighting Ngariki lived on one side of the stream and Ngati Wahia on the other side. He recorded that Wi Pere had put forward as evidence the whakapapa of Pera Te Uatuku. He added that Ngariki had continuous occupation.

I am ready to abide by the evidence given by Wi Pere about the Ngariki people. The Court of 1881 gave its decision in accordance with Wi Pere's evidence. We must all rely on Wi Pere's evidence and our shares must be based on his evidence and the decision of the Court. The block belonged to Ngariki at first but they were worsted in War and although they lived on the land they lived there as a conquered people. It is suggested that the Ngariki should get half the block.²²³

The other conductors responded to this address. Pitt claimed that Ngariki have “no right except through residence.” He added that Wi Pere knew the relationships of all people and he claimed that the lists were left in his hands. He claimed that many of the people did not know their whakapapa. He acknowledged, however, that there was nothing to explain why Wi Pere put so many Ngariki into the lists. Pitt concluded by suggesting that Ngariki get between 17,000 and 20,000 acres.²²⁴

Kopu Erueti supported Pitt's statement. Himiona Katipa agreed that “good shares” should be given to Ngariki.

²²¹ Ibid, pp.147-8

²²² Ibid, p.148

²²³ Ibid

²²⁴ Ibid, p.149

I always heard Wi Pere say the Ngariki had a good right. Some of the Ngariki got interests in an adjoining block. Wi Pere, in allocating the rents, gave some of the Ngariki large rents.²²⁵

Rawiri Karaka added:

...the Ngariki have always had a rights and everybody recognised it. Some Ngarikis are now claiming under Wahia through marriages.²²⁶

Contrary to the point of view being expressed, Mitchell replied by noting that the Court could not now inquire into the soundness of the 1881 judgment. He claimed that no exception had been taken to that judgment for 35 years and he asserted it was too late now to upset the judgment and throw the block open again to claims.

Wi Pere's evidenceindicated that the Ngariki who had intermarried with Wahia had a good right. Ngariki lived under us. Only those Ngariki who came in under Wahia had any right. The judgment admits that there is a right for residence only for such Ngariki as came back and resided on the land. The few Ngariki who were there did not occupy 100 acres yet they ask for 17000 to 20000 acres. The main Ngariki has abandoned Ngariki and try to come in under Wahia. ...There are now only 47 Ngariki in the lists handed in. The rest had "ratted".²²⁷

Mitchell proposed that 8,000 acres would be “more than sufficient” for Ngariki.

Having heard these addresses, the proposed what it considered would be a “fair and equitable” allotment as follows:

Wi Pere's list	12,000 acres
Wi Haronga's list	11,000 acres
20 Aroha's 100 acres each	2,000 acres
The Ngariki list	15,000 acres
The Wahia list	60,000 acres ²²⁸

²²⁵ Ibid

²²⁶ Ibid

²²⁷ Ibid, p.150

²²⁸ Ibid, p.151

The Court initially suggested that the groups be given time to consider matters and report on Monday. The minutes record, however, that on the next day, Saturday 28 April 1917: “Morning spent in arranging family groups in respect of Wahia and Ngariki claims. A large number of lists and whakapapa.”²²⁹ Unfortunately, neither lists nor whakapapa are recorded. Although the membership of each list becomes clear when the Court considers each one for a relative interest award, the whakapapa are not recorded and have not been found by evidence researched for this project.

On 30 April, the Court sat ready to hear evidence on the lists. Earlier in the case, it was clear that after having heard Wi Haronga's case, the next case heard would be the claims under Wi Pere. Instead, however, another case was first heard. This related to the claims under Anaru Matete and whether they should be classified as Ngariki or Wahia. (See narrative re List 4)

This was followed by the case regarding Wi Pere and whanau. When Kani Pere appeared before the Court to conduct the case. Much of the evidence presented was not about Wi Pere's claim per se, but was generally about how Wahia were the primary rightholders on the block. It was claimed that Wahia brought Ngariki back onto the land after which Ngariki had a right through residence. As for Ngati Wahia: “We had "strong hand" [ringakaha], continuous occupation, mana.” Kani Pere made the point that not all Ngati Wahia were entitled as some did not fight while others did not occupy.²³⁰ Other conductors responded. Patu te Rito pointed out the conquest of Ngariki was not likely. They also explained why they opposed a large granted being made to Wi Pere.²³¹ (See narrative re List 1)

From this point, evidence on each of the lists was presented essentially in numerical order. This began on 4 May and lasted until 9 May for the Wahia lists. The Ngariki lists were heard, also in numerical order, from 9 May until the following day. (The evidence and whakapapa presented for the lists are presented in the following section.)

At this point, although not clearly indicated in the minutes, it appears that Hetekia Kane Wi Pere gave an address. Ostensibly, this was still part of the hearing of the final list 31, but it broadly

²²⁹ Ibid, p.151

²³⁰ Ibid, p.158

²³¹ Ibid, pp.159-160

ranged across a range of issues. Having heard all the cases presented, Pere claimed that Wahia had the chief right:

I know who are the genuine Wahias but a number are now "ringing in" as Wahias who previously were regarded as Ngariki or descendants of other foreign tupunas. Wahia conquered the Ngariki. Ihooterangi brought back the remnant of them who lived on the block under the aegis of their conquerors. No strangers had any nor did they occupy. A number of those now claiming never fought for the land. Some of the Wahias even fought the true Wahias. The evidence given before this Court is of today.²³²

Pere then provided specific comment on various claims before adding:

My elders and those of Wi Haronga for generations lived and fought on the block, set up rahui, had cultivations and continuous occupation. The "mana" remained with us. We sent for Te Whiwhi to help us fight the Ngariki. The descendants of Te Whiwhi got an award on the land for their services.²³³

He then provided his own personal experiences of occupation on the block and those of his whanau before again expressing his view on which people within the Wahia lists did not have proper claims.²³⁴

In reply, W. Pitt challenged Pere's words noting that he did not descend from Ihooterangi, that Wi Pere hardly lived on the block, that Wi Pere only knew of the traditions because he was taught them in his role as whakahaere of cases and that Wi Pere was not a chief. Therefore he did not qualify for a "mana" award. Really, Pitt said, Wi Pere only brought sheep onto the land from which he received benefit. As to Ihooterangi, Pitt claimed he did not bring Ngariki back onto the land, that he was not Wahia and that Wi Pere claimed through Rangiwahakataetaea rather than Ihooterangi. Noting that there were only two fights on Mangatu (presumably Huruhuru and Te Apiti) Pitt noted that due to their continuous occupation it was Ngariki in whom the mana, ringakaha and ahi kaa reposed. Pitt referred to the 1881 judgment that he claimed "says the fights mentioned by Wi Pere had nothing to do with the block." He then challenged against the Pere whanau receiving as large 20,000-acre award.²³⁵

²³² Ibid, p.189

²³³ Ibid, pp.189-190

²³⁴ Ibid, pp.190-192

²³⁵ Ibid, pp.192-192

The conductor Poneke agreed with Pere's sentiments over the claims made but suggested that some on the Ngariki list should be on the Wahia or 'aroaha' lists.²³⁶ When Pere replied, he noted that he knew Te Ihooterangi was not Wahia.²³⁷

On 11 May 1917, the Court delivered its judgment on relative interests in the Mangatu No.1. The judgment summarised the result of the 1881 case and the 1893 legislation which left the door opened for relative interests to be awarded. The Court noted the work of the 1916 Committee and the Court 1916 judgment in relation to the original hearing. The Court summarised:

The judgment of 1881 decided that the chief owners of the block were Wi Pere, Wi Haronga and other descendants of Wahia and the Ngarikis who were brought back and lived on the land.²³⁸

The Court recorded that it had then expressed, as an 'interim decision', possible portions of the block belonging to each group. Evidence had then given by various groups as to their rights in the block. The Court then explained the basis on which it would make awards:

- where there has been continuous occupation from grandparents, parents and the present claimants larger shares were allotted than where the parent or both parents and grandparent ceased to occupy
- where a parent and children appears in the list of owners, the children have received proportionately reduced shares according to what was considered a reasonable and equitable rather than a mathematical apportionment
- that 2000 acres for the 20 on the 'aroaha' list is fair and adequate
- that the grant of 11,000 acres to Wi Haronga was fair and adequate
- that the grant of 15,000 acres to the Ngariki was fair and adequate
- although the interim grant of 12,000 acres to Wi Pere appeared too small considering the role he played, the use of 20,000 acres for a number of years had to be taken into account. The judge therefore awarded the Pere whanau 15,000 acres.²³⁹

²³⁶ Ibid, p.194

²³⁷ Ibid, p.194

²³⁸ Ibid, pp.195-7

²³⁹ Ibid, pp.197-8

The Court then went through each of the lists, expressed a finding on the evidence presented and made an award of shares. (These are presented in the following section).

Instead of keeping with the four broad categories developed in 1916, a total of 31 smaller, whanau-focused lists were submitted for the Court to consider. Being based on whakapapa, the list ranged from identifying a single owner to having up to 16 owners recorded in each list. Despite this list having a tighter focus, they nevertheless were put forward in broader groupings. The first and second list, however, represented the original applicants Wi Pere and Wi Haronga and the focus of discussion before the Court was whether they (and the descendants identified in 1881) should have a larger share than other individuals due to their role as chiefs and leading actors in the Mangatu case. The third list of 20 owners were those viewed as being included through 'aroha'. This was a doubling of the numbers of 'aroha' owners identified by the 1916 Committee with many of those now on this list having been previously in 1916 identified as Ngariki only.²⁴⁰ List Nos.4-20 were heard by the Court in order and under the general label of being the 'Wahia' lists. This left List Nos.21-31 being heard are 'Ngariki' Lists. (The result of the hearing of each of these lists will be full discussed later in the report.)

The 31 presented Lists for the 179 owners were as follows:

List No.	List Membership²⁴¹	1916 Classification²⁴²
List 1	Hetekia Te Kani (29)	Ngariki & Wahia
	Riria Mauaranui (46)	Ngariki & Wahia
	Manaro Pere (m9)	Ngariki & Wahia
	Wi Pere (59)	Ngariki & Wahia
List 2	Mata Te Ao (m1)	Ngariki & Wahia
	Mere Tahatu (m8)	Ngariki & Wahia
	Pera Hikumate (m7)	Ngariki & Wahia
	Wi Haronga (78)	Ngariki & Wahia

²⁴⁰ Waitangi Tribunal, op cit, p.681

²⁴¹ Within each list, the names of owners are presented alphabetically. The number in brackets represents the numeric position of the owner in the 1881 ownership list. Those with the numbers only were adults as at 1881 and those with 'm' were on the minors' list.

²⁴² The six names where there is an '*' recorded next to the names were persons who were first classified as being both Ngariki and Wahia but who the Committee subsequently classified as being Ngariki only.

List 3 (Aroha)	Ani Te Puroa (6)	Ngariki
	Arapera Pere (58)	Ngariki
	Henare Kingi Waingaruru (22)	
	Hone Kewa (51)	Aroha
	Hori mokai (116)	Aroha
	Huriata Haua (m26)	Ngariki
	Kereama Tautuhi (23)	Aroha
	Matenga Ngamoki (m43)	Ngariki
	Mihaere Parehe (117)	Aroha
	Nepia Heta (24)	Aroha
	Paku Haua (m34)	Ngariki
	Paora Matuakore (71)	Ngariki
	Patihana Mangai (74)	Ngariki
	Pere Haua (31)	Ngariki
	Riripeti Piwaka (63)	Ngariki
	Taiuru (115)	Aroha
	Tipene Tutaki (108)	Ngariki
	Tuwatawata (m61)	Ngariki
	Wikitoria Kanu (105)	Ngariki
Wikitoria Te Amo (77)	Ngariki	
Wahia Lists (4-20)		
List 4	Anaru Matete (18)	Ngariki
	Hinepoka Matanuka (m38)	Ngariki
	Te Kauru Matete (11)	Ngariki
List 5	Harata Te Eke (m41)	Wahia
	Hatiwira Pahura (m17)	Wahia
	Hirini Te Kani (72)	Ngariki & Wahia
	Hokimate Pahura(m22)	Wahia
	Ihimaera Pahura (m21)	Wahia
	Karaitiana Te Eke (81)	Wahia
	Katirina Pahura (m20)	Wahia
	Mere Maki (84)	Wahia
	Mihi Hetekia(Paraire)(92)	Ngariki & Wahia
	Piriniha Te Eke (80)	Wahia
	Ripeka Pahura (m19)	Wahia
	Rutene Te Eke (52)	Wahia
	Tamaihikitia (m42)	Wahia
	Tame Pahura (m18)	Wahia
List 6	Heni Matekino (16)	Ngariki & Wahia
	Heni Puhi (79)	Wahia
	Heni Te Auraki (57)	Ngariki & Wahia
	Hine Puhi (m59)	Wahia
	Hiraina Poaru (38)	Wahia
	Hoera Tako (89)	Ngariki & Wahia
	Hohipa Kota (101)	Ngariki & Wahia
	Kaa Matewai (36)	Ngariki & Wahia
	Katirina Takawhaki (m58)	Ngariki & Wahia
	Mereana Weroahiahi (47)	Ngariki & Wahia
	Merihi Ngore (110)	Wahia
	Peka Kerekere (17)	Ngariki & Wahia
	Raiha Kota (8)	Ngariki & Wahia
	Tapeta Kerekere (19)	Ngariki & Wahia
	Temini Kerekere (m57)	Ngariki & Wahia
Wikitoria Uwawa (66)	Ngariki & Wahia	

List 7	Epeniha Tipuna (48)	Ngariki & Wahia
	<i>Heni Tipuna (114)</i>	Wahia
	Netana Puha (62)	Wahia
	Poneke Tupeka (m4)	Wahia
	Wi Pere Tupeka (m40)	Ngariki & Wahia
List 8	Ihaia Patutahi (73)	Wahia
	Karaitiana Akurangi(88)	Ngariki & Wahia
	Mereaira Parehuia (97)	Wahia
List 9	Erena Whakamihi (m37)	Ngariki & Wahia
	Heni Parekuta (m14)	Ngariki & Wahia
	Herewini Puairangi (m13)	Ngariki & Wahia
	Hine Wehi (m33)	Ngariki & Wahia
	Ka Te Hane (61)	Ngariki & Wahia
	Mahanga Ahuroa (m3)	Ngariki & Wahia
	Mere Hake (21)	Ngariki & Wahia
	Peneti Hira (m10)	Ngariki
	Rawiri Haua (96)	Ngariki & Wahia
	Wi Te Ngira (65)	Ngariki
	Wiremu Pere Takitumu (m32)	Ngariki & Wahia
List 10	Arona Te Raekaihau (50)	Ngariki & Wahia
	Hirini Te Raekaihau (13)	Ngariki & Wahia
	Maiere (m51)	Wahia
	Maora Whekirangi (56)	Wahia
	Maraea Rawaho (7)	Wahia
	Ngawiki Kuri (m53)	Ngariki *
	Peneha (20)	Wahia
	Teira Kuri (m49)	Ngariki *
List 11	Harete Taihuka (55)	Ngariki & Wahia
	Himiona Katipa (m29)	Ngariki & Wahia
	Hoera Noti (m46)	Ngariki & Wahia
	Maata Moari (76)	Ngariki & Wahia
	Maata Whakahaweia (m47)	Ngariki & Wahia
	Manu Te Otii (m30)	Ngariki & Wahia
	Matenga Taihuka (49)	Ngariki & Wahia
	Patoromu Tawhaitari (53)	Wahia
	Peti Tahuka (94)	Ngariki & Wahia
	Rawinia Te Ao (109)	Wahia
	Rawiri Noti (64)	Wahia
	Riripeti Oneone (118)	Ngariki & Wahia
	Ruka Te Kahika (106)	Wahia
	Te Owaina Marangai (m28)	Ngariki & Wahia
List 12	Harata Tuari (m60)	Wahia
	Hera Poraku (86)	Wahia
	Te Ao Pakurangi (98)	Wahia
List 13	Rangikohera (60)	Ngariki
	Teira Ranginui (112)	Ngariki
List 14	Pirihi Tutekohi (28)	Ngariki & Wahia
	Hirini Tutaha (m55)	Ngariki & Wahia
List 15	Hori Puru (3)	Wahia
	Ihaia Puru (m11)	Ngariki & Wahia
	Meri Puru (m12)	Ngariki & Wahia
	Pepene (m23)	Ngariki & Wahia
	Rangikapua (m44)	Ngariki & Wahia
	Rawiri Tokowhitu (m27)	Ngariki & Wahia
	Te Aria Horahora (12)	Ngariki & Wahia

List 16	Hine Kumekume (99)	Ngariki & Wahia
	Hoera Whakamiha (m15)	Ngariki & Wahia
	Rawinia Ahuroa (54)	Ngariki & Wahia
	Ripeka Hineko (35)	Wahia
	Rutene Ahuroa (25)	Ngariki & Wahia
	Te Pupaku (m16)	Ngariki & Wahia
	Te Rato (m45)	Ngariki & Wahia
List 17	Hami Tarahau (m31)	Ngariki & Wahia
	Heni Paretaranga (45)	Wahia
	Rutu Ireto (33)	Wahia
	Tapita Ireto (27)	Wahia
	Wiremu Ireto (5)	Wahia
List 18	Tiopira Koreke (2)	Wahia
List 19	Arapeta Ranguia (34)	Wahia
	Karaitiana Amaru (83)	Wahia
List 20	Kararaina Kehukehu (44)	Ngariki
	Rawiri Titirangi (95)	Ngariki
Ngariki Lists (21-31)		
List 21	Hiria kingi (m24)	Ngariki
	Paora kingi (32)	Ngariki
	Te hata waingaruru (m36)	Ngariki
	Teau hamana (m25)	Ngariki
	Tutearitonga (m35)	Ngariki
List 22	Tapine turei (90)	Ngariki
	Rawinia te whiwhi (113)	Ngariki
List 23	Karaitiana ruru (107)	Aroha
	Roka patutahi (67)	Ngariki
List 24	Wikitoria puru (40)	Ngariki
	Horomona tuauri (m39)	Ngariki
List 25	Tamati te rangi (111)	Ngariki
List 26	Hoana amaru (70)	Ngariki
	Keita amaru (104)	Ngariki
	Pani amaru (103)	Ngariki
	Pohoi amaru (87)	Ngariki
	Te amaru (69)	Ngariki
List 27	Apihaka wahakai (68)	Ngariki
	Hariata ahua (37)	Ngariki
	Haromi paku (39)	Ngariki
	Hetariki tutaha (m56)	Ngariki
	Maraea mokena (42)	Ngariki
	Mika rore (41)	Ngariki
	Pera kararehi (m5)	Ngariki
	Ripeka awatea (93)	Wahia
	Rongotipare (82)	Ngariki
	Rutu kuare (75)	Ngariki
	Tiopira tawhiao (30)	Ngariki
	Wharepapa (m54)	Ngariki
List 28	Taituha matauru (m50)	Aroha
List 29	Heni taua (91)	Ngariki *
	Mata te hawa (100)	Ngariki *
	Ngahirata taua (m48)	Ngariki *
	Paratene kuri (m52)	Ngariki & Wahia
	Rangi taua (85)	Ngariki *

List 30	Epeniha hape (10)	Ngariki
	Hemi whaipu (26)	Ngariki
	Hirini wharekete (9) (hirini hape)	Ngariki
	Neri wharekete (15)	Ngariki
	Pera te uatuku (1)	Ngariki
	Rawiri tamanui (m2)	Ngariki
	Rewi tamanui (43)	Ngariki
	Rua hinekino (m6)	Ngariki
	Ruka tahuateka (14)	Ngariki
	Te hira uatuku (4)	Ngariki
List 31	Wiremu Kingi Te Kawau (102)	Aroha

Following the receipt of evidence in relation to the lists, the awards of the Court were as follows:

- Wi Pere whanau - 15,000 acres
- Wi Haronga whanau - 11,000 acres
- 'Aroha' list - 2,000 acres
- Ngariki lists - 15,000 acres
- Wahia lists - 57,000 acres²⁴³

The Waitangi Tribunal reviewed the Court minutes and result of awards to reach the following calculations and comment in relation to 1917 awards.

Although never spelt out in full, the court's approach meant that individuals with continuous and current occupation and ancestral rights as Ngati Wahia received around 1000 shares each. In contrast, individuals with lesser occupation (but good occupation by their parents) received between 500 and 800 shares, and those with poor occupation (or occupation by their grandparents) received anywhere between 200 and 400 shares. 140 Persons listed as 'minors' in 1881 were given anywhere between half and three quarters of the allocation given to a parent.

A second factor is evident. Without explicitly stating so, the court distinguished between rights as Wahia and rights as Ngariki, giving a lesser amount to Ngariki. The approach taken by the court, therefore, was to discount Ngariki awards by 100 shares each. This meant a deduction of anything from 10 to 50 per cent, depending on the extent of occupation by the individual concerned.²⁴⁴

²⁴³ Waitangi Tribunal, op cit, p.683

²⁴⁴ Ibid, pp.683-4

The Tribunal has providing findings on how this result affected Ngariki Kaiputahi although comments apply equally to those Whanau and Kai which relied on their Ngariki descent only as a basis of their ownership in Mangatu.

First, it resulted in a loss of mana as individuals abandoned their identification as Ngariki when they legitimately held both Ngariki and Wahia descent. Secondly, it had a material effect on those of Ngariki descent who would not or could not defect to the Wahia list, reducing their share allocation by anywhere between 10 and 50 per cent.²⁴⁵

In addition, the Tribunal has observed that the 1881 Judgment, with its disparaging comments on the basis and nature of Ngariki claims, had led the 1916 Committee to value Ngariki claims as having lesser worth than those with any Wahia components in them. The awareness of this quickly spread. In the space between the 1916 awards and the submitting of lists for the 1917 hearings, those who were firstly noted as Ngariki only in 1916 (64 persons) dropped to 47 individuals in 1917.²⁴⁶

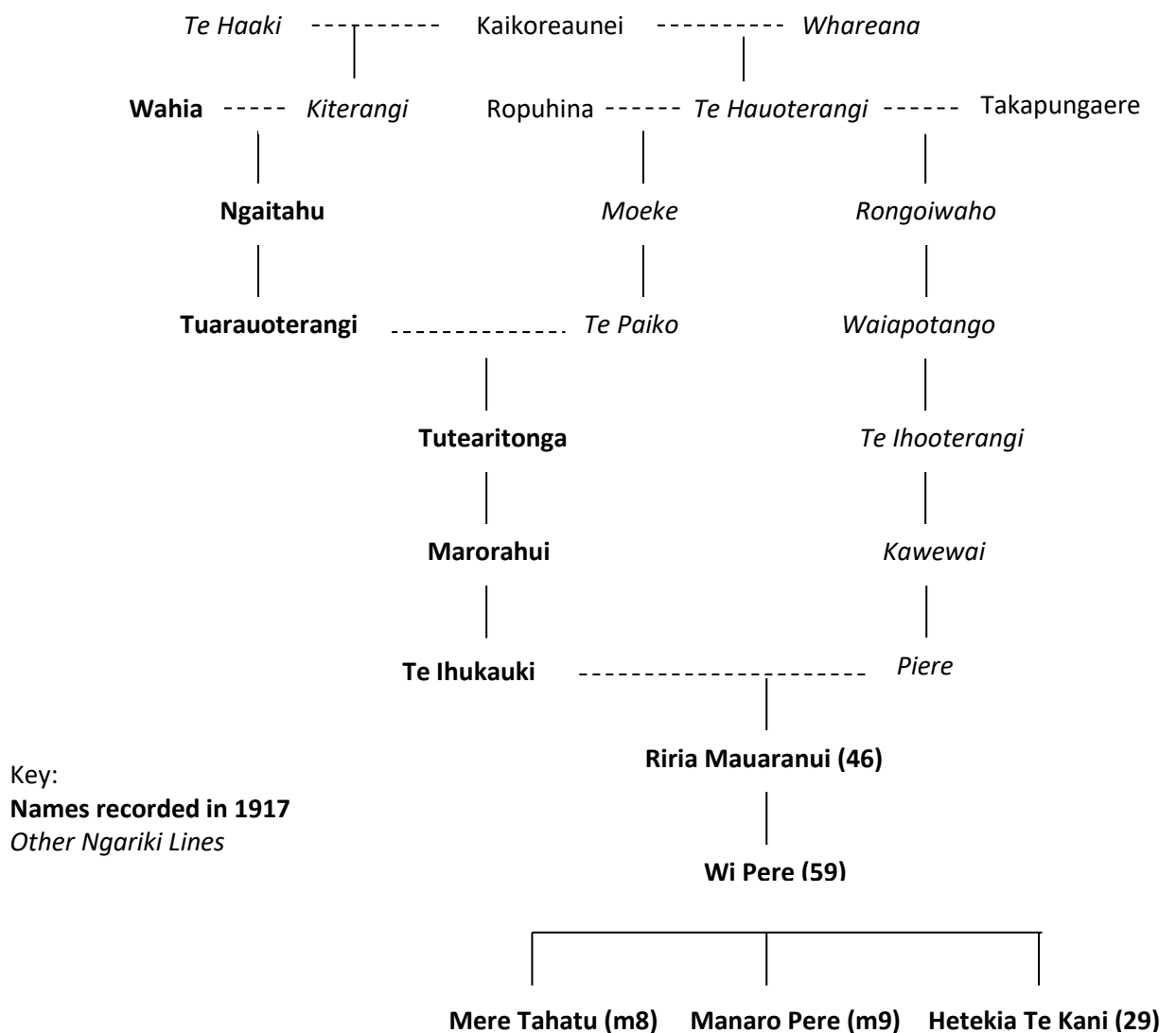
²⁴⁵ Ibid, p.684

²⁴⁶ Ibid, p.681

Initial Lists

List 1: *Wi Pere and whanau*

As indicated previously, consideration of the awards to be given to the Mangatu applicants Wi Pere and Wi Haronga was an early and distinct exercise during the 1917 hearing. In addition, 36 years after the original hearing, questions were raised as to why the pair should necessarily receive a larger share than others. Five persons of the Pere whanau made up List No. 1. The 1916 Committee classified this whanau as Ngariki and Wahia. As noted previously, during the 1881 case, Wi Pere presented two whakapapa - one from Wahia, and one showing descent from Ihooterangi. The whakapapa supporting List 1 produced in 1917 highlighted his Ngati Wahia connection only.



Interestingly, Wi Pere is also shown on a wide-ranging whakapapa submitted for Ngariki List 26 which shows the link from Te Hau through Ihooterangi. From a Te Whanau a Kai perspective, the two significant later connections between the descent lines from Te Haaki and Whareana occur when Tuarauoterangi, the grandson of Kiterangi and Wahia, marries Te Paiko. This union not only produces Tutearitonga, as shown in the above whakapapa, but also Rangituamaro. A number of those identified in 1881 as Mangatu owners descend from these two brothers. The second significant connection between the descent lines from Te Haaki and Whareana occurs with the marriage of Te Ihooterangi's grandson to the grand daughter of Tutearitonga. Piere and Te Ihukauki are the grandparents of Wi Pere.

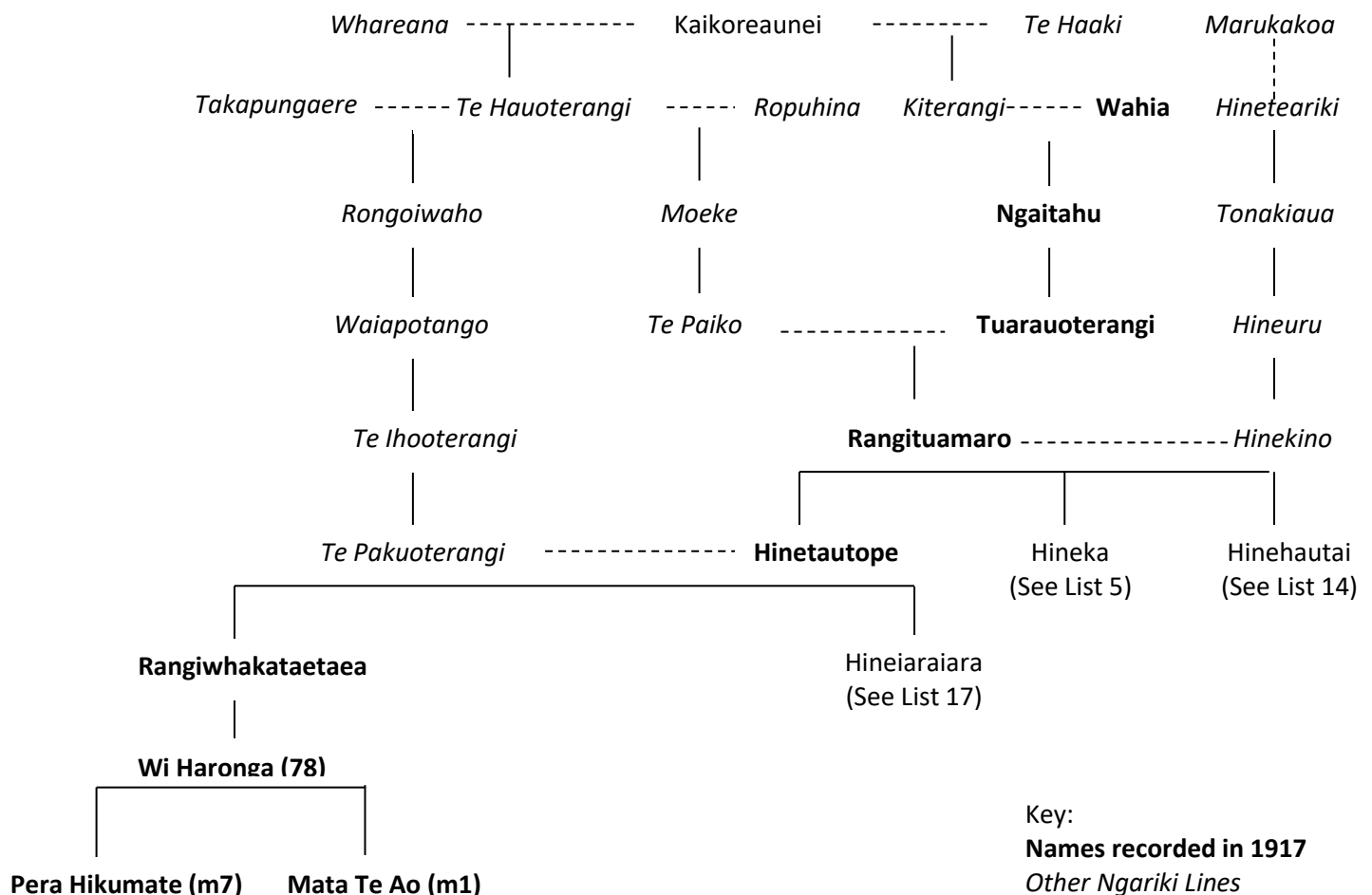
As with Wi Haronga, during the 1917 hearing, the debate before the Court in relation to the Wi Pere whanau was not in relation to their occupation on the block. Instead discussions focused on whether the award should reflect the role played by Wi Pere in prosecuting the claim before the Court and his position generally. This type of claim is often named as a 'mana' award. As noted in the text, Hetekia Te Kani Pere appeared before the Court to conduct the case for this list. Much of the evidence presented was not about Wi Pere's claim per se, but was generally about the strength of Wahia over Ngariki. When those conductors for other lists who opposed the grant appeared, they focused more on the specifics of the proposed award. Patu te Rito explained that the 20,000 acres that was proposed to be granted to Wi Pere had been set aside by the other owners after the 1881 case for Wi Pere to occupy to provide a means for Wi Pere to get out of financial problems through leasing. It was never intended to hand over fee simple of the area in question. Iopa Te Hau and W. Pitt agreed that the land was given for use purposes only. On the other hand, Rawiri Karaka supported the proposal that Wi Pere be given 20,000 acres as Pere had conducted the whole Mangatu case. Pitt responded that in other blocks involving Wi Pere he had only received the same share as other owners. He added that the people had respected Wi Pere and sympathised with him when he encountered financial troubles to the point that he received boons in other blocks as well. Kani Pere replied that the difference between Mangatu and other blocks was that in Mangatu Wi Pere had ringakaha.²⁴⁷ As noted above, the decision of the Court was that the Wi Pere whanau was awarded 15,000 acres.

²⁴⁷ Mangatu Relative Interests 1917, MLC Gisborne MBk 43, pp.159-160

List 2: Wi Haronga and whanau

The awarded to be given to co-applicant Wi Haronga and his two children who were also named as owners in 1881, also received initial attention during the 1917 relative interests case.

The 1916 Committee classified this whanau as Ngariki and Wahia. When Wi Pere presented his whakapapa during the 1881 case he also showed Wi Haronga's descent as well. Therefore, two whakapapa for Wi Haronga were presented in 1881 - one from Wahia, and one showing descent from Ihooterangi. As with Wi Pere, the whakapapa supporting List 2 produced in 1917 highlighted his Ngati Wahia connection only.



The whakapapa shows the known descent lines down to Wi Haronga's father Rangiwahakataetaea who featured so significantly in the narratives presented during the 1881 Mangatu case. From a Te Whanau a Kai perspective, this shows descent connections from both Te Haaki and Whareana. The line from Whareana was produced by Wi Pere during the 1881 when he was requested to do so by Pimia Te Ata. As with Wi Pere, Wi Haronga's link from Te Hau through Ihooterangi also features on the wide-ranging whakapapa submitted for Ngariki List 26.

As with Wi Pere, from a Te Whanau a Kai perspective, the one significant later connection between the descent lines from Te Haaki and Whareana occur with the marriage of Tuarauoterangi, the grandson of Kiterangi and Wahia, to Te Paiko, the grand daughter of Te Hauoterangi which produced Rangituamaro (shown above) and his brother Tutearitonga (shown in Wi Pere's whakapapa). As noted previously, a number of those identified in 1881 as Mangatu owners descend from these two brothers. The next significant connection between the descent lines from Te Haaki and Whareana is the union of Te Ihooterangi's son Te Pakuoterangi to Rangituamaro's daughter Hinetautope. As noted previously, commentators claim that Hinetautope had inherited the mana of Rangituamaro after her sister Hineka, who initially held the mana, married and moved away to her husband's lands. The marriage of Hinetautope and Te Pakuoterangi therefore clearly was of significance. As Te Ihooterangi's grandchildren were young men at the beginning of the Pikai fights, clearly this marriage occurred some time prior to the trouble that arose and would engulfed the district for a number of years.

Rangiwahakataetaea was the result of the union of Hinetautope and Te Pakuoterangi. His significance is evident in the narrative. Identified as the inheritor of his mother's mana, and clearly fulfilling the role of leading fighting chief as held by his grandfather Te Ihooterangi.

The above whakapapa shows a further significant Ngariki connection. While Tuarauoterangi and his grand daughter married into the Ngariki descent line from Whareana through Te Hauoterangi, his son Rangituamaro married into another Ngariki line with Hinekino as a direct descendant of Putahi's grandchild Marukakoa.

As with Wi Pere, during the 1917 relative interests hearing, the debate before the Court in relation to the whanau of Wi Haronga was not in relation to their occupation on the block.

Instead, as noted previously, the discussions focused on whether the award should reflect the role played by Wi Haronga in bringing the claim before the Court.

On 25 April 1917, the case for Wi Haronga was heard. The conductor, J. Mitchell, presented the various factors as to why Wi Haronga's whanau should keep the large shares they were granted referring to ancestry, occupation and mana. During his address Mitchell pointed out that that Wi Pere “had always to use Rangiwahakataiaia to support his case.”²⁴⁸ Mitchell pointed to Rangiwahakataetaea being the leader under whom others fought and listed several actions he did to demonstrate his position as chief. He also argued that Wi Haronga should get equivalency with the 20,000-share grant that was proposed for Wi Pere as the two were of similar stature in the community.²⁴⁹

In response, W. Pitt was selected by the other conductors to provide a reply to Mitchell's address. They rejected that Wi Haronga had occupation; argued that despite Wi Haronga's claim being under conquest, that Rangiwahakataetaea was not a conqueror; and observed that Wi Haronga's leadership does not give mana over the land. In addition it was noted that the fight in which Rangiwahakataetaea was killed was effectively one against the owners of the land.²⁵⁰

Rawiri Karaka then appeared to provide evidence. He noted that after Rangiwahakataetaea there was no occupation of his descendants on the block. Even Rangiwahakataetaea did not live on the block and that he fought against the people who lived on the block - named as the Ngaitamatea and Ngariki. Karaka added that although Rangitumaro and Hinetautopo lived on Mangatu “Then the fire began to get cold.”²⁵¹ When questioned by Mitchell, Karaka expressed the view that “Wi Pere did not tell the Court then [in 1881] that Rangitaia [sic] fought against the owners of the block.” Presumably in response to a further question from Mitchell, Karaka noted he was not saying that he knew more than Wi Pere did.

Hare Matenga was the next witness called. Despite he appearing as part of a case responding to Mitchell's address, Matenga claimed that Rangiwahakataetaea lived and fought on Mangatu and

²⁴⁸ Ibid, p.141

²⁴⁹ Ibid, pp.141-2

²⁵⁰ Ibid, p.143

²⁵¹ Ibid, p.144

that he attacked the Te Whiwhi's descendants.²⁵² Similarly, Matenga Taihuka, who had known Rangiwhakataetaea, testified that he had lived on Mangatu permanently at Pikauroa pa.

He lived on this land as chief of Wahia and Ngariki hapus. When Te Whiwhi was alive both he and Rangitaia [sic] wished to be chief. Wi Pere's evidence is correct as to the mana passing from Te Whiwhi to Rangitaia.²⁵³

Having heard from the last two witnesses, Mitchell appeared before the Court noting that the evidence they had given had strengthened his claim. Pitt acknowledged that his witnesses "...had certainly not supported his contention, but he called them at the request of other conductors."²⁵⁴ The case for Wi Haronga then closed and the Court adjourned.

As a result, a 'mana' award of 11,000 acres was given to the whanau of Wi Haronga.

²⁵² Ibid, pp.144-5

²⁵³ Ibid, p.145

²⁵⁴ Ibid

List 3: Persons admitted through Aroha

Although there was no mention during the 1881 case that any of the persons placed on the 1881 list of owners were there through aroha, this proposal emerged when the relative interests associated with the block were considered 36 years later.

When the 1916 Block Committee considered the matter, a list of nine persons only was identified as having been included in the title through 'aroha'.

	Notes
Hone Kewa (51)	Spouse of Rawinia Ahuroa (54) who was designated as Ngariki/Wahia
Hori Mokai (116)	
Karaitiana Ruru (107)	
Kereama Tautuhi (23)	
Mihaere Parehe (117)	Spouse of Mata Te Ao (m1) who was designated as Ngariki/Wahia
Nepia Heta (24)	Spouse of Nepia Heta (24) who was designated as Ngariki
Taiuru (115)	
Taituha Matauru (m50)	
Wiremu Kingi Te Kawau (102)	

Initially, a tenth person had been on the aroha list - Riripeti Piwaka (63). Notes record, however, that on 15 November 1916, the name was transferred to the Ngariki only list.

By 1917, the aroha list had changed dramatically. It had grown from nine persons to 20 persons. As noted previously, each person on the list was to receive 100 shares/acres making a total of 2,000 for this list.

Three persons, formerly identified in 1916 as included in the 1881 list through aroha, had moved off the list onto a Ngariki in 1917.

	New List
Karaitiana Ruru (107)	One of two persons on Ngariki List 23
Taituha Matauru (m50)	Only person on Ngariki List 28
Wiremu Kingi Te Kawau (102)	Only person on Ngariki List 31

This left the following six 1916 members of the aroha list remaining in 1917.

Hone Kewa (51)
Hori Mokai (116)
Kereama Tautuhi (23)
Mihaere Parehe (117)
Nepia Heta (24)
Taiuru (115)

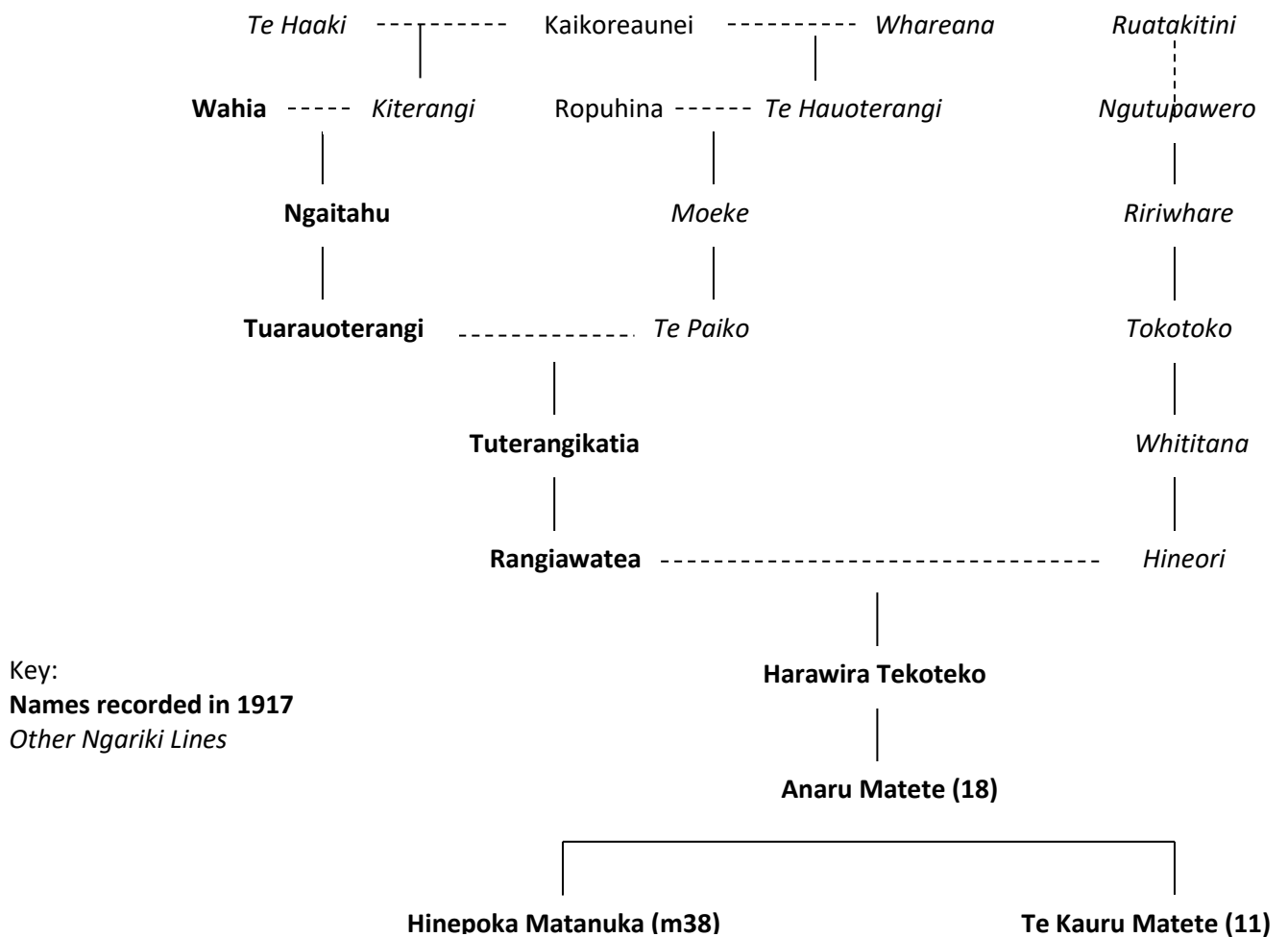
This meant that 14 new persons had been added to the aroha list in 1917. All of these formerly had been identified in 1916 as being Ngariki only.

	Notes
Ani Te Puaroa (6)	
Arapera Pere (58)	Spouse of Wi Pere (59) who was on List 1
Henare Kingi Waingaruru (22)	Spouse of Hariata Ahua (37) who was on Ngariki List 21
Huriata Haua (m26)	Child of Arona Te Raekaihau (50) who was on Wahia List 10
Matenga Ngamoki (m43)	
Paku Haua (m34)	Child of Arona Te Raekaihau (50) who was on Wahia List 10
Paora Matuakore (71)	
Patihana Mangai (74)	
Pere Haua (31)	Spouse of Maora Whekirangi (56) who was on Wahi List 10
Riripeti Piwaka (63)	
Tipene Tutaki (108)	
Tuwatawata (m61)	
Wikitoria Kanu (105)	Spouse of Nepia Heta (24) who was also on Aroha List
Wikitoria Te Amo (77)	

Wahia Lists

List 4: Anaru Matete and whanau

This list is small, accounting for just three owners. Nevertheless, the processing of the Matete list through the Land Court would be somewhat controversial. The following whakapapa was presented in support of this List.



Initially, Anaru Matete and his children were classified by the 1916 Committee as being Ngariki only. By 1917, however, they were put forward as the only members of the Wahia List No.4.

Much of the evidence produced in 1917 in relation to the claims under Anaru Matete focused on whether the whanau should be classified as Ngariki or Wahia. Himiona Katipa appeared and stated that he wished to present a case against the Matete whanau being seen as Wahia. He noted that in October 1916, the Committee was given a whakapapa showing descent of Anaru Matete from Wahia. This whakapapa began with Wahia and traced descendants down to Hinetautope. It then showed Anaru Matete as a child of Hinetautope. Katipa, who had been a member of the 1916 Committee noted that they had found the whakapapa to be incorrect and allotted Anaru Matete shares as a Ngariki.²⁵⁵

The first witness called in the case against the Matete whanau being Wahia was Mihi Hetekia, wife of conductor Rawiri Karaka. She provided evidence on whakapapa and particularly the number of children from Tuarau but, despite very short testimony, changed her comments about the number of children several times.²⁵⁶ The next witness was Rawiri Karaka who noted that he knew that the parents of Anaru Matete were Harawira (said to be of Ngariki) and Hinetautope (said to be of Whanau a Kai). He noted that the Matete whanau had come and asked him about whakapapa. He consulted an old whakapapa book that used to belong to Wi Pere but that the whakapapa for Anaru Matete was not in it. Despite not having the whakapapa, Rawiri Karaka was adamant that Anaru Matete was Ngariki.²⁵⁷

The next witness was Himiona Katipa. He agreed with Rawiri Karaka that the parents of Anaru Matete were Harawira (also known as Tekoteko) of Ngariki and Hinetautope of Whanau a Kai.

Himiona Katipa noted that he had never the seen the whakapapa being presented by the Matete whanau and suggested it was "invented" as it differed from the one presented before the 1916 Committee. He then suggested something slightly different: "The present one is built for the occasion."²⁵⁸ In response to questions from the Matete conductor Patu te Rito, Himiona Katipa insisted that he knew Ngariki whakapapa and could, as above, show how Anaru was connected to Ngariki. He added that his books were from the elders before stating that Anaru Matete "...was regarded as a leading man amongst the Ngariki."²⁵⁹

²⁵⁵ Ibid, p.153

²⁵⁶ Ibid, pp.153-4

²⁵⁷ Ibid, pp.154-5

²⁵⁸ Ibid, p.155

²⁵⁹ Ibid

When Patu te Rito opened his case in response he simply remarked “Wi Pere did not give the full wk[akapa]pa”²⁶⁰ His witness was Irite Matete, one of Anaru's daughters (but who was not an owner included in 1881). She confirmed that Anaru's parents were Harawira and Hinetautope. She also confirmed Himioana's whakapapa of Hinetautope having descended from Kai through Takonga. She then presented a different whakapapa for Harawira going upwards to Wahia through a different grandparent Rangiwatea. (See below) Having presented the whakapapa, she explained that her elders had taught her these whakapapa. When questioned by Himiona Katipa, Irite Matete explained that she had not presented this whakapapa before the 1916 Committee as she did not want to work with the Committee and was waiting for the Land Court. She also traced Anaru's Ngariki connection although this is not recorded in the minutes. A note in the minutes then records that the witness was "well versed" in Ngariki whakapapa but "indifferently" so in Wahia whakapapa.

In closing his case, Patu te Rito noted that at the meeting of a few days ago, the Matete whanau had been included in the Wahia lists and nothing had been said at the time. Himiona Katipa had only raised a late objection. He completed his address by noting that Wi Pere did not submit all the Wahia whakapapa - only those that suited his purposes.²⁶¹ Himiona Katipa responded that before the Committee the Matete whanau claimed under Ngariki and admitted they knew little of their whakapapa. They also asked Kani Pere his views and he responded that Anaru Matete “was always regarded by the people and Com[mit]tee as a Ngariki. He was a leading Ngariki.”²⁶²

The Court reserved its decision.

Later during the hearing, Wi Haronga's son Pera te Hikomate provided evidence that Anaru Matete, who had been one of the principal men conducting the 1881 Mangatu case, was given a specific piece of land within the block by Wi Pere. This was despite Hikomate's claim that neither Anaru Matete or his children or even his father ever lived on the block. Instead it was noted that Te Arai was Anaru Matete's residence.²⁶³

²⁶⁰ Ibid

²⁶¹ Ibid, p.157

²⁶² Ibid, p.158

²⁶³ Ibid, pp.161-2

This evidence was somewhat challenged by Ereti te Matete, a daughter of Anaru. She testified that although she never lived on the Mangatu block, both her father and her grandfather Harawira Tekoteko had. They had lived at Tapuaeoterangi and Pikauroa where her great grandfather Rangiwatea, Tuterangikatia's son, was buried. Ereti te Matete also explained that the whakapapa she had given to the 1916 Committee, which presumably had led to the Ngariki only classification, was not correct and that she now claiming under Wahia.²⁶⁴ This change of focus apparently worked. Whereas the 1916 Committee had awarded Anaru Matete 300 acres and his children 100 acres each, the Court awarded Anaru 400 acres and his children 200 acres each. The Judge commented that there was a difference of opinion as whether Anaru Matete's whanau belonged to Wahia or Ngariki. Although Wi Pere's 1881 whakapapa had not shown descent from Tuarauoterangi, Wi Pere had in a later case referred to Anaru Matete as being of Ngati Wahia. The Court was prepared to give Anaru Matete the benefit of the doubt as he had been a man of some importance. The Court accepted that Matete had lived on the Mangatu block in his youth, but noted that his family thereafter had not occupied the land.²⁶⁵

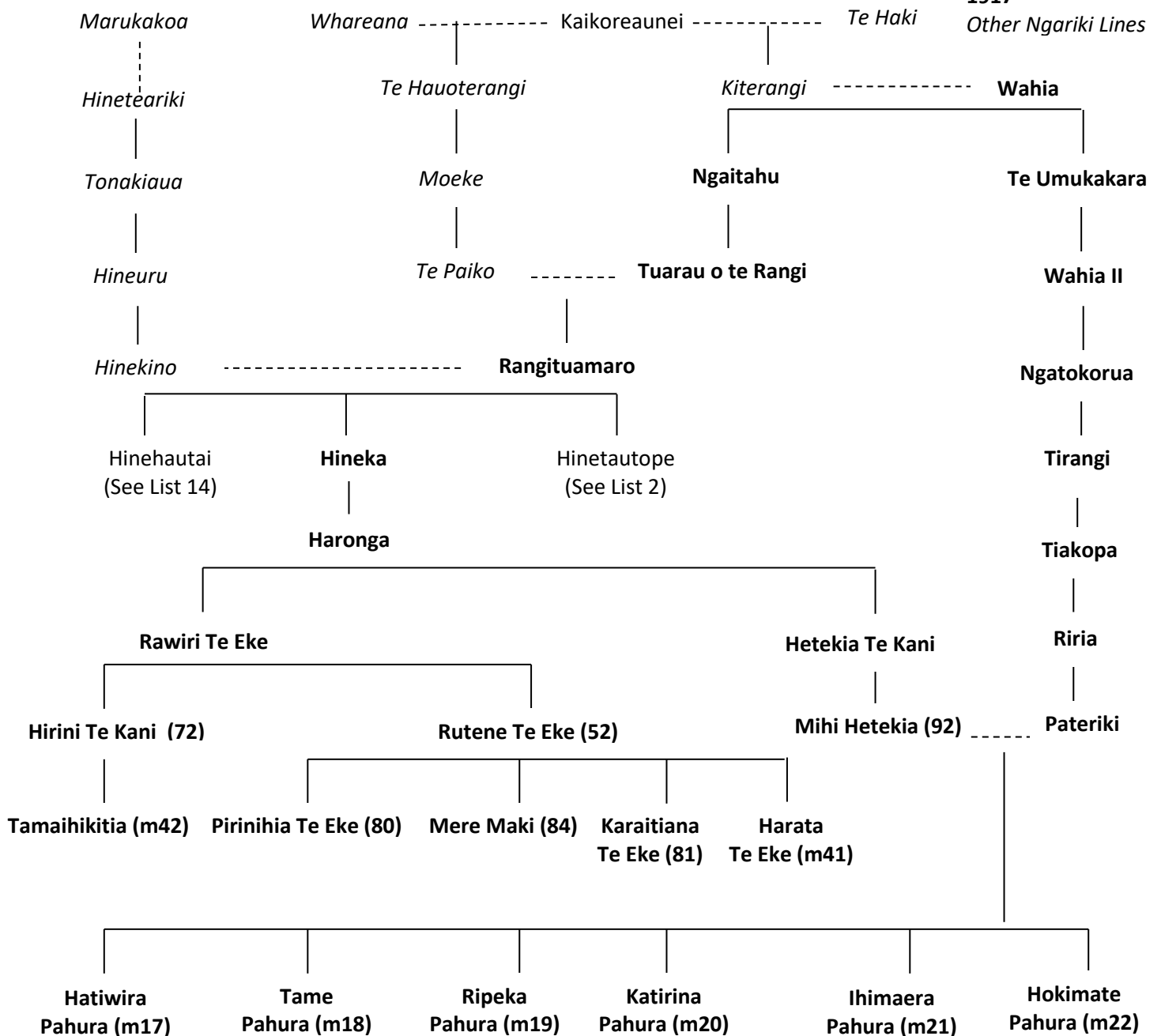
²⁶⁴ Ibid, p.162

²⁶⁵ Ibid, p.200

List 5: Te Eke and Pahura whanau

As the following whakapapa show, Wahia List 5 was made up of 14 owners from the Te Eke and Pahuru all of whom are descended from Hineka. As this is a large list, with several connecting lines, the analysis begins with the presentation of the whakapapa.

Key:
Names recorded in 1917
Other Ngariki Lines



Essentially, the lines of this whakapapa are the same as that presented for List 2 as it shows the descent from Wahia to Rangituamaro and the continuing linkages into Ngariki lines through the marriages of Tuarauoterangi and his son Rangituamaro. From the perspective of Te Whanau a Kai the relevant aspects of the whakapapa are, of course, the descent from the marriage of Kiterangi and Wahia and, again, the marriage of Tuarauoterangi to Te Paiko, Te Hauoterangi's grand daughter. As noted previously in this report, Hineka, to whom the mana held by Rangituamaro had descended, married Tamaihikitiakiterangi and moved to her husband's kainga. As a result, Rangituamaro's mana came to be held by Hineka's sister Hinetautope.

As noted in the narrative, Hineka's son Haronga features in the narratives around the Pikai fights. Firstly he is recorded as providing refuge at Pukaingakakahu at Tatapouri for those who fled the immediate Turanga district as the Pikai fights began. He also became involved in the Pikai fights and the attack of Te Matai pa. Due to his father being Tamaihikitiakiterangi, Haronga is sometimes referred in these narratives as being a chief of Te Aitanga a Hauiti. After the fight at Mapouriki, and the flight of refugees from the pa to relations they had among Rongowhakaata, the Rongowhakaata called on Te Aitanga a Hauiti to join them in an attack on Te Matai pa. Haronga was on the ope that came to fight at Te Matai. In the pa was Rangiwakataetaea and other descendants of Te Ihooterangi such as Titirangi. From his other descent lines, however, Rangiwakataetaea was a first cousin to Haronga. Not surprisingly, as previously noted, Haronga contacted Rangiwakataetaea and was involved in assisting the extraction of he and his people from the pa. At Te Matai, therefore, the descendants of Te Rangituamaro were on opposite sides. Yet both were included in the ownership list for Mangatu.

An additional feature of this whakapapa when compared to List 2, is the descent link that the Pahura whanau had through the marriage of Mihi Hetekia to Pateriki who was a direct descendant from Wahia's son Te Umukakara. Although this is a comparatively late link to note, as the whakapapa reflects, it was a link made in 1917 when whakapapa was handed in during the relative interests case. In fact two whakapapa were handed in to support List 5. One showed the descent from Wahia through Ngaitahu and the other showing the descent from Wahia, through Te Umukakara down to Pateriki to the Puharu whanau only. None of the several connections to Ngariki lines are reflected. That this is a different position than that

adopted from the 1916 Block Committee review is clear although there is evidence that even the Block Committee faced difficulties.

The Mangatu ownership for the kin group shown in List 5 begins at the level of the three grandchildren of Haronga. Although these three grandchildren have the same descent lines, there is evidence of varying treatment by the 1916 Committee. For two of the grandchildren - Hirini Te Kani and Mihi Hetekia - the Committee classified them as being both of Ngariki and Ngati Wahia. This result is not a surprise as it reflects the whakapapa presented above and is consistent with the result given for List 2 which essentially produces the same whakapapa from Rangituamaro back. Despite this consistency, the third grandchild, Rutene te Eke - the brother of Hirini Te Kani - was classified by the 1916 Committee as being Wahia only. On the face of it, there is no reason for this different classification. Possibly it reflected the desire of the whanau. Possibly it reflects an error of the Committee. Possibly it reflects how even within close kinship groups different perspectives were held when whanau were faced with having to make a choice between one descent line and another. Without information on the working of the Committee, nothing further can be said. It can be noted, however, that this apparent inconsistency is not an isolated case and that it will be seen replicated many times over across the various lists.

Even within this list, a further anomaly is immediately apparent. When it comes to the 11 great-grandchildren of Haronga, all were classified by the 1916 Committee as being Wahia only. This includes the one children of Hirini Te Kani and the six children of Mihi Hetekia. There is no apparent explanation to account for a process where the children of parents with the dual or mixed classification of Ngariki and Wahia can transcend this to become Wahia only. As inexplicable as this is in terms of whakapapa, it possibly does provide some insight into what is happening as the implications of the Mangatu case are reviewed 35 years after it was first heard.

Despite the several inconsistencies noted above, List 5 was presented before the Court sitting to hear relative interests in 1917. The case conductor Rawiri Karaka provided evidence in relation to List 5 noting that although Rawiri Te Eke had lived on the block, neither of his children Hirini Te Kani and Rutene Te Eke had. Nevertheless, some of Rutene Te Eke's children had been "born, married and buried on the block." Hirini Te Kani's child Tamahikitia was recorded as often visiting the block. Haronga's other child, Hetekia Te Kani was said to

have lived elsewhere and was buried in Gisborne. Nevertheless, the daughter Mihi Hetekia had lived on the block until 1865.²⁶⁶

In response, counsel for several of other Wahia lists, J.H. Mitchell, appeared before the Court and pointed to evidence formerly given by Wi Pere which suggested that once Hineka had married the chief Tamaihikitia, she had moved away from the block. Mitchell claimed, therefore, that none of Hineka's descendants had returned to occupy the block.²⁶⁷ Interestingly, the minutes record that Rawiri Karaka replied to Mitchell's evidence but the nature or content of the reply is not recorded.

The Court appears to have accepted Mitchell's evidence finding that Hineka's descendants had ancestral rights and that her tupuna had occupied the block. Since Hineka's time, however, "there has been little or no occupation although visits may have been made occasionally."²⁶⁸ As a result, the Court awarded the 14 members of Hineka's descent line 4000 acres. The generation of Haronga's grandchildren received the larger awards: Hirini Te Kani (700 acres), Rutene Te Eke (600 acres), Mihi Hetekia (900 acres). The next generation of owners was given 150 acres each with the exception of Tamaihikitea who was given an interest of 300 acres.²⁶⁹

²⁶⁶ Ibid, p.162

²⁶⁷ Ibid, p.163

²⁶⁸ Ibid, p.200

²⁶⁹ Ibid, p.201

List 6: Descendants of Te Amotawai & Te Whakapakihau

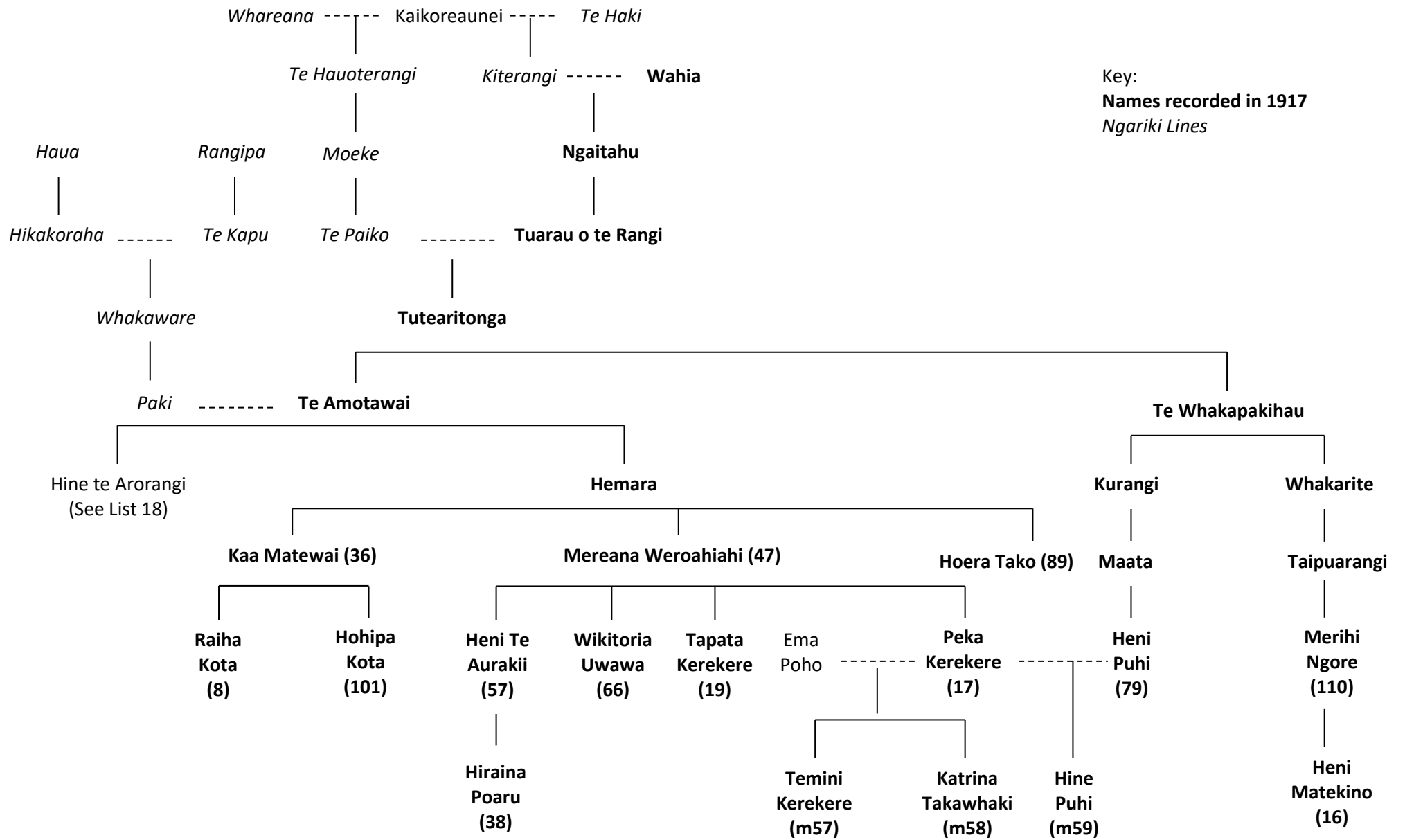
This List is one of the most significant brought forward as it involves 16 of the Mangatu owners. As shown in the whakapapa below, the list effectively reflects the descent line from two of Tutearitonga's children - Te Amotawai and Te Whakapakihau. It appears that the descent from these two is put together in one list due to the marriage of Peka Kerekere and Heni Puhi. Somewhat inexplicably, although the descendants of one of Te Amotawai's children Hemara are in this list, the descendants of Te Amotawai's other child Hine Te Aorangi were put into another Wahia List (18). The significant leader on this List is Peka Kerekere, one of the 12 trustees named for the Mangatu No.1 block in 1881.

As the whakapapa under which this list was claimed was one from Wahia through Ngaitahu and down to Tutearitonga, it shares the same connection to other Ngariki lines as those submitted in List 1. Again, from a Te Whanau a Kai perspective, this involves the union of Kiterangi and Wahia, and the marriage of their grandson Tuarauoterangi to Te Paiko, the grand daughter of Whareana and Kaikoreaunei's son Te Hauoterangi. The importance of these connections is reflected in the way in which this kin group was described when Wi Pere told the long history of the Pikai fights. As noted previously in this report, when Wi Pere, in the 1897 Rangatira case, was testifying on the negotiations of Kaumoana to encourage an attack on Rongowhakaata, he described the ancestors of Pere Kerekere as being of Te Whanau a Kai.²⁷⁰

As the following whakapapa depicts, there is a further significant connection with Ngariki descent lines shown in the union of Te Amotawai with Paki, a descendant from Haua and Rangipa of Ngariki.²⁷¹

²⁷⁰ Evidence of Wi Pere, Rangatira Title Review 1897, MLC Gisborne MBk 26, p.207

²⁷¹ As is evident, the whakapapa associated with List 6 is wide ranging. Therefore, not all descent connections as noted in 1917 have been shown on the following whakapapa. Firstly, there is another descent line from Wahia through Umukakara and down to Temini Kerekere that is not shown. Secondly, the descent line to Hini Puhi from Taipurangi also is not depicted below. Finally, not shown is a descent line of Hiraina Poaru through her father Hoera Kapuaroa and up to Tuarau II, the brother of Te Amotawai. This appears on List 12.



Key:
Names recorded in 1917
Ngariki Lines

Once again, various inconsistencies are reflected in the actions of the 1916 Committee. In the descent line of Te Whakapakahau, both of the cousins Heni Puhi and Merihi Ngore were classified as being Wahia only thereby setting aside the earliest Ngariki links. On the other hand, all of the children and grandchildren of Hemara were recorded as being both of Ngariki and Ngati Wahia. This may be some recognition of the presence of Te Paiko in the whakapapa, but it probably especially reflects Te Amotawai's marriage to Paki, a descendant from Whakaware of Ngariki.

The inconsistencies begin in the next generation. Despite her mother Merihi Ngore being classified as Wahia only, Heni Matekino is shown as both Wahia and Ngariki. Although this may suggest that her father had a Ngariki connection, other examples are more difficult to account for. As expected, two of Peka Kerekere's children - Temini Kerekere and Katrina Takawahiki - are classified as Ngariki and Wahia. Yet his other child - Hine Puhi - is classified as Wahia only thereby eschewing the Ngariki connections of Peka Kerekere. Similarly, while Peka Kerekere's sister Heni Te Auraki was also classified by the 1916 committee as being both Ngariki and Wahia, her child Hiraina Poaru was placed on the Wahia only list thereby eschewing the Ngariki connections of her mother.

During the 1917 hearing of interests, Miini Kerekere (one of the owners identified in 1881 descended from Te Amotawai) testified that prior to 1840 Hemara lived on the block at Te Hua and other places such as Te Apiti . Hemara and his wife were buried on the block at Pikauroa. His daughters Kaa Matewai and Mereana Weroahiahi lived on the block until they married. Their children subsequently visited those on the block. Hoera Tako also later returned to the block.²⁷²

In addition, Merehi Ngore (an 1881 owner descended from Whakapakahau and who was 80 years old in 1917) also provided evidence before the Court. She began by noting that she had lived on the block for a long time. Her daughter Heni Matekino also lived on the block. How her occupation began is not clear, however, as she noted that her parents or grandfather Whakarite had not lived on Mangatu. Of Heni Puhi 's children, only Karauria had lived on the block, the only child who was not an 1881 owner. On the other hand, all of Hemara's children were said to have occupied Mangatu. Their occupation had centred on the kainga Pikauroa.²⁷³

²⁷² Mangatu Relative Interests 1917, MLC Gisborne MBk 43, pp.163-4

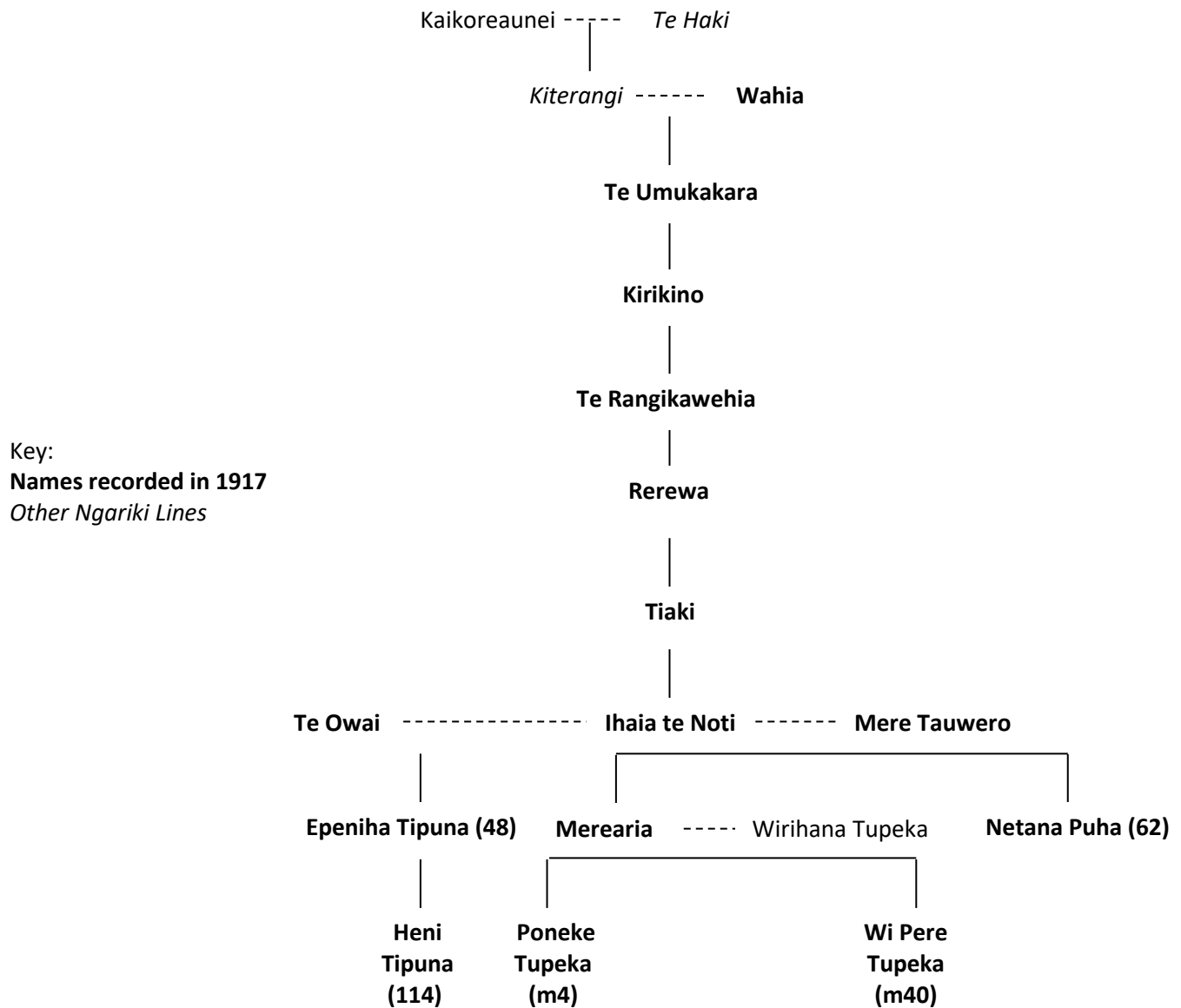
²⁷³ Ibid, p.164

The Court described the claim of this whanau as "fairly strong" nothing that it was occupied all the way down to the time of Mereana Weroahiahi and her generation. As a group 8000 acres was awarded. The elder generation received 800 or 900 acres each with subsequent generation awards ranging from 250 to 600 acres.²⁷⁴

²⁷⁴ Ibid, p.201

List 7: Tipuna & Tupeka whanau

Wahia List 7 apparently was compiled to encapsulate the five Mangatu owners who are the children and grandchildren of Ihaia te Noti from both of his marriages.



As depicted in the above whakapapa, the descent line for this List produced in 1917 was from Wahia through Te Umukakara and down to Ihaia te Noti. From a Te Whanau a Kai perspective, the main connection for this List is the original union of Kiterangi and Wahia. Research conducted to date has not identified other Ngariki lines associated with this List.

This makes the actions of the 1916 Committee again inexplicable. Epeniha Tipuna is classified as Ngariki and Wahia. This might suggest that her mother was Ngariki. It does not explain, however, why the Committee eschewed the Ngariki connection and classified Epeniha's daughter Heni Tipuna as Wahia only. Another anomaly is shown regarding the children of Merearia. Wi Pere Tupeka is classified at one time as being Ngariki and Wahia while his sibling Poneke Tupeka is classified as Wahia only.

When this List was presented, no witnesses appeared in support. The case conductor W. Pitt, however, drew attention to references in the Mangatu where the story of Ihaia Te Noti, and his escape from captivity to warn the people of Turanga of an impending attack by Whakatohea, was told by Wi Pere. Pitt added that nearly all of Te Noti's family were buried at Mangatu and that Wi Pere had admitted his occupation. Himiona Katipa appeared and noted the role that Ihaia Te Noti had played in warning against the attack. Case conductor J.H. Mitchell, however, objected noting that just previously this whanau had tried to claim into Mangatu through Whanau a Taupara connections. In addition, in the Rangatira case there was record of Wi Pere specifically noting that Heni Tipuna had no right under Wahia.²⁷⁵

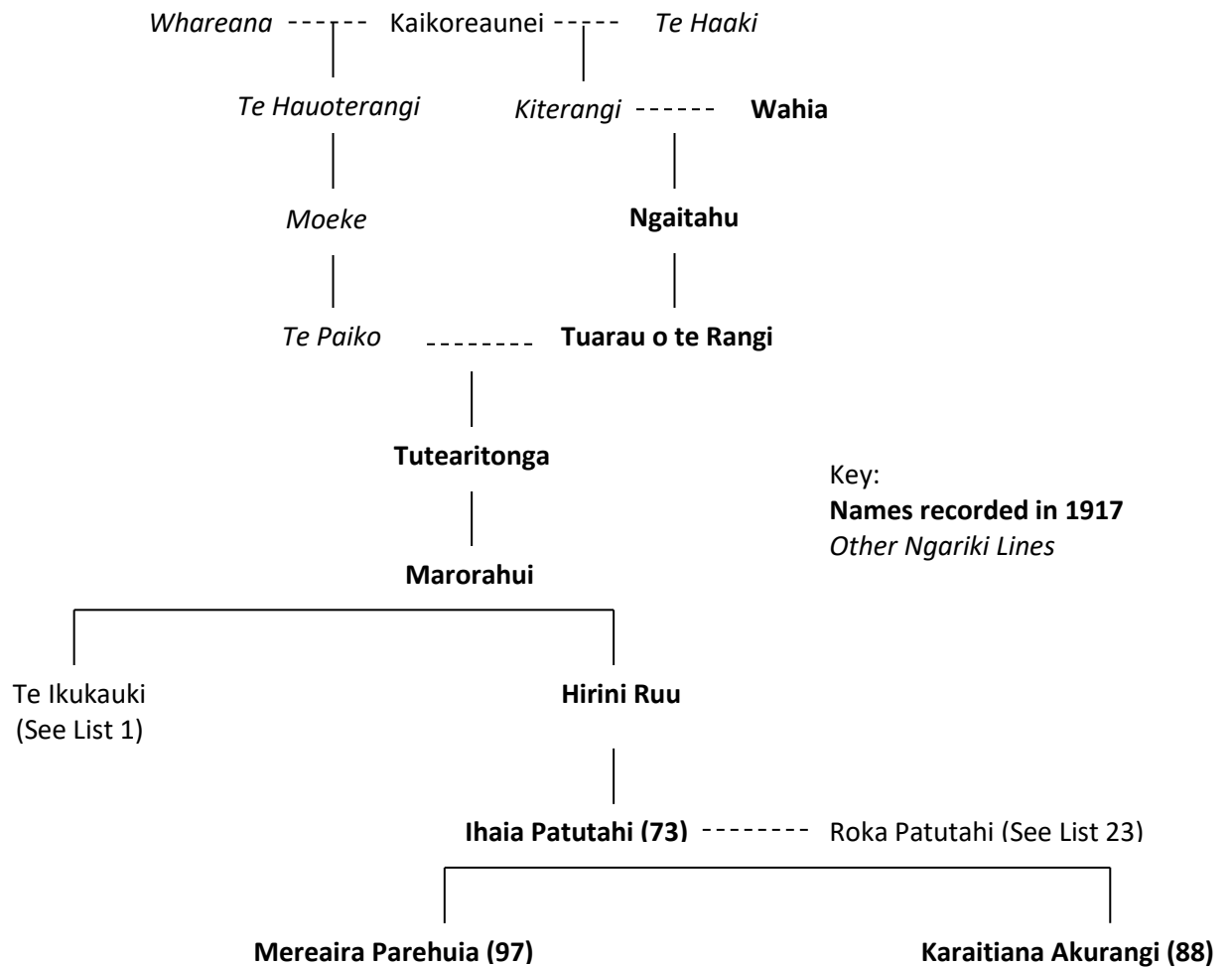
Considering this evidence the Court found that Ihaia did occupy the block and that Wi Pere had acknowledged him to be a man of "some importance and standing". Although the evidence raised by Mitchell was acknowledged, the Court pointed to Ihaia's "signal service" in warning of an impending attack. It was noted that the 1916 Committee had recommended to give this whanau an award of 1500 acres. The Court proposed 2400 acres. Heni Tipuna was to receive the lowest share of 200 acres. The others were given either 500 or 600 acres each.²⁷⁶

²⁷⁵ Ibid, p.165

²⁷⁶ Ibid, p.202

List 8: Patutahi whanau

This is a small Wahia List with only 3 owners attached to it - Ihaia Patutahi and his two children. Ihaia's wife Roka Patutahi was also an owner, but was part of a separate Ngariki list.



The descent line from Wahia to Marorahui is the same as List 1 - that of Wi Pere. Therefore, the early Ngariki lines associated with this list are the same and, from a Te Whanau a Kai perspective, they consist of the union of Kiterangi and Wahia and the marriage of Te Hauoterangi's grand daughter Te Paiko to Wahia's grandson Tuarauoterangi. Clearly Marorahui's descendants maintained the practice of marrying into other Ngariki lines with the daughter Te Ikukauki marrying Te Ihooterangi's grandson Piere and the grandson Ihaia Patutahi marrying Roka who also was of Ngariki.

Marorahui's descendants through Hirini Ruu were variously categorised by the 1916 Committee which again revealed some inconsistency. Ihaia Patutahi and Mereaira Parehuia were recorded as Wahia only. Despite the early links to other Ngariki lines, the whakapapa presented was one that placed emphasis only on descent from Wahia. On the other hand, Ihaia's other child, Karaitiana Akurangi, was recorded by the 1916 Committee as being both of Ngariki and Wahia. While Ihaia Patutahi's wife Roka was Ngariki, and this might account for the dual classification, this still does not explain why one child (Karaitiana) would be both Ngariki and Wahia and the other child (Mereaira) Wahia only.²⁷⁷

At the 1917 hearing into relative interests, legal counsel Pitt noted that this whanau had "some occupation" and then pointed out their close relations to others such as Wi Pere (List 1) and Matenga Taihuka (List 11). This address drew a response from fellow conductor Himiona Katipa who claimed that there was no evidence to show recent occupation for the Patutahi whanau whereas the Taihuka whanau had "good rights and good occupation".²⁷⁸

The Court agreed that the whanau in terms of ancestral rights was "well connected" and noted that their elders would have resided on the block. The lack of recent occupation also was pointed to, however. The interests given, therefore, totalled 1600 acres with Ihaia Patutahi receiving an award of 800 and his children 400 acres each.²⁷⁹

²⁷⁷ Ibid, p.181

²⁷⁸ Ibid, p.165

²⁷⁹ Ibid, p.202

There are a number of points to be made. Firstly, the names in bold on the above whakapapa represent the names recorded on the whakapapa handed in in support of this List. The above whakapapa also records the names of Turimu's husband Te Hikuoterangi and Te Hau's wife Hinemanu. Te Hikuoterangi and Hinemanu are both from Ngariki lines, the former being a direct descendant of Whareana and Kaikoreunei. Furthermore, another whakapapa is presented among those put in 1917 which shows descent from Whareana and Kaikoreunei down to Te Hikuoterangi and then indicating the that lines continued on from Hera Tauranga and Raharuhi Haua.

Of greater significance is the lack of reference in the above whakapapa that was handed in to the brother of Hera Tauranga and Raharuhi Haua whose name was Titirangi.²⁸⁰ Two of Titirangi's grandchildren become owners in Mangatu. They feature as the only two members of Wahia List 20 with the supporting whakapapa tracing descent up through their grandmother Te Kauna. (see below) Thus Titirangi does not feature. Yet Titirangi features in Wi Pere's narratives of the Pikai fights, primarily in relation to the attack on Matai pa by Rongowhakaata and Aitanga a Hauiti. Within the pa were Rangiwahakataetaea, the cousin of Titirangi, and other descendants of Te Ihooterangi such as Titirangi. The association made is with that side of the whakapapa.

This List also created inconsistencies in classification by the 1916 Block Committee. Firstly, it is important to note that the owners descended from Titirangi on List 20 were classified purely as Ngariki only. As noted, Titirangi is not shown on the whakapapa and clearly the Wahia connections of Titirangi's mother Turimu are not taken into account. Secondly, whereas Titirangi's grandchildren are Ngariki only, the descendants of his siblings are mostly noted as being of Ngariki and Wahia due, presumably, to the links of their mother Turimu.

There two other anomalies. In 1916, Wi Te Ngira, was classified as being Ngariki only. Although the Ngariki connection was clearly through his great grandmother Hinemanu, this ignores his great grandfather's direct descent from Wahia. The other anomaly relates to Peneti Hira who, in 1916, was classified as Ngariki only, despite her uncles, aunts and cousins all being classified as Ngariki and Wahia.

²⁸⁰ To view the link see WAI-814 I19(h) [p.9]

It was noted at the 1917 hearing that Hera Tauanga and her descendants lived at Waerengaohika.²⁸¹ Later in the hearing, Kani te Pere noted that although Erena Whakamiha did not live on Mangatu, Hoera Whakamiha had lived at the same place as Riria Mauaranui, Wi Pere's mother. Hoera Whakamiha had been killed at Matawhero.²⁸² Ka te Hane and her children were recorded as not having lived on the block. Raharuhi Haua had married Hariata Taputapu, who was said to be of Ngariki, a granddaughter of Korotapapa and who was said to have caught eels on Mangatu No.1. It was not known whether Raharuhi Haua had lived on Mangatu No.1. Although all of his children and grandchildren were included as owners, only Mere Hake and her children were said to have lived on the block. In fact Mere Hake's children were still in occupation in 1917. In addition, Rawiri Haua had lived on Mangatu No.1 but had moved away. Also Heni Haua, and her son Peneti Hira also had lived on Mangatu No.1. Wi Te Ngira was said to have lived on the Waipaoa block.²⁸³

The difference of opinion over the affiliation of the kinship group shown on List 9 became evident during the 1917 hearing when the conductor for the Wahia only lists, Mitchell, claimed that the people of List 9 should be among the Ngariki only lists. In response Himiona Katipa insisted that they were both Ngariki and Wahia although he did not explain why. His meaning is shown in the above whakapapa.²⁸⁴

When the Court came to consider the interests in Mangatu held by this descent group in List 9, it was acknowledged that their elders had occupied Mangatu. Whereas some from the group still occupied Mangatu (Mere Hake, Rawinia Haua, Pene te Hira), for the others occupation was described as "indifferent and casual." The judge also noted that although it had been claimed that Wi Te Ngira was a brother of Te Amaru, Court records did not confirm this. Despite the comments on occupation, as a descent group, the ten persons were awarded 6,600 acres within Mangatu with individual interests variously ranging from 400 to 900 acres each. The elder generation were awarded 900 acres each. There was no differentiation between Mere Hake, who had been said to occupy the block, and Ka te Hane who had not.²⁸⁵

²⁸¹ Mangatu Relative Interests 1917, MLC Gisborne MBk 43, pp.166-7

²⁸² Ibid, pp.180

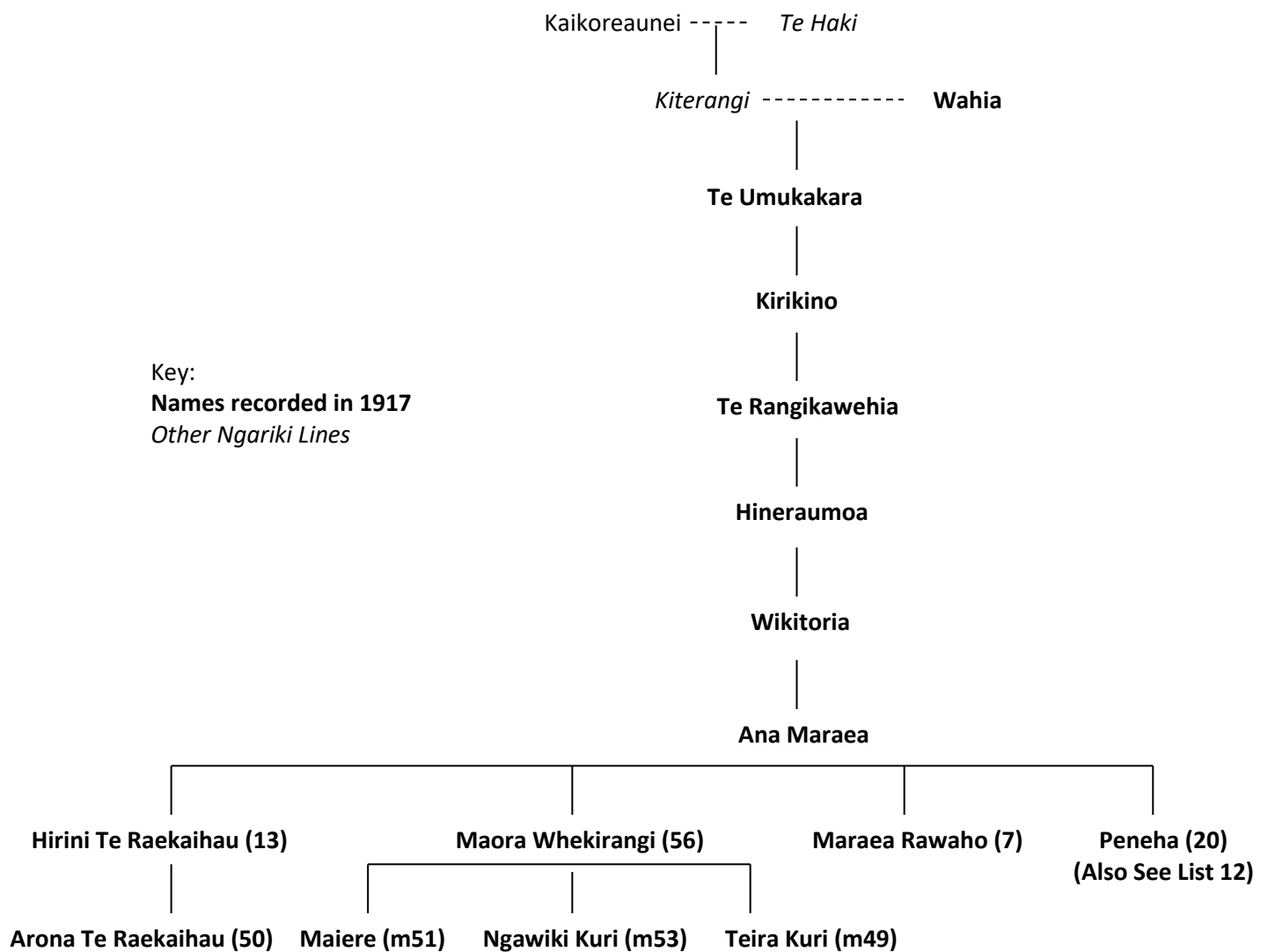
²⁸³ Ibid, pp.166-7

²⁸⁴ Ibid, p.167

²⁸⁵ Ibid, p.203

List 10: Descendants of Ana Maraea

Wahia List 10 was compiled around the children and grandchildren of Ana Maraea which account for eight owners on the Mangatu No.1 block. The following whakapapa was submitted in support of this List.²⁸⁶



²⁸⁶ The whakapapa supporting this List also records the spouses of Wikitoria and Ana Maraea but does not indicate their origins. Research to date has not discovered these origins either. Furthermore, there is differences between the children of Maora Whekirangi as shown above and those depicted on List 29 to a difference husband. To view the difference see WAI0814 I19(h) [p.7] Despite this difference, the whakapapa shown for this List has been adhered to, as this was the way in which these owners were processed through the Court.

As depicted in the above whakapapa, the descent line for this List produced in 1917 was from Wahia through Te Umukakara and down to Ana Maraea. From a Te Whanau a Kai perspective, the main connection for this List is the original union of Kiterangi and Wahia. Research conducted to date has not identified other Ngariki lines associated with this List.

Nevertheless, the usual anomalies with the 1916 Block Committee's are evident. Firstly, among Ana Maraea's children, three are classified as Wahia only while Hirini Te Raekaihau was classified as being both Ngariki and Wahia. The only logical thing to account for this is of Hirini had a different father than the other siblings but there is no evidence of this. It is more likely to be yet another example of the 1916 Block Committee struggles with classification.

The next anomaly occurs at the level of Ana Maraea's grand children. Arona Te Taekaihau is listed as Ngariki and Wahi, Maiere as Wahia only and Ngawiki and Teira Kuri, although initially classified as Wahia, were finally classified as Ngariki only.

Before the 1917 Court, case conductor provided evidence on List 10. Those who lived on the block were Wikitoria, Ana Maraea, Hirini Te Raekaihau and Peneha. Maora Whekirangi and her children did not live on the block. Nor did Maraea Rawaho who instead lived nearby.²⁸⁷

When this List was considered by the Court, the judge noted that the genealogy was not disputed and that some members lived on Mangatu "for a time." As a group the whanau was awarded 3,600 acres. Ana Maraea's children received 800 acres, for those in occupation or 5-600 acres for those that were not. The grandchildren received grants of 2-300 acres each.²⁸⁸

Subsequently, in 1921, the evidence given over the occupation of List 10 members was complained of by one of its members, Peneha Tamaihoka, who testified instead to the "good occupation" of his whanau.²⁸⁹

²⁸⁷ Mangatu Relative Interests 1917, MLC Gisborne MBk 43, p.167

²⁸⁸ Ibid, p.204

²⁸⁹ Peneha Tamaihoka, Mangatu 1921, MLC Gisborne MBk 46, p.174

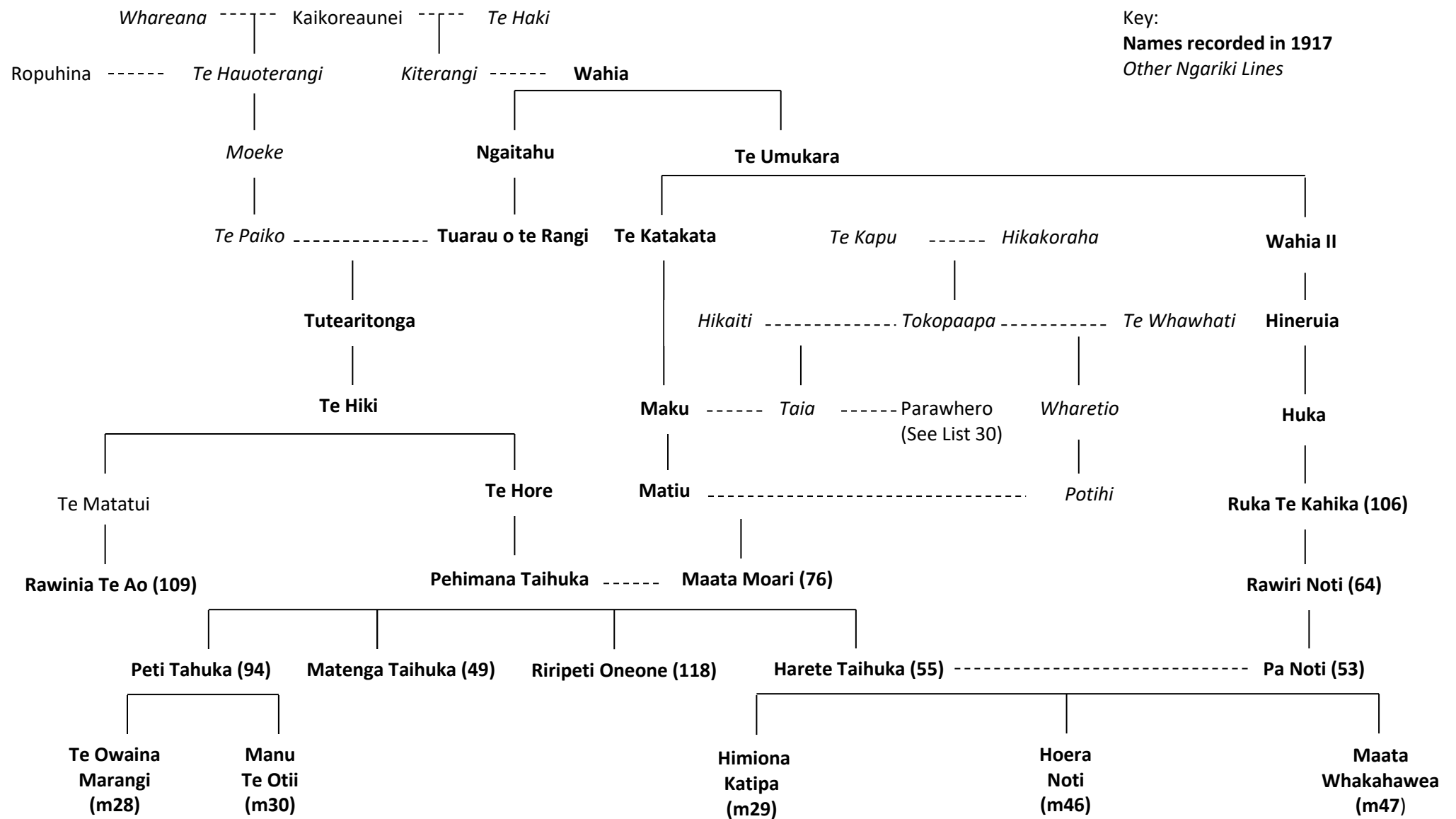
List 11: Descendants of Te Hiki

This is another significant List which account for 14 of the Mangatu No.1 owners. The main theme of this list is descent from Wahia through Te Hiki which account for 10 of the 14 owners. As the following whakapapa that was presented to support the List shows, by including the spouses of Pehimana Taihuka and Harete Taihuka, two further descent lines to Wahia through his son Te Umukara and grandsons Te Katakata and Wahia II can be included.

As indicated by the names in bold in the following whakapapa, only the Wahia descent lines were brought forward in support when this List was presented to the Court in 1917. Yet the presence of other Ngariki connections are evident.

As the whakapapa under which this list was claimed was one from Wahia through Ngaitahu and down to Tutearitonga, it shares the same connection to other Ngariki lines as those submitted in List 1. Again, from a Te Whanau a Kai perspective, this involves the union of Kiterangi and Wahia, and the marriage of their grandson Tuarauoterangi to Te Paiko, the grand daughter of Whareana and Kaikoreaunei's son Te Hauoterangi. The importance of these connections is reflected in the way in which this kin group was described when Wi Pere told the long history of the Pikai fights. In this narrative, the Pikai fights escalate when Pikai is killed by men under Te Hiki's command and an attack is soon made on Te Hiki in Mapouriki pa. In all early accounts of this attack, Te Hiki and those within the Mapouriki were always labelled as Te Whanau a Kai reflecting the connection to Te Hiki to his tipuna as depicted in the whakapapa below.

A further connection to Ngariki descent lines is shown in the whakapapa below by te descendants of Wahia through Te Umukara and Te Katakata with several successive generations marrying descendants of the Ngariki tipuna Tokopapa.



Key:
Names recorded in 1917
Other Ngāriki Lines

When examining the classification exercise of the 1916 Committee, there is some consistency. The three generations from Huka are identified as Wahia only eschewing the early Ngariki connections with Whareana and Te Haaki's descendants. This applies also to Te Hiki's grand daughter Rawinia te Ao. The children and grandchildren of Mata Moari and Pehimana Taihuka, however, were classified as being both Ngariki and Wahia presumably due to their connections to the descendants of Tokopapa.

During the 1917 hearing of interests, Himiona Katipa noted Maata Moari's whanau always had good occupation on the block and that all of her children had maintained this occupation prior to 1840. Since 1860, the occupation of Pa Noti had not been as good although connections remained with Himiona Katipa recording one of his children was buried at Mangatu. A challenge arose, however, that this descent line really was Ngariki only and awards should reflect this.²⁹⁰

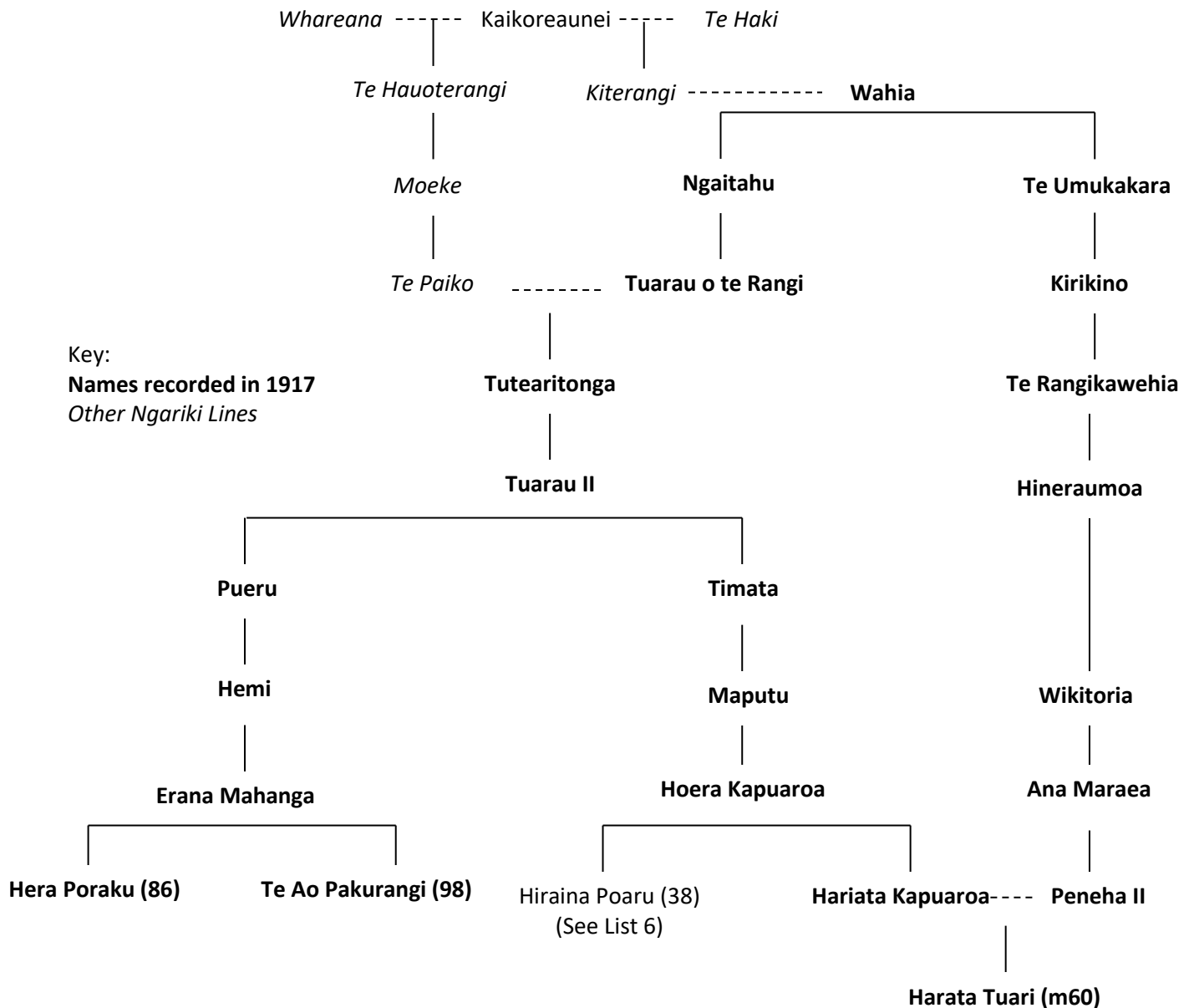
Pointing to the whakapapa, the Court did not accept this assertion. Noting that the whanau had good occupation, the Court awarded 8000 acres to the group 1000 acres each to the children of Maata Moari and Pehimana Taihuka, and 400 acres to the next generation. Rawinia te Ao, however, was awarded 250 acres only.²⁹¹

²⁹⁰ Mangatu Relative Interests 1917, MLC Gisborne MBk 43, pp.167-8

²⁹¹ Ibid, p.204

List 12: Descendants of Tuarau II

This is a small List accounting for just 3 Mangatu No.1 owners. The following whakapapa shows the descent put forward in support of the list.



Not shown in these whakapapa is the connection of Hiraina Poaru up to Wahia through the tipuna Te Amotawai. This is because this was shown in List 6. Why the decision was made to make Hiraina Poaru part of List 6 and her niece Harata Tuari part of List 12 is not clear.

As depicted in the above whakapapa, the descent lines for this List produced in 1917 were from Wahia - one through Ngaitahu and the other through Te Umukakara. In the case of latter list its influence is very late coming into play through the marriage of Hariata Kapuaroa and Peneha. Nevertheless, it was part of the whakapapa produced in support of List 12.

As the whakapapa under which this list was claimed was one from Wahia through Ngaitahu and down to Tutearitonga, it shares the same early connection to other Ngariki lines produced previously, Again, from a Te Whanau a Kai perspective, this involves the union of Kiterangi and Wahia, and the marriage of their grandson Tuarauoterangi to Te Paiko, the grand daughter of Whareana and Kaikoreaunei's son Te Hauoterangi Research conducted to date has not identified other Ngariki lines associated with this List.

Not surprisingly, the 1916 Committee classified all owners from this descent line as being Wahia only. Surprisingly, there were no apparent anomalies in the Committee's work.

During the 1917 hearing of interests, Himiona Katipa explained that the line from Hoera Kapuaroa right down to Harata Tuari occupied on the block and that Hoera had participated in some of the fighting that took place. In addition, the line from Wikitoria to Peneha also occupied the land. On the other hand, the line from Erana Mahanga and children did not occupy the block and had an ancestral right only.²⁹²

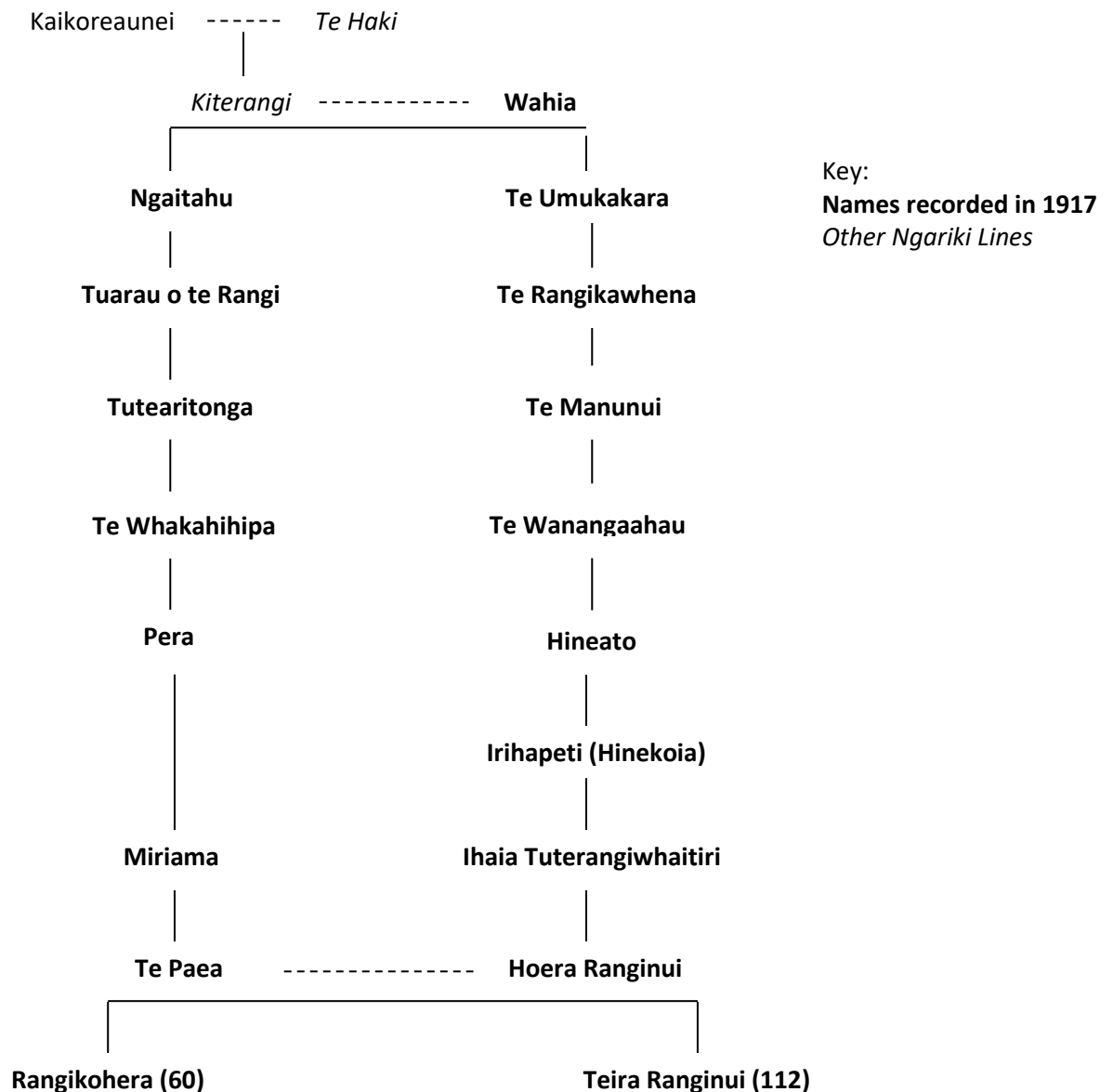
The Court noted the ancestral right of these owners and noted a 'fair' level of occupation of Harata Tuari through her father Peneha although there had been no occupation in recent years. Despite having personally occupied at some time, the award for Harata Tuari, at 500 acres, was only a bit larger than the 400-acres award each received by Hera Poraki and Te Aopakurangi who had no occupation.²⁹³

²⁹² Ibid, p.169

²⁹³ Ibid, p.205

List 13: Ranginui whanau

A very small list accounting for just two owners of Mangatu No.1 During the 1917 hearing the following whakapapa was submitted in support of this list.



As the whakapapa under which this list was claimed was one from Wahia through Ngaitahu and down to Tutearitonga, it again would have the early connection of Kiterangi and Wahia and

Tuarauoterangi and Te Paiko. Research conducted to date has not identified other Ngariki lines associated with this List.

There is some mystery in relation to the above whakapapa. When the 1916 Committee classified the two owners associated with this List, both were declared to be Ngariki only - an odd result given the above whakapapa. One possible explanation for this is that there is whakapapa available, produced before the Tribunal, that suggests that instead of Tutearitonga, the father of Whakahihipa was Pirere. The connections of Pirere, however, are not further known at this stage so it still does not necessarily establish a Ngariki connection.²⁹⁴

When the List was heard in 1917, it was noted that Teira Ranginui did not occupy Mangatu. Nor did Te Paea, or Hoera Ranginui or Miriama. It was thought that Ihaia Tuterangiwhaitiri did.²⁹⁵

The Court noted this evidence and referred to an ancestral rights as well as "remote occupancy rights." As a result, both owners on this List received an award of 400 acres each.²⁹⁶

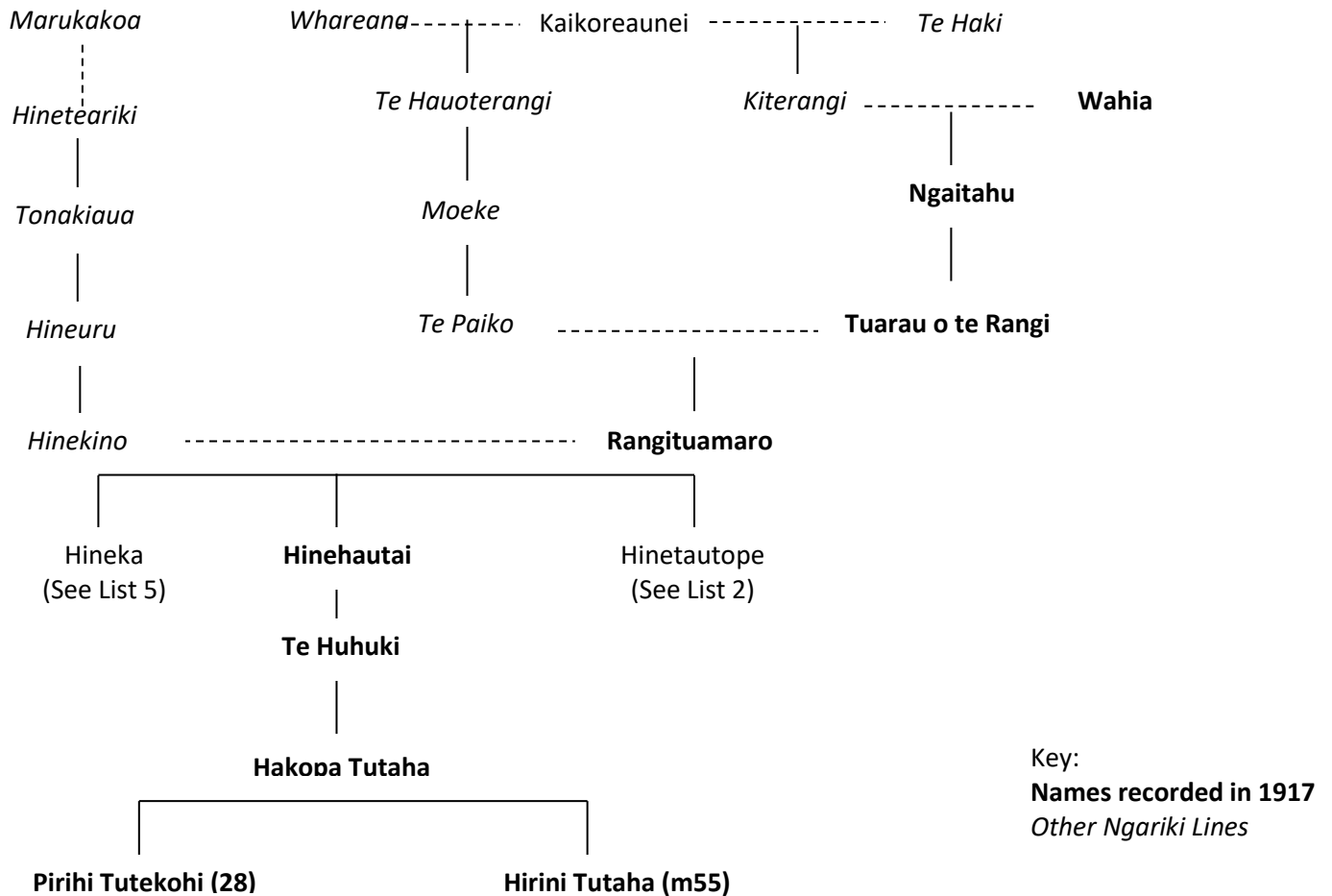
²⁹⁴ To view the link see WAI-814 I19(h) [p.4]

²⁹⁵ Mangatu Relative Interests 1917, MLC Gisborne MBk 43, pp.169-70

²⁹⁶ Ibid, p.205

List 14: Hinehautai's Descendants

Another small List accounting for just two owners of Mangatu No.1. In 1917, the following whakapapa was submitted in support of this List.



As indicated by the names in bold, the whakapapa line supporting this List recorded the direct descent line from Wahia, through Ngaitahu and Rangituamaro, down to the descendants of Hinehautai. Shown in the above whakapapa, are the links to two other of Rangituamaro's daughters.

Also shown, are known connections to other Ngariki lines. From a Te Whanau a Kai perspective, in addition to the union of Kiterangi and Wahia, the other significant later connection is the marriage of Tuarauoterangi to Te Paiko, the grand daughter of Te

Hauoterangi. A further significant Ngariki connection is the marriage of Tuarauoterangi's son Rangituamaro to Hinekino - a direct descendant of Putahi's grandchild Marukakoa.

The 1916 Committee classified both of Hinehautai's grandchildren as being of Ngariki and Wahia reflecting either the Ngariki connection through Hinekino or Te Paiko.

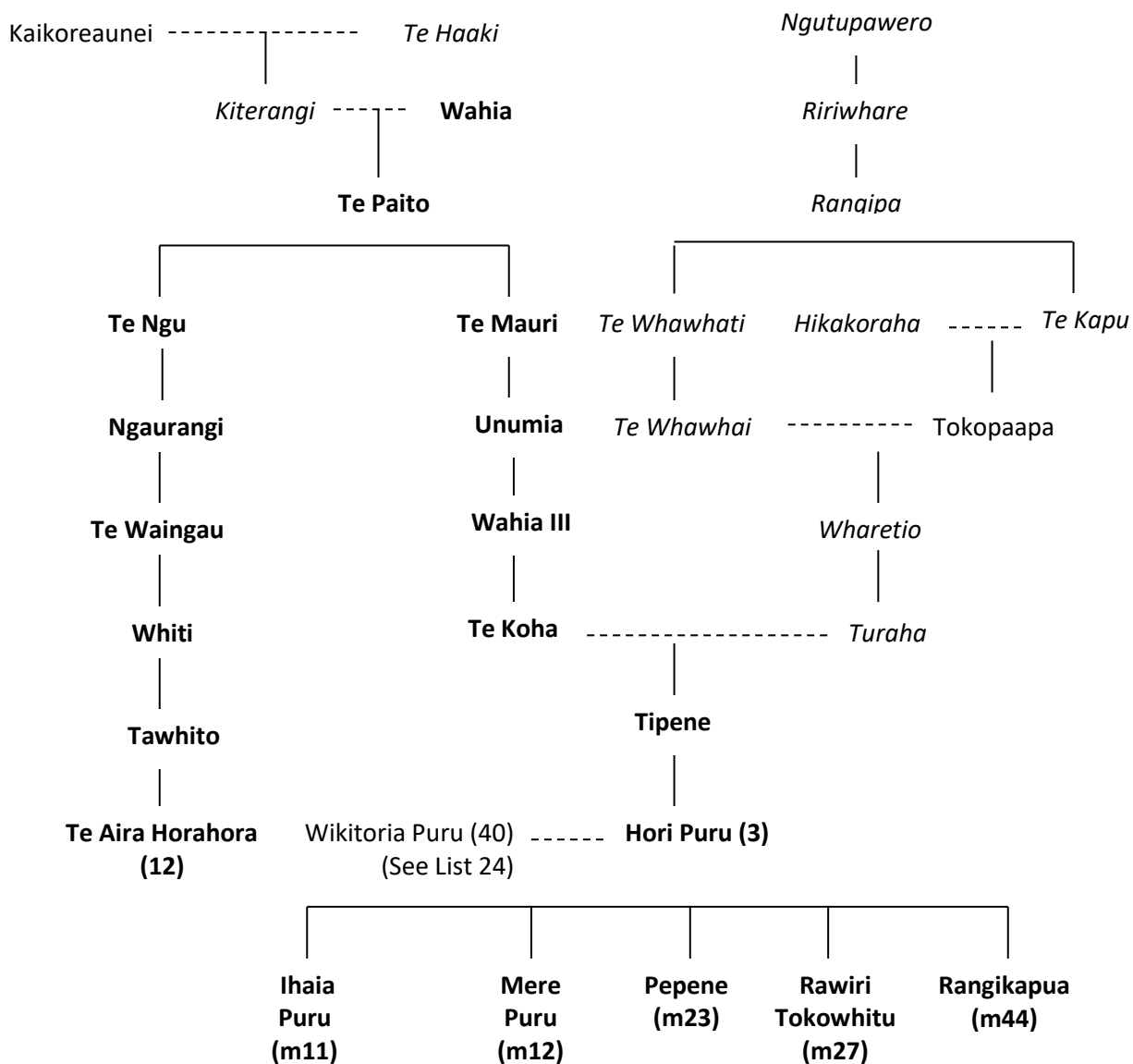
At the 1917 hearing of interests, no evidence of occupation was presented. Instead, counsel Mitchell appears to note that the siblings had a "good ancestral right" and he claimed their occupation was not disputed. He also noted that the Block Committee had recommended an award of 1000 acres each. On the other hand, fellow conductor Himiona Katipa suggested that there were others more deserving of larger awards.²⁹⁷

The Court acknowledged the ancestry of the siblings but described their occupation as "unsatisfactory" when awards were being considered. They were both acknowledged as "men of standing". In addition, it was noted that they had obtained interests in adjoining lands. As a result, Pirihi Tutekohi was awarded 834 acres while Hirini Tutaha was awarded 833 acres.²⁹⁸

²⁹⁷ Ibid, p.170

²⁹⁸ Ibid, p.205

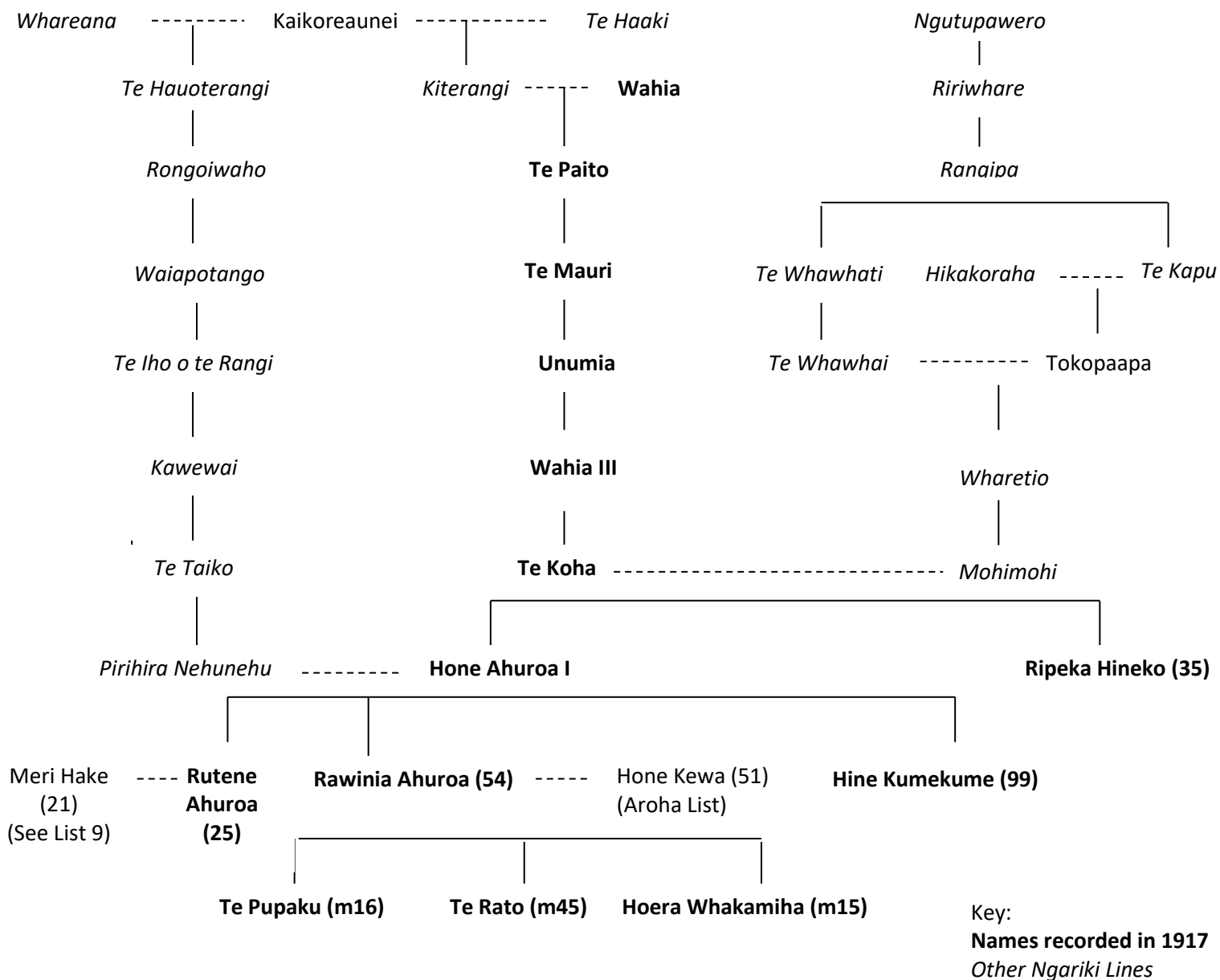
List 15: *Puru Whanau*



Key:
Names recorded in 1917
Other Ngariki Lines

List 16: Ahuroa Whanau

The Ahuroa whanau on this List represents a group of seven owners in Mangatu No.1. As indicated in the following whakapapa, the descent line put forward in 1917 in support of this List was one descended from Wahia through Te Paito and down to Te Koha.



The above whakapapa also shows that there were two Ngariki descent lines associated with the List. One of these lines is a direct line from Te Whanau a Kai tipuna Whareana down through Te Ihooterangi.

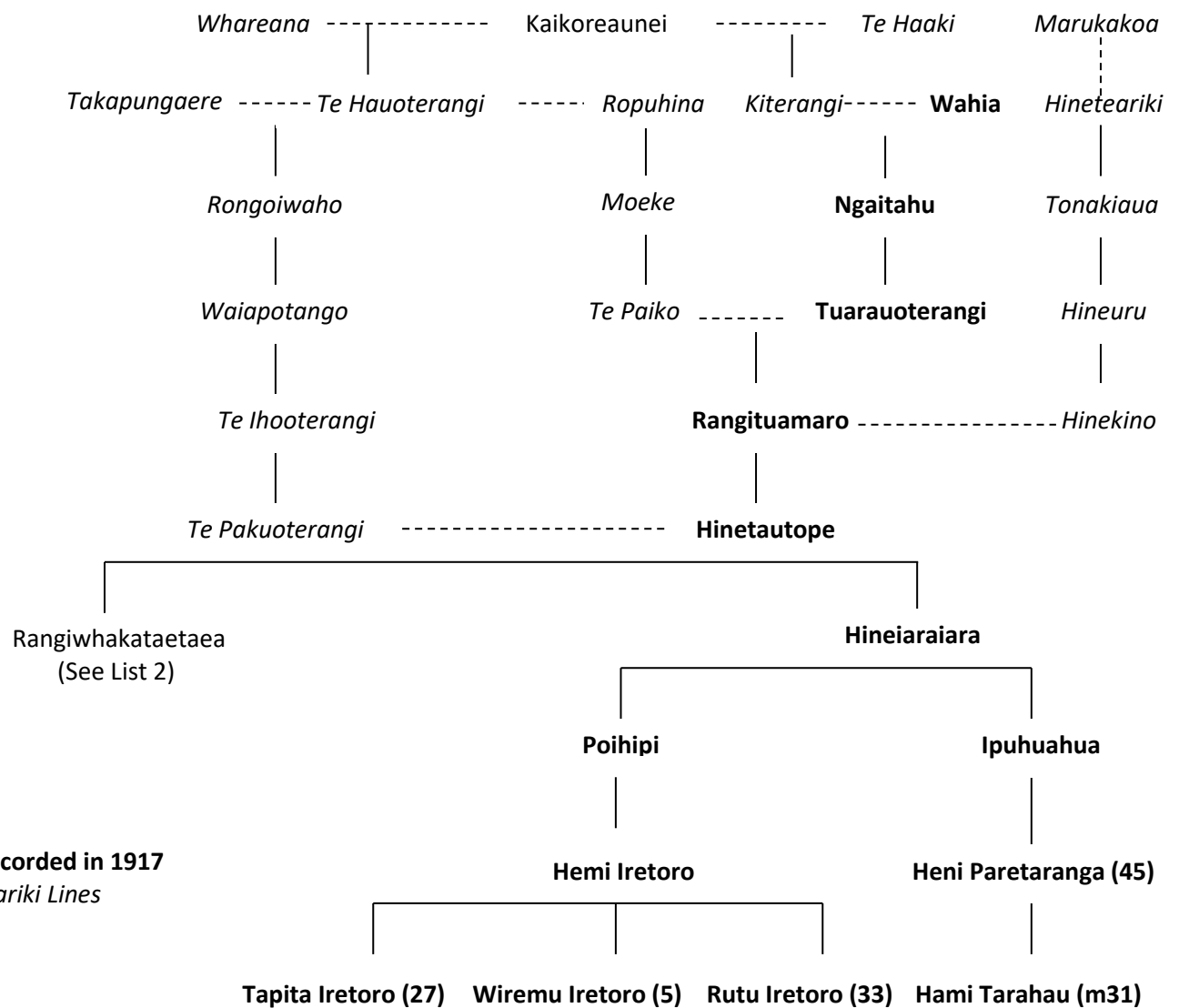
When the members of this kin group were classified by the Block Committee in 1916, all but one - Ripeka Hineko - were recorded as being Ngariki and Wahia. Looking at the descent lines for Ripeka Hineko, her Wahia only status given by the Block Committee eschews the Ngariki line of her mother Mohimohi. On the other hand, this also means that the Ngariki line recognised by the Block Committee, is Pirihira Nehunehu's Te Whanau a Kai descent line.

The evidence given in 1917 for this List has not been found by research conducted to date. Nevertheless, the Court's findings have. The judge simply noted that those on this List had a good ancestral right and "undisputed occupation." The seven persons on the List collectively were awarded 5,200 acres each. The senior generation received awards of 900 or 1000 acres. The younger generation 500 acres each.²⁹⁹

²⁹⁹ Ibid, 206

List 17: Hineiaraiara's Descendants

Despite this being presented as a distinct List, from the perspective of descent lines, this List mirrors that presented in List 2 which documents descendants down through Rangiwahakataetaea where this List includes the descendants from his sister Hineiaraiara.



As for the descendants from Hineiaraiara, despite the same parentage as Rangiwhakataetaea, 1916 Committee classified this whanau as being Wahia only, for four of the owners, with Hami Tarahau being classified as Ngariki and Wahia.

At the hearing, Kaupa Taua, the conductor for this list, noted that the people on this list lived in common on the block and the elders, presumably, took part in the fights that had occurred. He added that the 1916 Block Committee had awarded Rutu Ireto 2000 acres and the others 1000 acres each. It was also noted that the Ireto whanau had stood out of other blocks so as to get their shares in Mangatu No.1.³⁰⁰

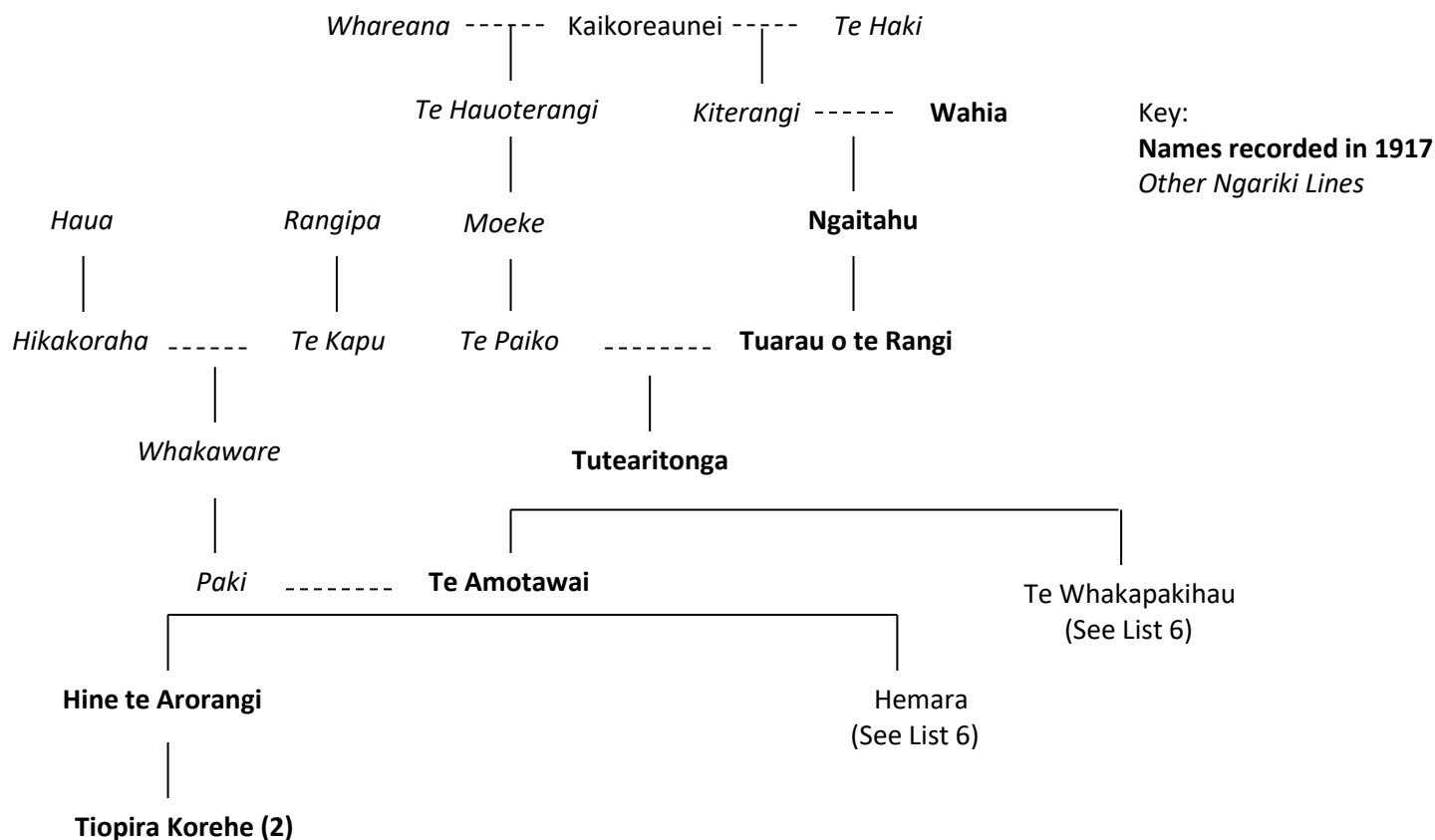
In making a finding, the Court agreed that the descendants of Hineiaraiara had good rights including occupation. The members on the list were awarded 1,000 acres each to reach a total of 5,000 acres.³⁰¹

³⁰⁰ Ibid, p.172

³⁰¹ Ibid, p.207

List 18: Tiopere Korehe

This single person list was supported by the following whakapapa.³⁰²



In 1916, Tiopira Korehe had been classified by the Block Committee as being of Wahia only.

In 1917, Himiona Katipa provided evidence for Tiopere Korehe which noted that although his elders occupied the land, Tiopira himself did not.³⁰³ Tiopere Korehe's ancestral claim resulted in an award of 833 acres.³⁰⁴

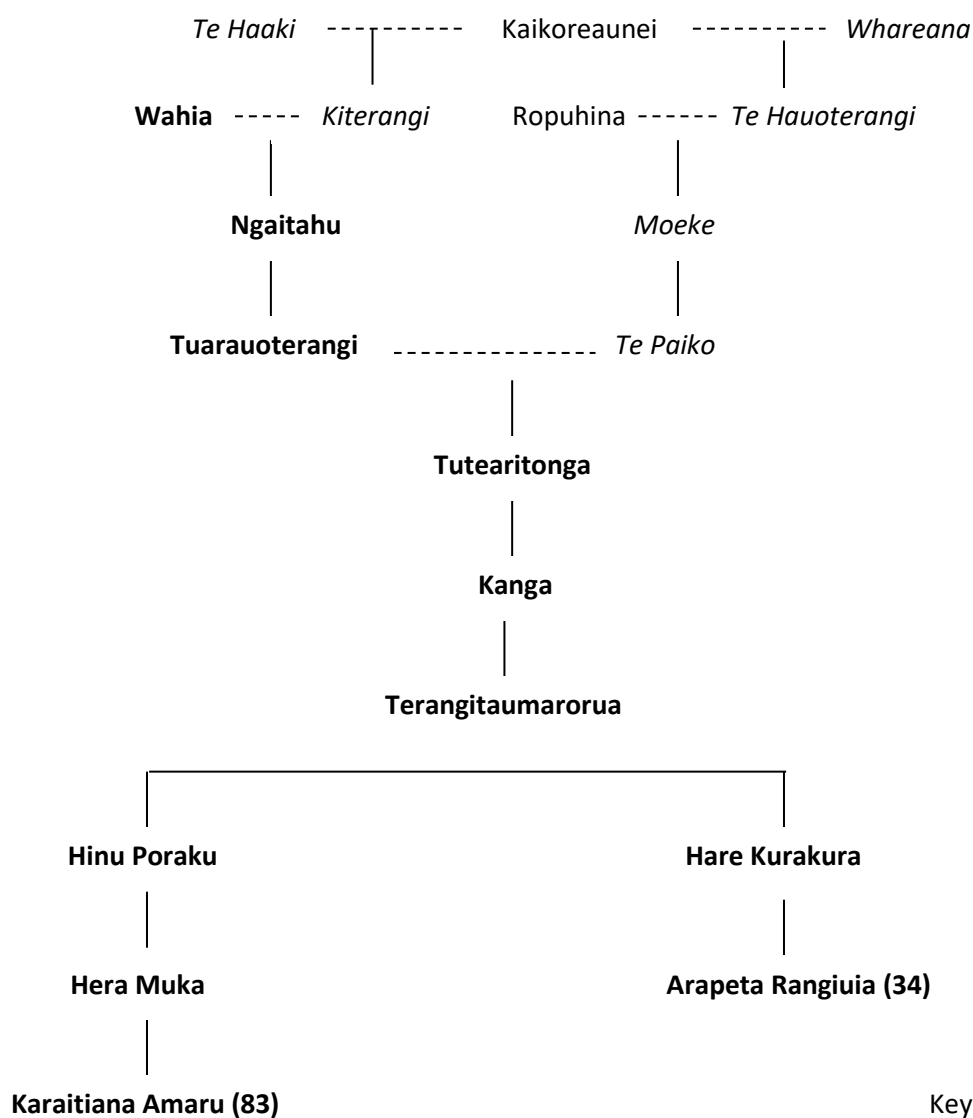
³⁰² There is also evidence from other whakapapa presented for other lists in 1917, that Tiopira Korehe, through his father Tamawharu had another Wahia descent line through Te Rangitumaro and another Ngariki line of descent down from Whakarongo.

³⁰³ Mangatu Relative Interests 1917, MLC Gisborne MBk 43, p.173

³⁰⁴ Ibid, p.207

List 19: Kanga's Descendants

This List is small with just two Mangatu No.1 owners represented. Kanga was one of Tutearitonga's children as is reflected in the following whakapapa.³⁰⁵



Key:
Names recorded in 1917
Other Ngariki Lines

³⁰⁵ The whakapapa supporting this List has not been located. The following list has been compiled from whakapapa research presented before the Tribunal as WAI-814 I19(h) [p.4]

From the perspective of Te Whanau a Kai the relevant aspects of the whakapapa are, of course, the descent from the marriage of Kiterangi and Wahia and, again, the marriage of Tuarauoterangi to Te Paiko, Te Hauoterangi's grand daughter.

The 1916 Committee classified both the owners from this descent line as being Wahia only.

During the 1917 hearing of interests, Himiona Katipa explained that although there was an ancestral right, there has not been recent occupation by this whanau with none of its members after Terangitaumarorua having been on the block. It was noted that the Committee had given these two owners 250 acres each.³⁰⁶

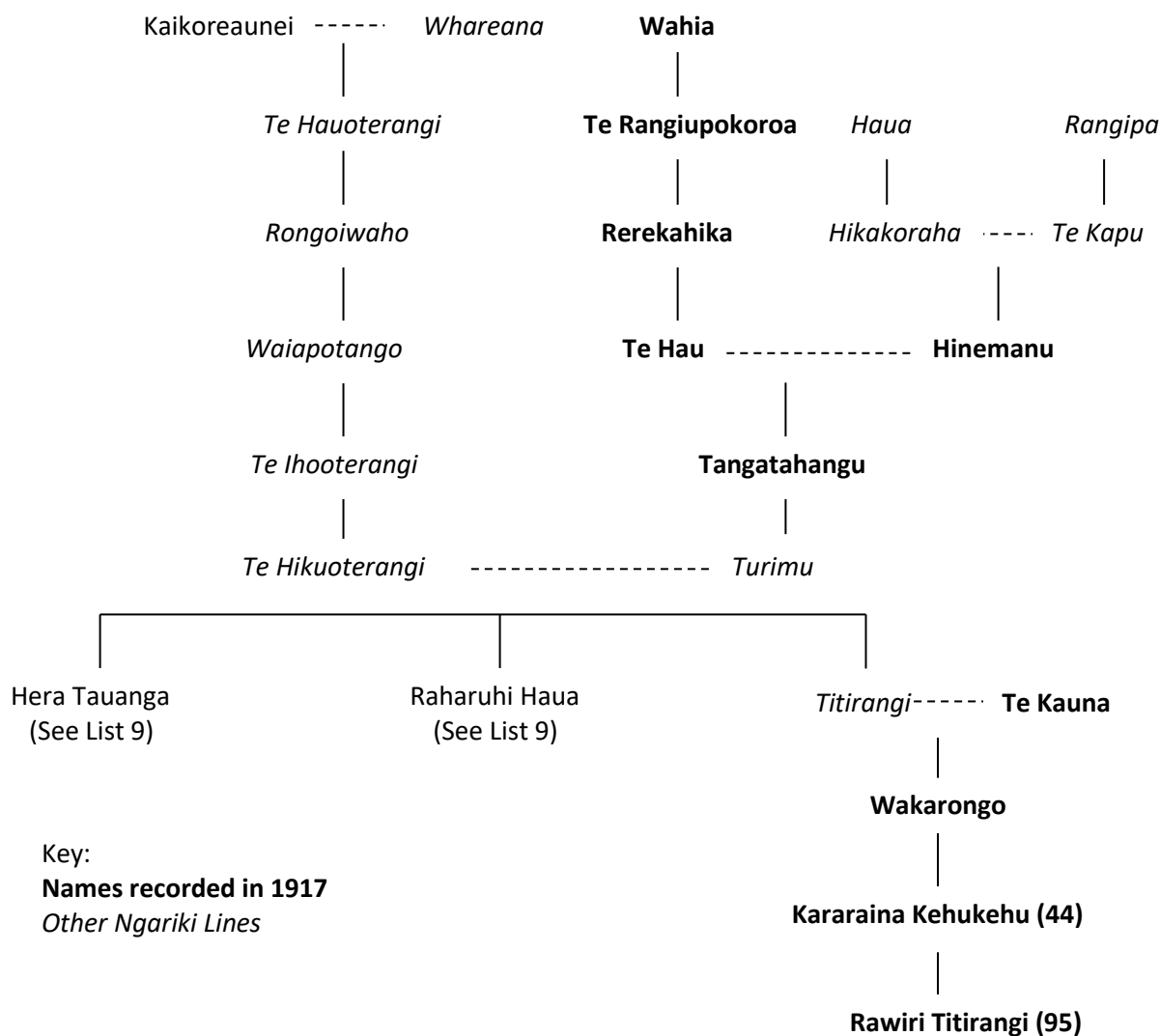
The Court accepted that these owners' elders may have resided on the block but that they had not. Nevertheless, their award was increased to 400 acres each.³⁰⁷

³⁰⁶ Mangatu Relative Interests 1917, MLC Gisborne MBk 43, p.173

³⁰⁷ Ibid, p.207

List 20: Descendants of Titirangi

As noted in the presentation of List 9, a distinct List was put forward in 1917 for the descendants of Titirangi two of whom became owners in Mangatu No.1. The following whakapapa, reflects the same descent lines found in List 9.³⁰⁸



³⁰⁸ The following whakapapa reflects the whakapapa of List 9 where Turimu is the spouse of Te Hikuoterangi. In the whakapapa supporting list 20, Turimu is missed out.

The names in bold on the above whakapapa represent the names recorded on the whakapapa handed in in support of this List. The above whakapapa also records the names of Turimu's husband Te Hikuoterangi and Te Hau's wife Hinemanu. Te Hikuoterangi and Hinemanu are both from Ngariki lines, the former being a direct descendant of Whareana and Kaikoreunei.

The two descendants from Titirangi who became owners in Mangatu No.1 were identified by the 1916 Committee as being Ngariki only and yet, by 1917, they were on a Wahia list.

At the 1917 hearing, Animereta Kehukehu gave evidence. She identified herself as Rawiri's sister and noted that there were four persons in the whanau. She noted that Rawiri has passed away and left no issue. Animereta was born at Waerengaohika and had lived at Opotiki but now lived at Kaitara which was just eight miles from Mangatu. Kararaina Kehukehu was buried at Kaitara.³⁰⁹

Significantly, despite occupation that was described by the Court as "indifferent", the Judge pointed to the "strong ancestral right" of Titirangi's descendants in awarding 1,200 acres with Kararaina Kehukehu's interest awarded as 800 acres and Rawiri Titirangi's interest as 400 acres.³¹⁰

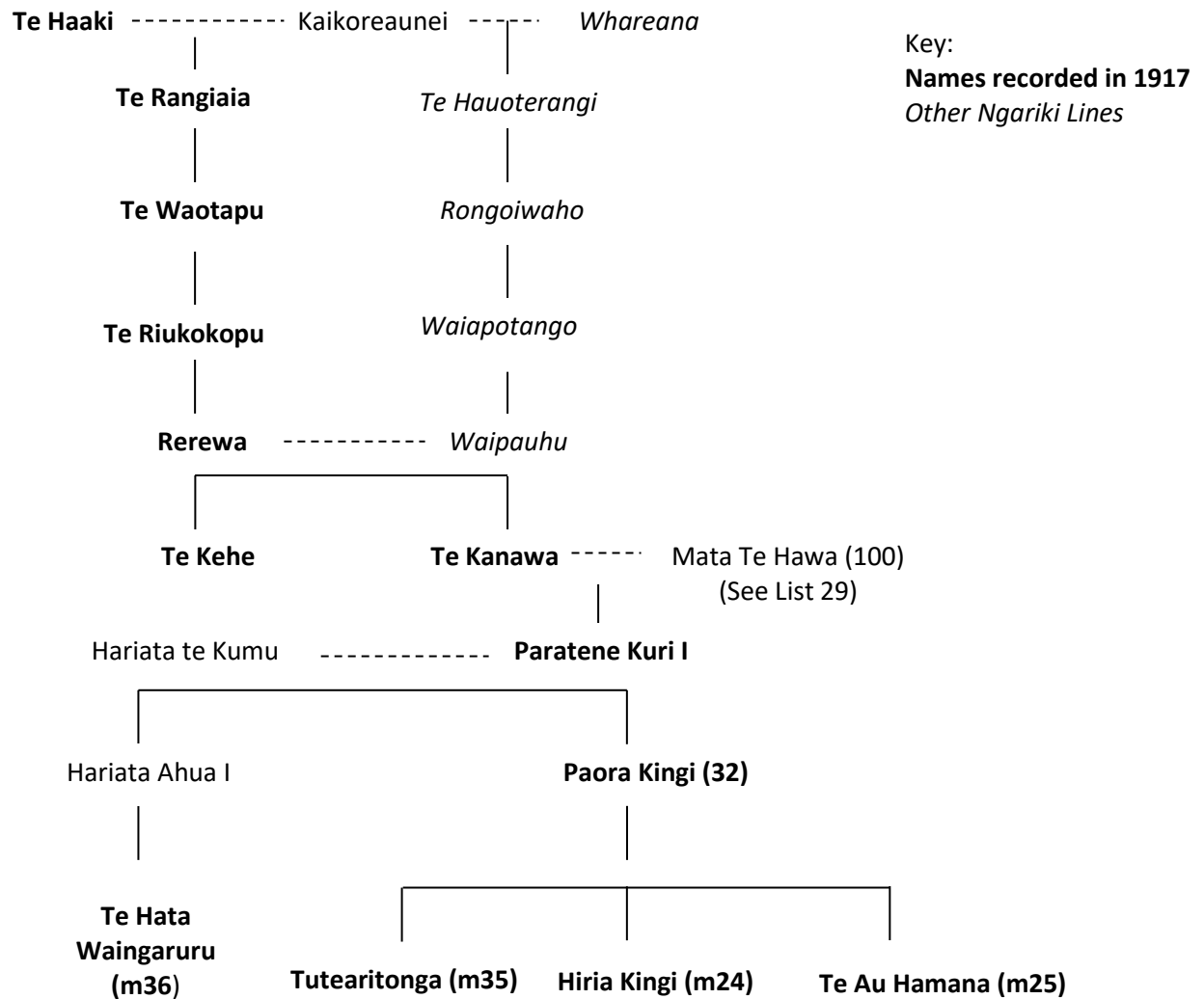
³⁰⁹ Mangatu Relative Interests 1917, MLC Gisborne MBk 43, pp.173-4

³¹⁰ Ibid, p.207

Ngariki Lists

List 21: *Kingi whanau*

This is a significant Ngariki List accounting for five owners of the Mangatu block.



Paratene Kuri's other wife was Hariata te Kumu. The couple are recorded as having three children. Paora Kingi, and his three children Tutearitonga and Hiria Kingi all were included as owners in 1881. All three were classified in 1916 as being Ngariki only. In 1917, these three were included as three persons on the five-member List 21 which was a Ngariki only list.

At the 1917 hearing, Tutearitonga provided testimony that Paratene Kuri I had occupied the block. Tutearitonga also noted that although he was born at Te Kaha, which was the place where his mother had come from, that his father Paora Kingi had lived on the block and that he also used to live on the block. His sister Hiria had not lived on the block. His father had been buried at Parihimarihi.³¹¹

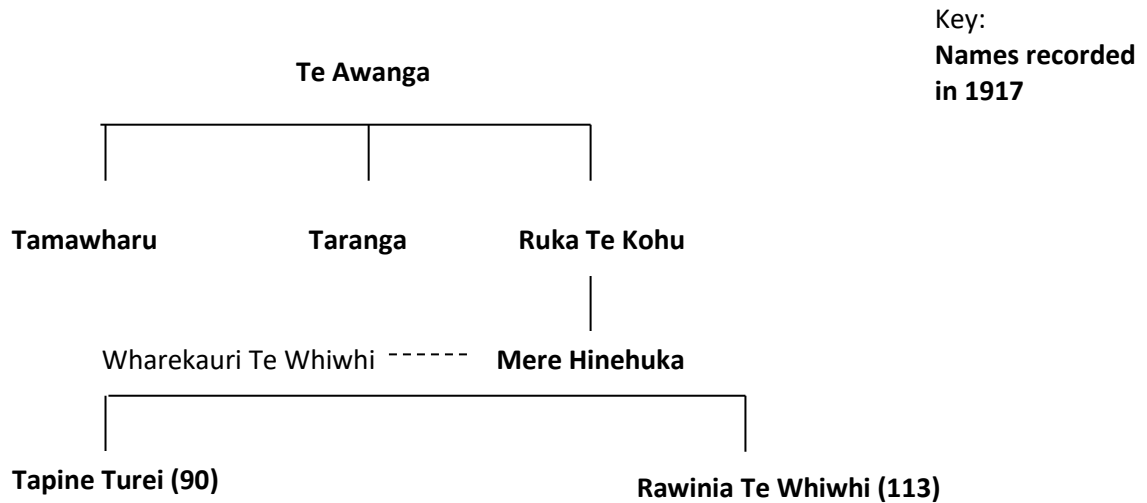
Despite this evidence, the Court was swayed by the evidence of Kani Pere who had suggested that those on List 21 were "regarded as Ng. Wahias of a 'milk and water" type who took no part in the fights waged in protection of the block." The Judge expressed a view that although there had been some former occupation, there had not been any in recent times. Therefore, Paora Kingi and his two children were awarded only 200 acres each.³¹²

³¹¹ Ibid, p.180

³¹² Ibid, p.208

List 22: Tapine Turei & Rawinia Te Whiwhi

This minor Ngariki List appears to have been created around the two siblings noted above. As indicated in the whakapapa below, comparatively little is known regarding the descent lines supporting this List.



Both siblings were classified in 1916 as being Ngariki only.

During the 1917 investigation, one of the owners on this list, Rawinia te Whiwhi, testified that she used to live on Mangatu as had her tipuna before her. She had left the block when she had grown up. She noted that, as shown in the above whakapapa, she could only trace her descent back to Te Awanga but that she knew him to be Ngariki. At this point, one of the other conductors objected on the basis that Rawinia could trace her descent from Ngariki.³¹³

It appears that the Court ignored this point. On the other hand the occupation of Rawinia and Tapine Turei was described as being "meagre and confined". Therefore the two owners on this list were granted 300 acres each.³¹⁴

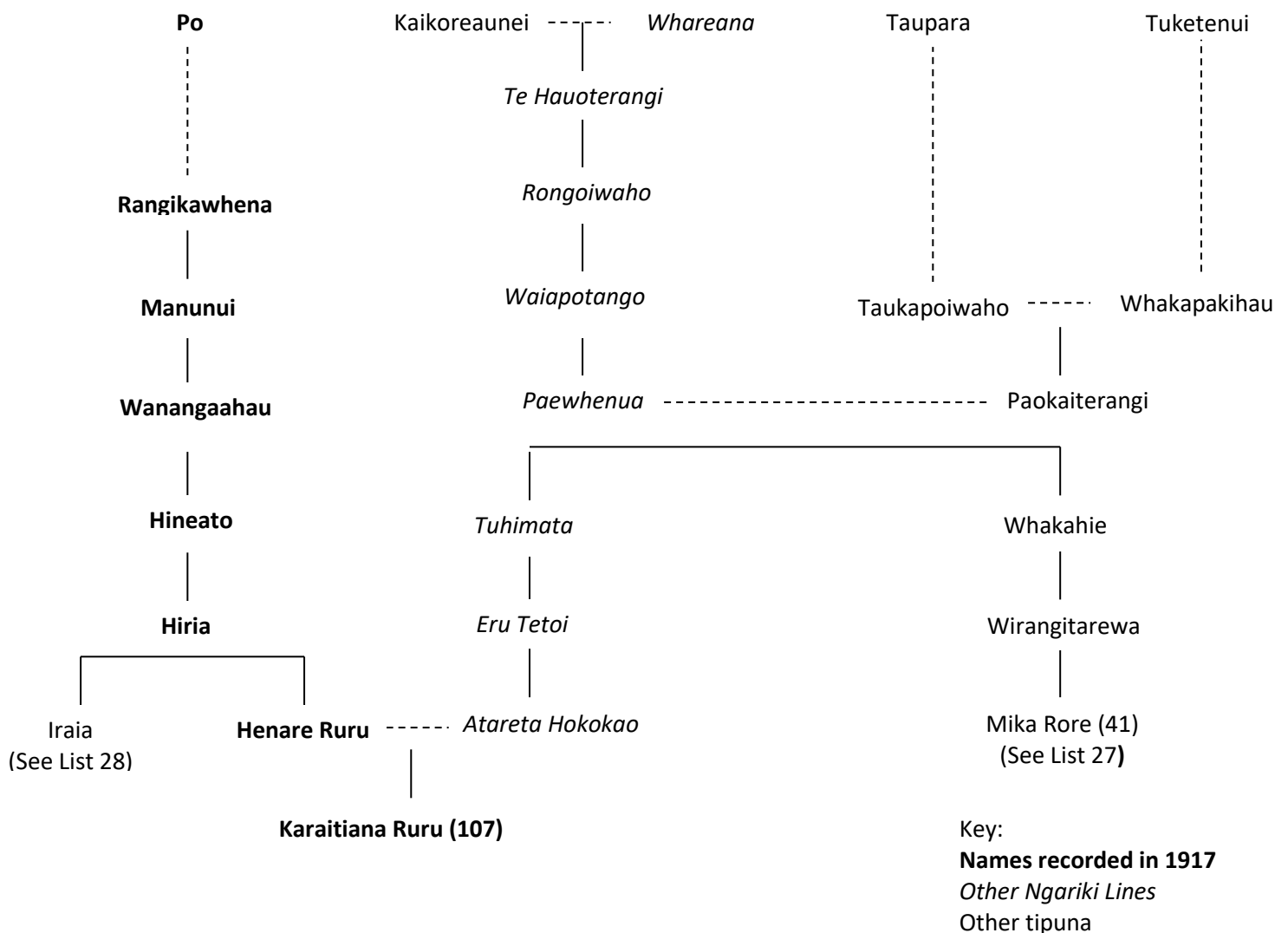
³¹³ Ibid, p.181

³¹⁴ Ibid, p.208

List 23: Karaitiana Ruru & Roka Patutahi

This Ngariki List is another example where comparatively little is known of the origins of those associated with the List.

All that is known about the genealogy of Roka Patutahi is that her parents were Kere Raumati and Renata Poke. Ihaia Patutahi (List 8) was her husband. On the other hand, there is a comparatively lot of information about the other owner Karaitiana Ruru. The irony of this situation is that in 1916 Karaitiana Ruru was initially classified on the aroha list.³¹⁵



³¹⁵ A whakapapa for List 23 was not found. The following information was extracted from the whakapapa submitted in support of List 28.

During the 1917 hearings, comparatively little further information was available about the this pair of owners. Roka Patutahi was said to have no other occupation that that with her husband Ihaia Patutahi. Nevertheless it was insisted that she was Ngariki. Karaitiana Ruru was also said to be Ngariki. Noting that his elders had occupation, Karaitiana Ruru was said to have occupied Mangatu when young. Otherwise, the only other occupation of Roka and Karaitiana was noted as being in 1888 when they brought food to a large hui.³¹⁶

The Court found little evidence of occupation for the pair and added that originally Karaitiana Ruru had been only the aroha list. He was therefore granted just 200 acres - equivalent to what other on the aroha list was given. Roka Patutahi, however, was granted 400 acres.³¹⁷

³¹⁶ Mangatu Relative Interests 1917, MLC Gisborne MBk 43, p.181

³¹⁷ Ibid, p.208

List 24: *Wikitoria Puru & Horomona Tuauri*

This is another minor Ngariki List set around two Mangatu owners only. Again little information has been found about this List. No whakapapa has been found that supported this list . The only information learnt was that these owners were siblings and that Wikitoria Puru married Hori Puru (3)(List 15) a child of Tipene.

Nevertheless, both owners had been classified as Ngariki by the 1916 Committee.

Before the 1917 Court, Haaka Tautuhi testified that Wikitoria Puru and her brother had lived at Pakowhai and other places on Mangatu and that she was buried on the block.³¹⁸

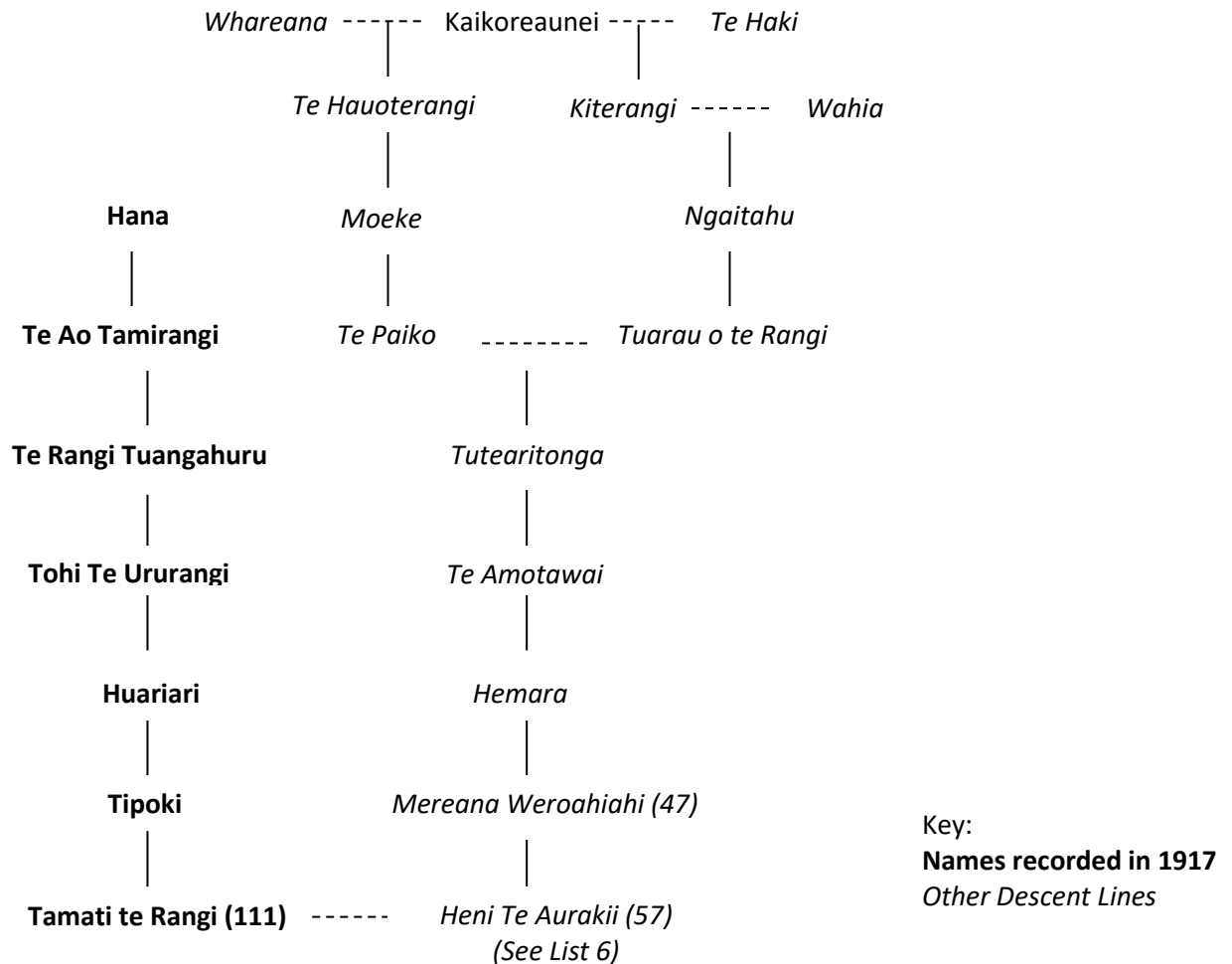
Based on this, the Court granted Wikitoria Puru 400 acres and Horomona Tuauri 300 acres.³¹⁹

³¹⁸ Ibid, p.182

³¹⁹ Ibid, p.209

List 25: Tamati te Rangi

Another small Ngariki list accounting for just one Mangatu owner. For this List, however, a clear whakapapa was submitted in support.

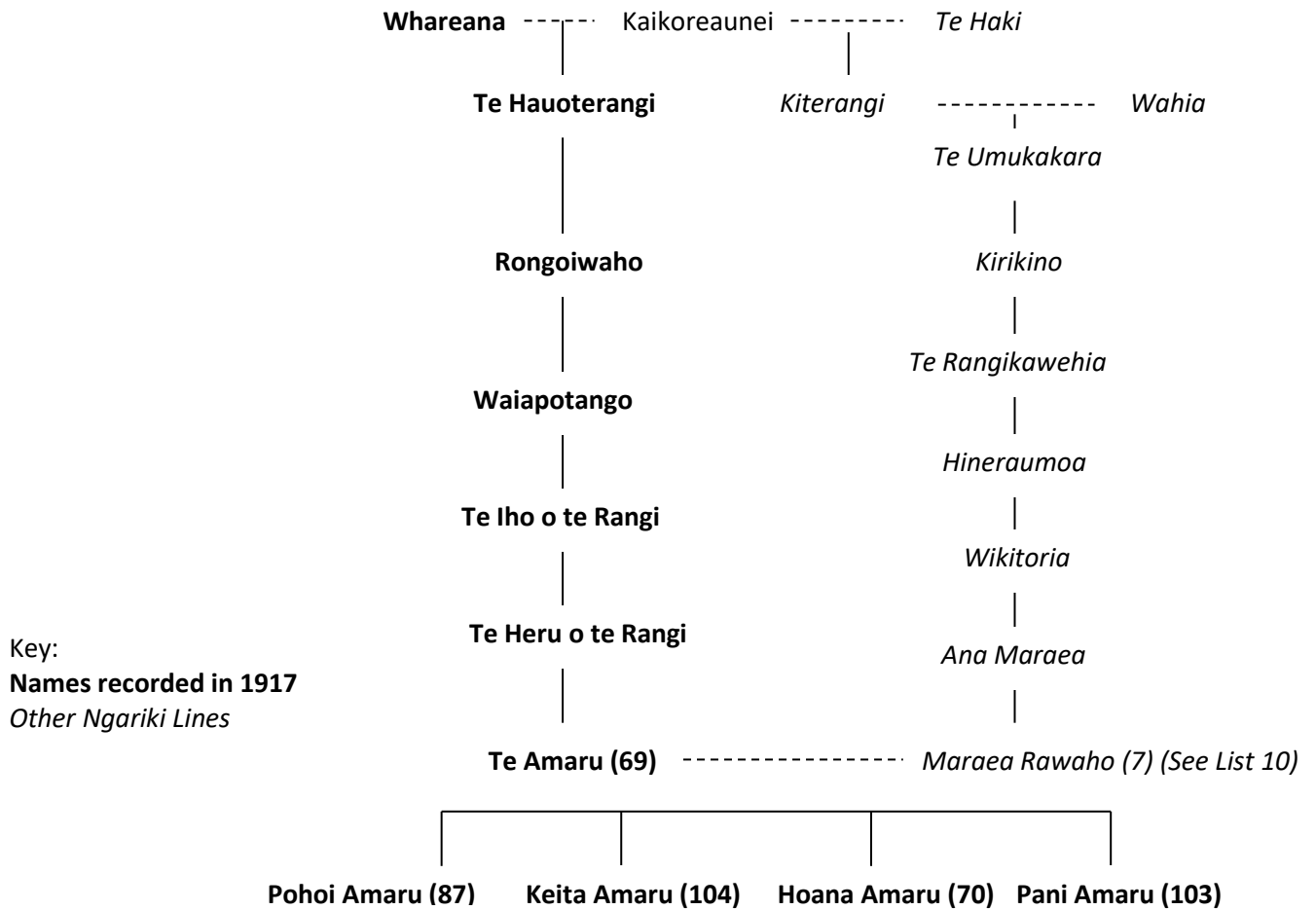


In 1916, Tamati te Rangi was classified by the Block Committee as being Ngariki. In 1917, Pimia Aata noted that Tipoki had a family of six and all occupied Mangatu. By 1881, however, only Tamati te Rangi was alive.³²⁰ The Court believed he had mainly been included through aroha, it was noted that he had occupied the block. He was granted 300 acres.³²¹

³²⁰ Ibid, p.182
³²¹ Ibid, p.209

List 26: Amaru whanau

This is one of the few significant Ngariki lists accounting for five Mangatu owners. The following whakapapa was produced in support of List 26.³²²



The 1916 Committee identified Te Amaru and his children as being Ngariki only.

³²² The whakapapa presented in support of List 26 for the Amaru whanau extended up to Te Heruoterangi and back to Whareana and before. It also showed, however, three other descent lines from Ihooterangi including those to Wi Pere (List 1), Wi Haronga (List 2) and Hine Weho (List 9)

At the time of the 1917 hearing, Hone te Hami, a grandchild of Te Amaru, gave evidence on the occupation of this descent line. He noted that, although Te Amaru's elders had lived on the block, Te Amaru did not. Te Amaru's brothers and sisters lived on the block. Nevertheless, despite not being in residence on Mangatu, Te Amaru's whanau did visit the block. In addition, Te Amaru's wife, Maraea Rawaho, had lived at times on the Mangatu No.1 block. She was identified as an owner on List 10. The connections of Te Amaru's whanau had obviously continued as Hone te Hami noted that one of his own children had been born on Mangatu No.1.³²³

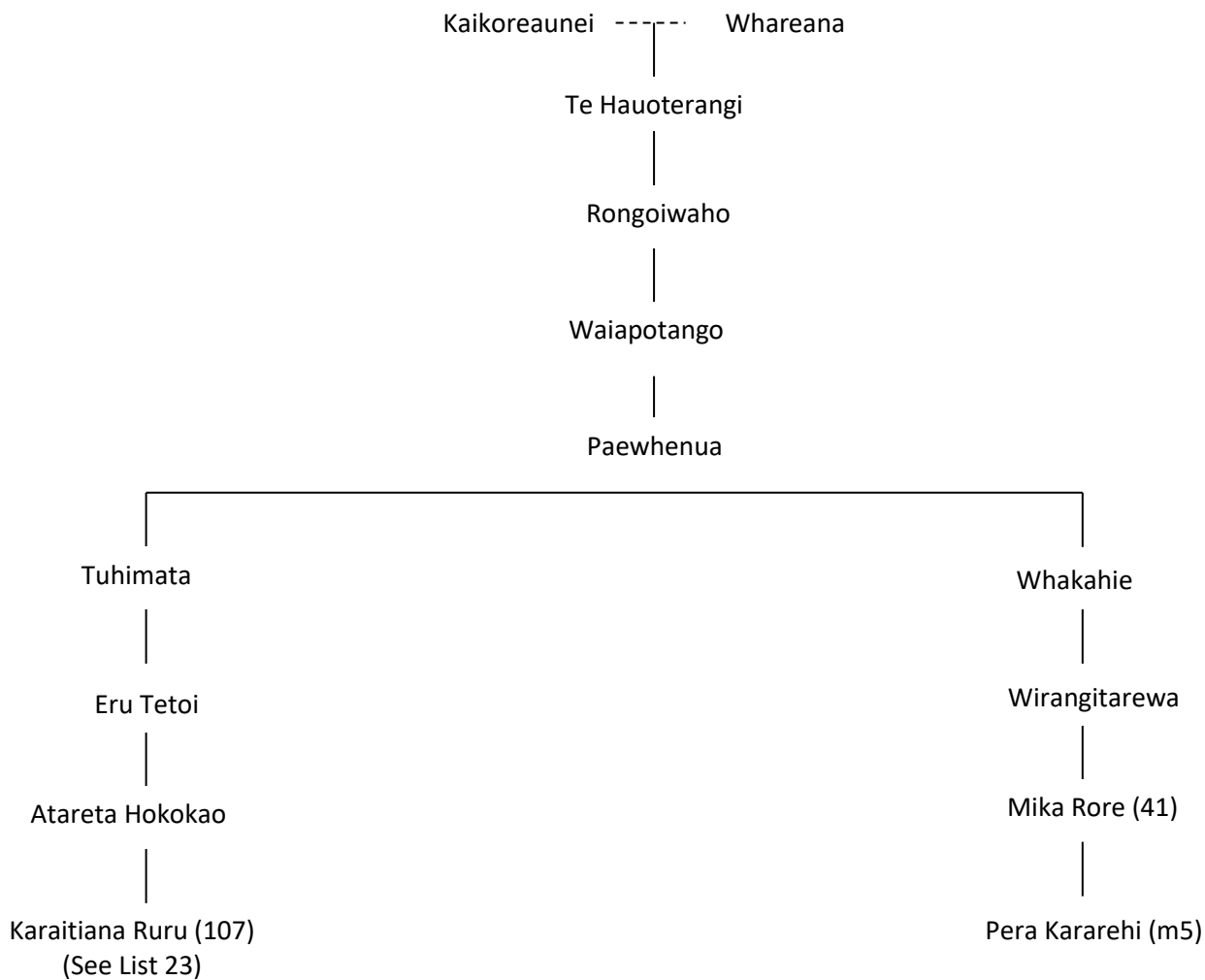
In his findings, the Judge considered that the Te Amaru whanau was "well connected in whakapapa", and despite the occupation of the whanau being slight, the five members received an interest of 1,200 acres - 400 acres to Te Amaru and 200 acres to each child.³²⁴

³²³ Mangatu Relative Interests 1917, MLC Gisborne MBk 43, p.183

³²⁴ Ibid, p.209

List 27: Paewhenua's Descendants

This was one of the largest Ngariki Lists presented during the 1917 hearing. For two people on the list, however, the connection with the other ten members was not demonstrated in the whakapapa put in to support the List. Instead, the following whakapapa supports these two members of the List.³²⁵



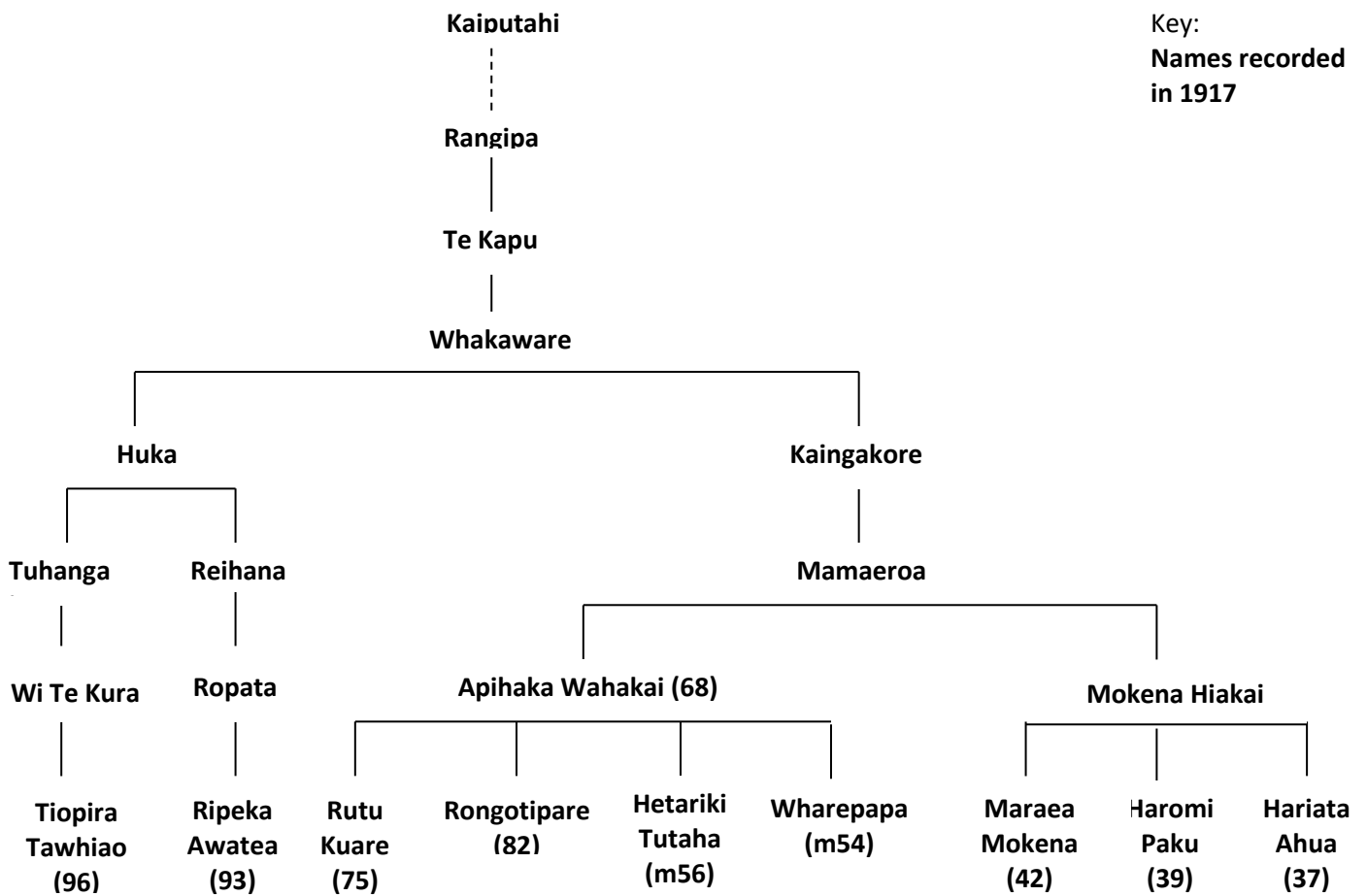
Karaitiana Ruru was the only one of Paewhenua's descendants through Tuhimata who was identified as an owner in Mangatu No.1 in 1881. The 1916 Committee, however, declared that he had been included in the ownership on the basis of aroha. By 1917, this appears to have changed as his name was put forward as one of two persons on the Ngariki List No.23.

As for Paewhenua's descendants through Whakahie who were accepted as owners, they also had both been identified by the 1916 Committee as being of Ngariki only. By 1917, they were two

³²⁵ For the following whakapapa, see WAI-814 I19(h) [p.4]

among the 12-person Ngariki-only List 27. Rawiri Karapa, who gave evidence on this list, noted that none now lived on Mangatu No.1.³²⁶ The Judge did not view this occupation as being as strong as for others. Mika Rore, therefore, was given 200 acres and Pera Kararehi was given 150 acres.³²⁷

The remaining ten owners on this List were supported by the following whakapapa.³²⁸



³²⁶ Mangatu Relative Interests 1917, MLC Gisborne MBk 43, pp.183-4

³²⁷ Ibid, p.210

³²⁸ The whakapapa presented in 1917 went eight generations further back to the tipuna Arikiniui.

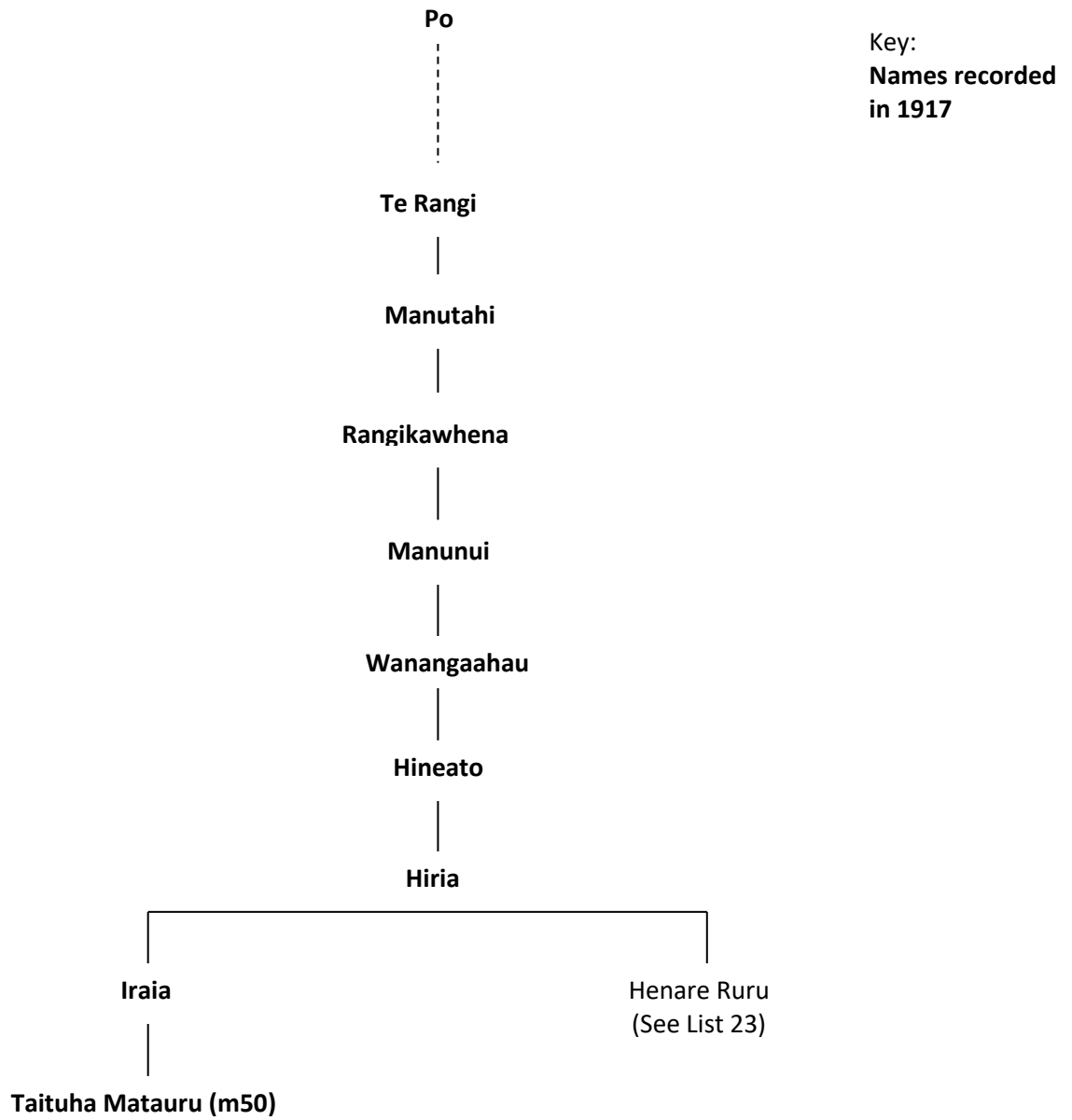
As noted previously, those on List 27 were said to be Ngariki as well as being of Ngati Tamatea. Rawiri Karaka, who gave evidence on this list, noted characterised the people as having occupied the block right down to the time of the Pikai fight. Karaka noted that none now lived on Mangatu No.1. Instead they resided in the area around Gisborne but that they often visited the block especially when there were hui.³²⁹ With the Court finding little evidence of occupation the seven persons of the younger generation were each awarded 150 acres each the three older owners 200 acres each.³³⁰

³²⁹ Mangatu Relative Interests 1917, MLC Gisborne MBk 43, pp.183-4

³³⁰ Ibid, p.210

List 28: *Taituha Matauru*

This Ngariki List is another example of a single owner. Furthermore, the owner formerly had been classified in 1916 as being among the owners included in the aroha list.



During the 1917 hearing, Himiona Katipa informed the Court that Taituha Matauru had similar occupation to Karaitiana Ruru (List 23) which was that his elders had occupation while Taituha was said to have occupied Mangatu when he was young.³³¹

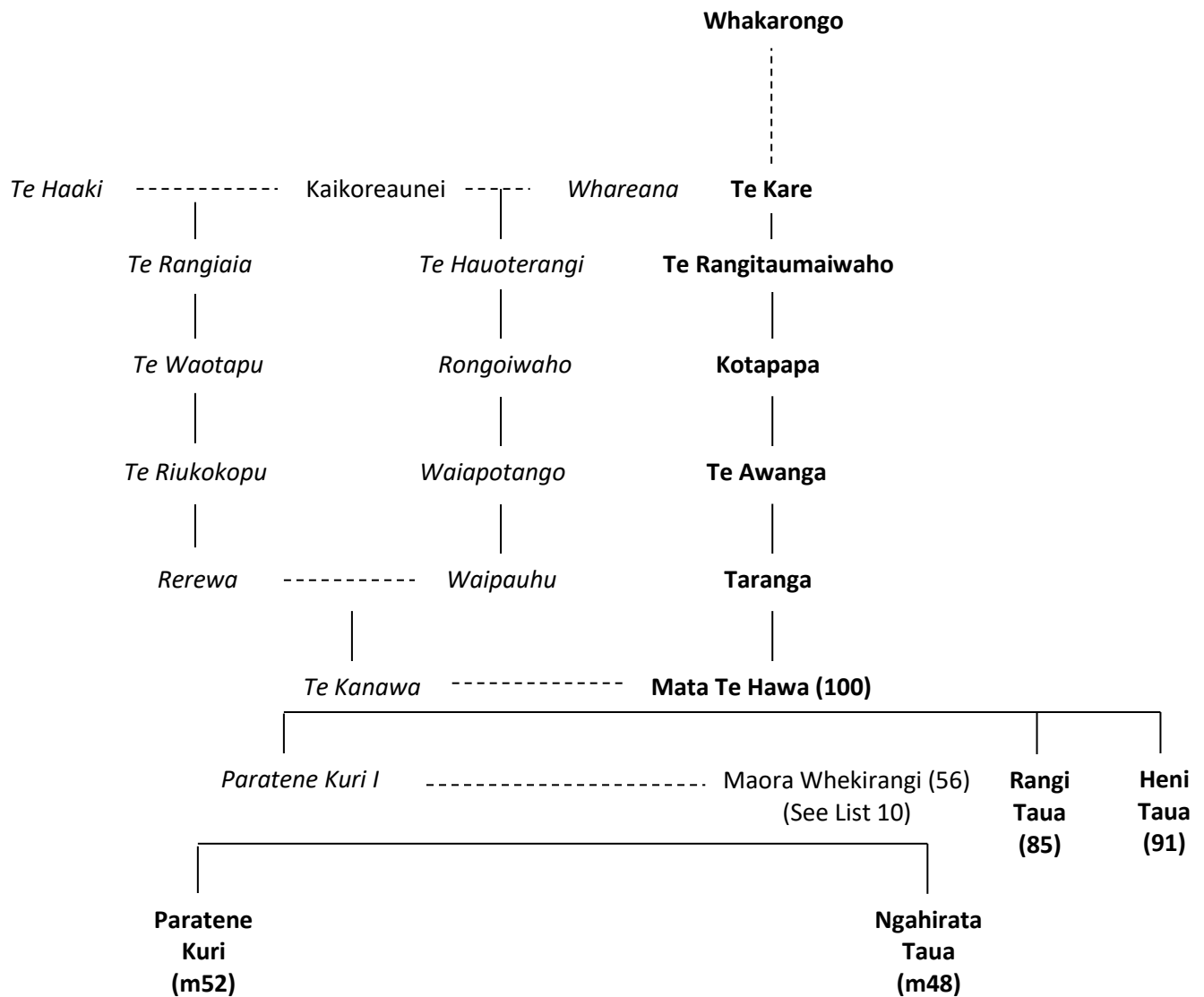
The Court granted Taituha Matauru 300 acres.³³²

³³¹ Ibid, p.185

³³² Ibid, p.210

List 29: Taua whanau

This is another comparatively significant Ngariki list accounting for five Mangatu owners. The following whakapapa was produced in support of List 29.³³³



Key:

Names recorded in 1917

Other Ngariki Lines

³³³ There were several issues associated with the whakapapa presented for this List. The 1917 whakapapa shows Ngahirata Taua as child of Mata Te Hawa instead of grandchild. Also some whakapapa show that Ngawiki Kuri (m53) & Teira Kuri (m49) as children of Maora and Paratene but these were put with List 10.

Te Kanawa's wife Mata Te Hawa was a descendant on a Ngariki line from Korotapapa through Taranga. The 1916 Committee appear to have had difficulty in categorising the whanau of Te Kanawa and Mata Te Hawa. As a result Mata Te Hawa and two of her children (Rangi Taua and Heni Taua) were initially categorised as Ngati Wahia but were subsequently reclassified as Ngariki only. By 1917, Mata Te Hawa and the two surviving children (Rangi Taua and Heni Taua) were included in the Ngariki-only List 29. Testimony given at the time recorded that Mata Te Hawa and Heni Taua had not lived on the land. Rangi Taua had lived on the land, however, with her husband Matenga Taihuka who had lived on a piece of land at Waeranga a hika.³³⁴

When the Court reached findings on List 29, it was noted that Mata Te Hawa and her two children had ancestral rights. Despite being on a Ngariki only list, the Court expressed the view that the ancestral rights was "probably under Wahia as well as Ngariki." Therefore, the Court assumed that they must have been among those who were defeated and brought back to the block. Nevertheless, based on the ancestral rights, the Court awarded Mata Te Hawa 500 acres and Rangi Taua and Heni Taua 400 acres each. Rangi Taua's recorded occupation did not seem to be taken into account as she received the same award as her sister.³³⁵

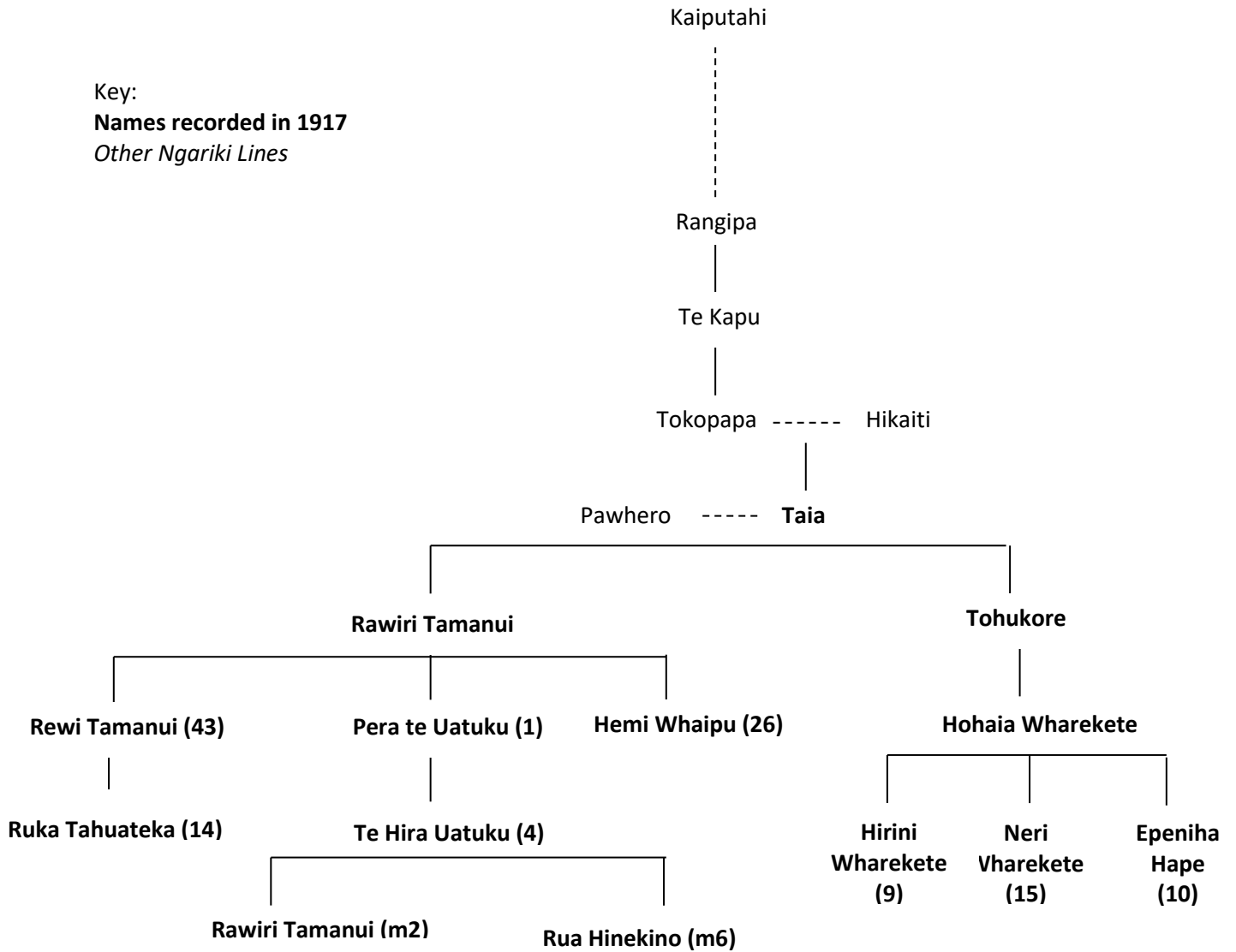
The descendants of the remaining child of Te Kanawa and Mata Te Hawa also received varying treatment under the relative interests process. Paratene Kuri had two wives. One was Maora Whekirangi who was identified as an owner in 1881 and who was classified by the 1916 Committee as being Wahia only. Paratene Kuri and Maora Whekirangi had four children, all of whom were identified as owners in 1881. The children, however, received various classifications under the 1916 Committee. While Ngahirata Taua was initially categorised as Ngati Wahia, she was subsequently reclassified as Ngariki only. On the other hand, Paratene Kuri II, was classified as being of Ngariki as well as Ngati Wahia.

³³⁴ Mangatu Relative Interests 1917, MLC Gisborne MBk 43, p.185

³³⁵ Ibid, p.210

List 30: Ngariki Kaiputahi

This was one of the largest Ngariki list accounting for ten owners. This list represented a group that has been discussed several times in this report - Ngariki Kaiputahi. The following whakapapa was presented in support of this list.



Not surprisingly, the occupation evidence presented for this group was impressive. All on the list had been born on the block and those still living were currently in occupation. Those who had passed away, including leaders Rawiri Tamanui and Pera te Uatuku, were buried on Mangatu and their descendants were still in occupation. This level of occupation led to a claim from the List's conductor that the group should get 14,000 acres. Other conductors, while agreeing the group should get a large awarded, opposed the amount claimed.³³⁶

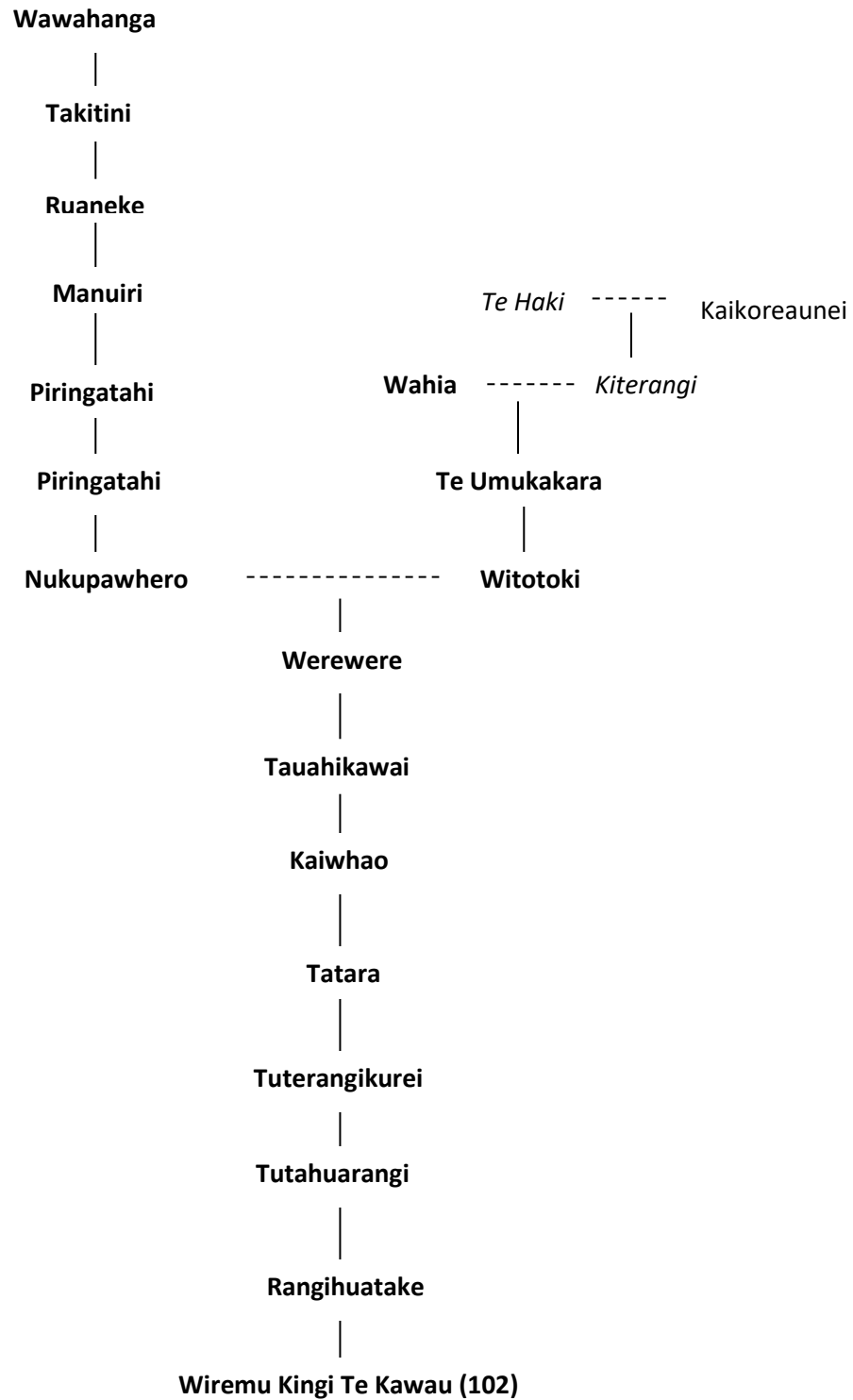
The judge found that this family had an "admittedly good right" with fair occupation. As a group, the List was awarded 6,000 acres. The senior generation was awarded 900 acres each, while the younger generation tended to awarded 400 acres each.³³⁷

³³⁶ Ibid, pp.186-7

³³⁷ Ibid, p.211

List 31: Wiremu Kingi te Kawau

The final Ngariki List is again for a single owner. Furthermore, the owner formerly had been classified in 1916 as being among the owners included in the aroha list.³³⁸



³³⁸ The whakapapa presented in support of this list went nine generations further back to Arikinui.

Evidence presented during the 1917 hearing disputed the above whakapapa and added that Wiremu Kingi Te Kawau had no occupation on the block having got on the list only because he was visiting the district at the time of the 1881 hearing.³³⁹

Having heard this evidence, the judge, agreed it was difficult to prove the whakapapa and that there was no evidence of occupation. He therefore awarded Wiremu Kingi Te Kawau 100 acres only, a figure the same as that given for those on the aroha list.³⁴⁰

³³⁹ Mangatu Relative Interests 1917, MLC Gisborne MBk 43, pp.187-8

³⁴⁰ Ibid, p.211

Finalising Title: 1918-1922

After 1917, much of the remaining part of the titling process that continued on to 1922 largely involved debate over the Te Whanau a Taupara interest within Mangatu No.1 firstly with Te Whanau a Taupara as a group, and then as lists of owners. The evidence presented by Te Whanau a Taupara sought to justify why they should be included, and to what extent, while the representatives of varying groupings of the 179 owners sought to keep them excluded.

As noted previously, evidence from this series of hearings, where it directly provides insight into the evidence presented as at 1881, has been utilised in the review of the 1881 case undertaken in Part II. Evidence presented to prove or reject a Te Whanau a Taupara inclusion into the title has not been assessed within this report, however. Firstly, it does not relate to the primary objective of the report which was to assess the level of relationship that Te Whanau a Kai had in relation to Mangatu No.1. Secondly, the large body of evidence produced in the post-1918 forum, is primarily produced by professional case conductors often as statements and addresses to the Court. The argued cases seek to present or reject the Te Whanau a Taupara perspective on their rights or on the events of the past. The nature of the evidence, on both sides, is adversarial and the positions adopted are partisan. The arguments put forward are directly and deliberately opposed to each other. Within this context, different takes are provided on all persons and events. Thirdly, the decision of the 1881 judgment and the subsequent decision of Appeal Courts that the 1881 judgment must stand, artificially shapes and restrains the evidence presented in these cases. The timeframe and resources available for this project would not allow for a close review of this set of information. Furthermore, it would be near impossible to review the evidence and emerge with an interpretation that did not proceed without rejecting one viewpoint or the other. Instead, in presenting a summary of the cases, a summary of viewpoints has been noted but they have not been assessed.

The 1918 case

The 1917 hearing did not mean the end of the title process for Mangatu No.1. Instead, Te Whanau a Taupara continued to lobby for their inclusion in the block petitioning Parliament and receiving an opportunity through legislation for their interest in the block to be reconsidered by the Land Court. The first step towards this occurring was a hearing by the Land Court to determine who were the individuals of Te Whanau a Taupara who would be entitled if it were found they had an interest in Mangatu No.1.

Part of the Te Whanau a Taupara case at this time was the claim that Te Ranginui'aihu's mana had gone to Taupara. The importance of this to Mangatu was not great as the 1881 case did not put much emphasis on the interaction between Te Ranginui'aihu and Po. Instead the focus was on the Pikai fight with Te Whanau a Taupara alleging that this was a conquest of Ngariki by Te Whiwhi and his hapu and his allied army of Ngapotiki and Ngati Tamatea. As part of this Te Whanau a Taupara case, where Te Ihooterangi and Rangiwhakataetaea played a role in the narrative, they were portrayed as being of Te Whanau a Taupara through their various whakapapa connections. Dating from this period, it was claimed, Te Whanau a Taupara had occupied Mangatu. Te Whanau a Taupara were said to have returned Ngariki Kaiputahi to the land. While it was acknowledged that Te Whanau a Taupara had left the land for the coast at the time Christianity arrived, it was said that Ngariki lived there under Te Whanau a Taupara's mana and that they were the representatives of Te Whanau a Taupara.³⁴¹

In response, case conductors for the 1881 owners reiterated the evidence put forward by Wi Pere during the original title investigation case.

Having heard evidence on all the lists and the closing arguments of counsel, on 29 October 1929 an interim judgment was presented. The Court began by quoting the 1881 judgment and the following elements:

- the whole Mangatu block originally belonged to Ngariki
- Ngariki were broken in the time of Ihu
- and again at a later period by Te Whiwhi

³⁴¹ Address of Pitt, Mangatu 1918, MLC Gisborne MBk 46, p.102

- that Ngariki subsequently occupied in subjugation to the conquerors
- that the fighting which occurred at the time of Te Whiwhi had no relation to Mangatu
- that the block during this time essentially was unoccupied
- that the Court found the descendants of Wahia were the chief owners
- that the descendants of Te Whiwhi who returned to the block after the Pikai fights had a claim to part of the block
- that the Ngariki who were returned had rights due to their residence

The Court then traversed all the developments that had occurred since the 1881 case: the cutting off of Mangatu No.4, the 1893 Act, the 1916 Committee and the Te Whanau a Taupara efforts to be put in the title of Mangatu No.1, and the legislation that enabled the current hearing.³⁴²

This brought the Court to the point of considering the Te Whanau a Taupara lists that had been presented at the hearing. The Court noted that it was "common ground" from all parties that Te Ranginuiaihu "had the mana over the people of this Mangatu block." He then noted that Te Ranginuiaihu's children would inherit it but that the evidence showed that several children did not inherit Te Ranginuiaihu's rights in the block. When it came to Ranginamaoriki the Court felt that Wi Pere's evidence had not been clear but that he had noted that the son Wahia took his father's place. The Court avoided any further comment on this noting that at this point the rights of Ngati Wahia were not being decided. As for Te Whanau a Taupara, the Court also noted that at that point in the case, with Ngati Wahia still to be heard, the Court needed to remain impartial. Nevertheless:

.... we will therefore merely say that in all the stories of the fighting that occurred in connection with this district or on this block, the Whanau a Taupara appear to have taken a leading part. There is proof that they had occupation on other lands in the vicinity and evidence that would lead me to believe that they occupied and had rights over this land now in question.³⁴³

The Court returned to the 1881 judgment to reiterate that it too recognised that those of Whanau a Taupara who went onto the land after the battle of Ruapekapeka had some rights. The Court also noted that Wi Mahuika was claiming as Whanau a Taupara and that this was

³⁴² Judgment, Mangatu 1918, MLC Gisborne MBk 46, pp.103-112

³⁴³ Ibid, pp.111-12

the basis of the recognition given by the Court in 1881. Therefore, the Court held, those currently claiming as Whanau a Taupara were "equally as well entitled to inclusion" with the proviso that the claimants who would be admitted were those who could show "that they have always been identified with the Whanau a Taupara of this locality." The Court then went through the various Whanau a Taupara cases providing findings on the claim and evidence presented.³⁴⁴

On the day after the judgment, the various conductors appeared before the Court. Although several parties, including Ngariki and Wahia, wished the Court to proceed to the next stage in the case, the conductor for the owners already in the title indicated their intention to appeal the interlocutory judgment indicating that it was the Court's interpretation of the legislation under which the case was proceeding that would be the focus of appeal. Given this, the next day the Court indicated that the results of an appeal over the Court's interpretation of the legislation, either way, would greatly impact on proceedings and share allocations. Therefore, the case was adjourned to allow an appeal to be made and heard.³⁴⁵

³⁴⁴ Ibid, pp.112-133

³⁴⁵ Ibid, pp.134-6

The 1921 case

The appeal to the 1918 hearing proceeded and ultimately the Court was vindicated in the interlocutory judgment that had been made. Therefore, in 1921, the Court sat again to consider the shares within Mangatu that would be allocated to various parties. In this hearing there were three parties:

- those Te Whanau a Taupara who were admitted to the title in 1918, those Te Whanau a Taupara in Mangatu No.4 and 24 of the 1881 owners who had applied and been successful in bringing a further claim forward under their Taupara whakapapa connections
- the original 1881 owners in Mangatu No.1
- a further group of Ngariki whanau.³⁴⁶

On 7 December 1921, the Court provided a judgment on the shares of the three contending parties. Rather than allocate shares to individual owners, the first step was to allocate to the three contending groups. The Court noted that since the interlocutory decision of 28 October 1918, evidence had since been heard from all three parties. This resulted in the following findings in relation to the groups:

- that the comments made in the interlocutory decision concerning Te Whanau a Taupara's position in relation to the Mangatu lands had been fully justified and that they were now entitled to a large award³⁴⁷
- that, nevertheless, it was beyond dispute that Ngati Wahia were entitled to the largest award as the chief owners of the land
- as to Ngariki the Court noted that "they were really dependants of the other two hapus" but also noted that they were largely intermarried with Ngati Wahia. In

³⁴⁶ Judgment, Mangatu 1921, MLC Gisborne MBk 46, p.218

³⁴⁷ Ibid

addition, some parties, such as Ngariki Kaiputahi had good occupation rights while others did not and therefore their rights were considerably smaller³⁴⁸

The awards, therefore, for the 106,000 acres (ie Mangatu Nos.1 and 4) were as follows:

- Ngariki 8,000
- Te Whanau a Taupara 40,000
- Wahia/Ngariki 58,000³⁴⁹

On the following day, all conductors appeared before the Court. Rather than the Court proceeding on to finalise individual interests, it was proposed that the parties be allowed to have their intended appeals heard. The Court agreed and adjourned the case.³⁵⁰

The decision reached was tested in the Native Appellate and Supreme Courts, but by 1921 a Te Whanau a Taupara list of owners had been established. A case then began in the Land Court to investigate the relative interests of all parties. For the purposes of the case, Mangatu Nos.1 and 4 were heard as a single block of 106,000 acres.³⁵¹ The overall result was as follows:

- Ngati Wahia - 58,000 shares (and therefore acres) among 118 persons
- Te Whanau a Taupara - 40,000 shares among 236 persons
- Ngariki - 8,000 shares among 36 persons³⁵²

³⁴⁸ Ibid, p.221

³⁴⁹ Ibid, p.222

³⁵⁰ Ibid, p.223

³⁵¹ Waitangi Tribunal, op cit, p.685

³⁵² Ibid, pp.689 & 693

The 1922 appeal

The 1921 decision was immediately appealed by almost all parties.

On 29 June 1922, the Court gave its judgment. Of the eight appeals, the judge began with the two Ngariki appeals lodged by Tuteari Kingi and Te Hira Uatuku that the 8,000-acre Ngariki award was insufficient. Both appeals were dismissed.

The addresses by the conductors for appellants appear to us to mainly consist of an attempt to show that the judgment of 1881 was erroneous. This, however, it not open to them to do. So far as these appellants are concerned they are still bound by that judgment and to obtain any increased award they must be able to show us that under that judgment the Native Land Court did not award them enough shares. This in our opinion they have not done. The judgment of 1881 finds Ngariki to be a conquered and subordinate people some of whom were replaced on the land by the goodwill of their conquerors. This applied to all sections of Ngariki proper and it is therefore needless to discuss the confusion that seems to exist as to the different sections.³⁵³

The Court noted that as none of the other appellants opposed the 8,000-acre Ngariki award it therefore stood.

The Court also considered the argument put forward by Lewis that the 1881 Court gave awards to Whanau a Taupara, not simply as descendants of Taupara, but based on rights arising from Te Whiwhi's conquest only. It did not accept, however, any proposal that this was the only basis on which award could be made. This was due to the wording of section 6 of the 1917 which opened awards up to those members of Whanau a Taupara who could establish a claim under custom. Rather than being restrained to takes acknowledged by the 1881 Court, the legislation "gives a right to inclusion according to Maori custom generally."³⁵⁴

Having considered the evidence that had been presented, the Court found "it impossible for us to say that certain sections of the Whanau a Taupara hapu have not restrained any ancestral right in this land and that their only right was under the so called conquest of Te Whiwhi over

³⁵³ Judgment, Mangatu Appeal 1922, MLC Gisborne Appellate MBk 21, p.51

³⁵⁴ Ibid, p.52

Ngariki."³⁵⁵ The Court made it clear, that if Whanau a Taupara had to rely on the 'conquest', they would have received little consideration.

It seems to us very doubtful whether the attack on Ngariki by Te Whiwhi had any material affect on the ownership of the land. It was a war of revenge on account of Hirokiroki and his people failing to afford Te Whiwhi assistance in his fighting Whanau a Kai. Ngariki had already been defeated by Ihu and, according to Wi Pere, by Wahia and were really subordinate people living on the land by sufferance of the conquerors.³⁵⁶

It appears that the Court had picked up on some of the statements made whereby all parties had essentially recorded the close connection of Ngariki to Wahia descendants. The Court dealt with the possibility that the Ngariki had not been previously conquered by Wahia by making a statement on what this would have meant in relation to Whanau a Taupara claims.

If however Ngariki were in fact living there on their own rights as co-owners with the descendants of Ihu, then Te Whiwhi's defeat and ejection of them would carry much greater weight than the very small award of the Court in 1881 represents.³⁵⁷

The Court, when considering the "vaguely expressed" 1881 judgment, felt that one of the most "inexplicable" aspects was that Mangatu was unoccupied from the time of Te Whiwhi's death until the return of people in the time of Hinekoia as it was said not to have been borne out by the evidence and that it was opposed to the Court's other findings.³⁵⁸

The Court disagreed with certain findings of the 1921 case. Firstly, it did not agree with using a proportional basis to make an award - ie using the 1881 award of 6000 acres to 98 persons as a basis to suggest a further 9000-acre award to 152 new persons. The objection was the different basis of take under which the two awards were made and that numbers should not feature as the basis of relative interests. The Appellate Court also disagreed with the 1921 Court's specific basis of take for proposing the 40,000-acre, but moved on to consider whether the award was correct regardless.³⁵⁹

³⁵⁵ Ibid, p.53

³⁵⁶ Ibid

³⁵⁷ Ibid

³⁵⁸ Ibid

³⁵⁹ Ibid, p.54

To attempt any detailed analysis of the mass of evidence given in the several hearings of this particular block and in the many other cases to which we have been referred would make the judgment of quite inordinate length. But a perusal and consideration of the evidence satisfies us that certain sections of Whanau a Taupara have a much more substantial right to Mangatu Nos. 1 and 4 than the small award of 1881 would represent.³⁶⁰

The Court felt its role was to measure the rights. A basic principal to guide this was that Wahia would have greater rights than Taupara. Other than this, little further rationale was presented with the Court noting that "the definition of relative interests must always be to some extent a matter of guesswork depending largely on individual opinion."³⁶¹ Therefore, after "weighing to the best of our ability the whole of the facts and circumstances", the Appellate judges picked a one third - two thirds split. This meant that after subtracting the 8,000 acres awarded to Ngariki, the Whanau a Taupara lists presented by Pitt would get 32,667 shares and while the Wahia and Ngariki lists represented by Mitchell would get 65,333 shares.³⁶²

³⁶⁰ Ibid, pp.54-5

³⁶¹ Ibid, p.55

³⁶² Ibid

Commentary

In relation to the central objective of this report - to assess the relationship of Te Whanau a Kai to Mangatu No.1 - the most significant analysis has been in relation to the work of the 1916 Block Committee and to the 1917 Land Court case into the relative interests of the 1881 owners. The whakapapa and occupation evidence associated with the 31 Lists of owners has been presented. The trends indicated by that evidence will now be considered.

The 1916 Committee faced a very difficult task. In the absence of Wi Pere, who had died the previous year, and 35 years after the original title had been heard, Committee members had to evaluate the 179-member ownership list, reconstruct the whakapapa of each member, decide the tribal grouping to which they were associated and assess their level of occupation on Mangatu No.1 as a basis for making an award of land for each respective interest. We have very little information on how the Committee proceeded with its work other than a final list sorting owners into tribal groups of being Wahia only, Ngariki and Wahia, Ngariki only and being included through aroha.

The efficacy of the work of the 1916 Committee can only be evaluated within the context of the evidence and evaluation that followed during the 1917 Maori Land Court case assessing the relative interests of the 1881 owners. Aside from the aroha list (which had doubled in size) and the 'mana' claims of Wi Pere and Wi Haronga, just two tribal sets were used to group owners in 1917 - Wahia or Ngariki. Within these two tribes, owners were grouped together into whanau or kinship lists - 17 for Wahia and 11 for Ngariki. The whakapapa supporting these lists and evidence given in respect of these lists, provide a retrospective evaluation of the work done by the 1916 Committee.

Overall, those who been found to be Ngariki only in 1916 remained as such being found in the Ngariki Lists of 1917. A few persons who had been on the aroha list of 1916 were viewed as being Ngariki by 1917 but a greater proportion of persons - around a dozen - who were classified by the Committee as Ngariki in 1916 were found on the aroha list in 1917. This movement both ways between aroha and Ngariki involves around 10% of the 1881 owners and is therefore important to consider. There is no evidence-based insight into what was occurring. As most of the movement between the lists appears to be of 1916 Ngarikis moving

onto the aroha this suggests that these people had been put on the Ngariki list first from an absence of knowledge as to their ancestral connection to the block. It appears that in the absence of information, the default was to place these names as being Ngariki. Presumably, the other decent lines involving some level of connection to Wahia were well-known as were several of the well-known Ngariki only lines. If a person was not connected to either of these then it was assumed that must be connected in some way to the more wide ranging Ngariki whakapapa. This may have been a temporary position of giving people the benefit of the doubt as to be placed on an aroha list usually meant a reduced award. By 1917, however, within the context of a Court environment, where evidence was required to substantiate claims, the inability to connect to a whakapapa list may account for the doubling of the aroha list.

Other than what is probably only an apparent movement of some Ngariki persons moving into the aroha list there are just a few examples of whanau classified by the 1916 Committee as Ngariki only ending up in a Wahia list in 1917. In both cases, errors over whakapapa seem to be involved. Overall then, the core Ngariki grouping remained stable between 1916 and 1917. Therefore, the apparent reduction of the Ngariki list between the two years, suspected by the Tribunal as being a migration from Ngariki identity to Wahia identity, primarily did not occur the main reason being that it was not possible. Those on the Ngariki only list of 1916 also made up the Ngariki lists of 1917 essentially because there was no ancestral route to alter matters. These Ngariki had no whakapapa connections to Wahia. The 1916 Committee's work on the Ngariki lists, therefore, was fairly solid.

Where the Committee struggled was in its attempt to classify those with descent lines associated with Ngati Wahia as to whether they were Wahia only or whether they had Ngariki associations as well. In the later case, the tenor of much of the 1881 evidence and the findings of the 1881 judgment did not accommodate Ngariki persons who were not conquered 'broken' or subjugated in some way. The only hint in the evidence that there was another group of owners, where the Ngariki connections were of importance, is the one line reference from Wi Pere recording intermarriage and that Ngati Wahia and Ngariki were one people. While featuring little in the hearing of the 1881 case, these associations were sufficiently important for those on the Committee to distinguish between Ngariki-Wahia group and a Wahia-only group.

Having the intention to make the distinction and successfully achieving it turned out to be two different propositions. On the face of it, the list of Wahia only and Ngariki and Wahia owners appears straight forward. As the analysis conducted in this Part of the report has reflected, however, there were a number of anomalies. When the whakapapa that supported the whanau and kin-based Lists are examined, it is found that with almost every one of the 1917 Wahia lists there are evident problems when the work of the 1916 Committee is considered.

- siblings with the same parents are treated differently with some having been recorded in 1916 as Wahia only and others being Ngariki and Wahia
- children often reflect a different classification than their parents. Here the anomaly is when parents are classified as Ngariki and Wahia and children eschew this connection to become Wahia only.

Without information on the working of the Committee, little can be said in relation to the reasons for the anomalies. Possibly it simply reflects errors by the Committee. While possible and the most simple explanation, it is somewhat called into question by the availability, within the year, of whanau and kin-based Lists and whakapapa in support. The likelihood is that this material was brought together at the time of the Committee. That this probably is the case is shown by references during the 1917 evidence or findings of the Court to grants that were proposed by the Committee for the same groups as reflected in the 1917 List.

Possibly the anomalies did not necessarily reflect the view of the Committee but instead the viewpoint of the descendants of the 1881 owners more than 35 years after the original events. Different perspectives may have arisen within different whanau branches or individuals within a kinship groups as to whether a family or persons saw themselves as Wahia only or a view that it was important to highlight their Ngariki origins and links. The anomalies may also have arisen as a reflection of the existing or future aspirations of a whanau or individual. It may also reflect how, even within close kinship groups, different perspectives were held when whanau were faced with having to make a choice between one descent line and another. In the Mangatu No.1 case, the choice may have been influenced by the tenor of the 1881 judgment when it came to comment on the different situation of Ngariki compared with

Wahia and completely missed any realisation that there were other combinations of relationships in between the extremes that the Court elucidated.

It appears that there also was an element at play of evolving perspectives over heritage that shaped the way in which persons or whanau presented themselves when it came to relative interests in Mangatu. This possibility is suggested in 1916 when those who identified as Wahia-only can be shown through the use of whakapapa to have connections to other Ngariki lines. It is further shown when, in 1917, lists presented for those who were identified in 1916 as Ngariki and Wahia are supported by whakapapa that show a Wahia descent line only thereby eschewing one or several possible valid Ngariki lines through which to claim links to the Mangatu block.

The anomalies in the result of the classifications of 1916 and the tendency of presenting Wahia only whakapapa reveal the turbulent process that was being gone through to turn a consolidated title for Mangatu into an specific individual-based award.

Nevertheless, the owner Lists, the whakapapa submitted in 1917 and the supplementary descent lines that have been presented in this Part of the report, all provide insight into the kinship group that lay behind the holding of Mangatu No.1 and demonstrate the way in which Te Whanau a Kai make up or are connected to the ownership group holding Mangatu No.1.

Turning first to evaluate the Ngariki lists of 1917, it can be noted that despite there being 11 lists, a greater proportion of these were accounted for by one or two owners only. Of the 11, six were in this category and half of these were single owner lists. For two of these six lists, the Ngariki descent line on which the lists were based recorded direct descent either from Te Haaki or Whareana that did not connect with any of Wahia's descendants or other Ngariki lines. (Lists 21 & 26 - 10 owners). For a further six owners, who were included in two other Ngariki lists, their inclusion within these lists appear to be linked as much to descent from Te Whanau a Kai tipuna as to other Ngariki lines. (viz descendants of Paewhenua (pt. List 27) and Waipauhu (pt. List 29))

When considering the Te Whanau a Kai connection to the Wahia Lists of owners there are several statements that can be made:

- all of Wahia's descendants share descent from the Te Whanau a Kai originating tipuna Te Haaki through the significant marriage of her daughter Kiterangi to Wahia
- all of Wahia's descendants through his grandson Tuarauoterangi share Te Whanau a Kai descent through the marriage of Te Paiko, (the granddaughter of Whareana's son Te Hauoterangi) to Tuarauoterangi. This occurred just two generations after Wahia's marriage to Kiterangi, thereby keeping the linkages very current. A total of 63 owners are descended from the marriage of Tuarauoterangi to Te Paiko.
- two generations on from the above marriage, Tuarauoterangi's granddaughter Hinetaupe married Te Whanau a Kai rangatira Te Ihooterangi's son Te Pakuoterangi. This is the Ngariki component of the Ngariki/Wahia classification for the eight Mangatu owners on Lists 2 and 17.
- in the same generation, Te Ihooterangi's other son Te Hikuoterangi marries Turimu who was descended from Wahia's son Te Rangiupokoroa. This is part of the Ngariki component of the Ngariki/Wahia classification for the 13 Mangatu owners on Lists 9 and 20.
- in the next generation, Piere, the grandson of Te Ihooterangi, marries Te Ihukaui, the granddaughter of Tutearitonga. This is the Ngariki component of the Ngariki/Wahia classification for the five Mangatu owners on List 1.
- one further generation on, Te Ihooterangi's descendant Pirihiira Nehunehu marries Hone Ahuroa. Nehunehu's descent line is the Ngariki component of the Ngariki/Wahia classification for six of the Mangatu owners on List 16.

In summary, across the Ngariki and Wahia lists of 1916 and 1917, for a total of 16 owners who claim through or acknowledge their Ngariki descent lines as a basis of their claim to Mangatu, the Ngariki descent lines are Te Whanau a Kai descent lines. For a further 63 owners, the Ngariki component of their Ngariki/Wahia classification includes descent from the Te Whanau a Kai tipuna Te Paiko. And for all of the Wahia descendants their descent, not necessarily acknowledged in their claims, comes from Te Whanau a Kai tipuna Kiterangi. It

is to be remembered that for these owners, their elders or their descendants, it is recorded that at some time there was occupation of the Mangatu Block.

At this point it is useful to further consider the whakatauki recorded by Hetekia Te Kani Te Ua that has been previously presented. In Part II, the whakatauki was used to show that the line of Wahia descendants identified by Wi Pere as holding mana within Mangatu, held this mana within a context of Ngariki being the iwi of the land. Having now considered and fully presented whakapapa associated with the owners of Mangatu, the implications of the whakatauki can again be considered.

*Ko Maungahaumi te maunga
Ko Wahia te tangata, ko Ngariki te iwi
Ko Ngaitahu te tangata, ko Ngariki te iwi
Ko Tuarau te tangata, ko Ngariki te iwi
Ko te Rangituamaro te tangata, ko Ngariki te iwi
Ko Hineka te tangata, ko Ngariki te iwi*

As noted earlier, any suggestion that the chief Wahia held mana over Ngariki due to a conquest by Ihu has largely been discounted. If, therefore, Wahia was the person in relation to Mangatu, while Ngariki remained the iwi of the land, it is useful to go down this list of those who were the 'tangata' or, as Wi Pere said, held mana, and consider their associations to Ngariki who remained, during their time, the iwi of the block. Several of these Ngariki associations are to Te Whanau a Kai tipuna.

- The connection of Wahia to Ngariki - his marriage to Te Haaki's daughter Kiterangi
- The connection of Ngaitahu to Ngariki - his mother was Kiterangi
- The connection of Tuarau to Ngariki - marriage to Te Paiko, descended from Whareana
- The connection of Rangituamaro to Ngariki - his mother was Te Paiko and he married Hinekino a descendant of Marukakoa
- The connection of Hineka to Ngariki - her mother was Hinekino. Notably, when married, Hineka moved to her husband's lands away from Turanga. Wi Pere noted the mana went to Hinetautope.
- The connection of Hinetautope to Ngariki - her marriage to Te Ihooterangi's son Te Pakuoterangi.

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