OFFICIAL



**IN THE WAITANGI TRIBUNAL**

**WAI 898**
WAI 1196

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|---|---|
| Under | **The Treaty of Waitangi Act 1975** |
| In the Matter of | **Claims in the Te Rohe Pōtae Inquiry District** |

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**JOINT BRIEF OF EVIDENCE FOR WAI 1196**
**DATED THIS 2nd DAY OF APRIL 2014**

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## INTRODUCTION

### Mihi

**1.** This is the joint brief of evidence for a claim in Te Rohe Potae Inquiry on behalf of Ngati Hikairo and the descendants of Te Taawhi-ite-rangi Patena-Mariu and Mary Rauaiterangi Te Ahuru who are direct descendants of the land. We whakapapa to Ngati Hikairo and tipuna within Te Rohe Potae. We maintain the unified living spirit of whakapapa, tikanga, and kawa within te iwi-maori, established by te iwi-morehu.

*"Ko Tongariro te maunga*
*Ko Rotoaira te moana*
*Ko Motuopuhi te pa*
*Ko Te Whararangi te tangata*
*Ko Ngati Hikairo te iwi"*

**2.** We present our evidence today in the hope for full acknowledgement and recognition to the affected whanau, hapu and iwi who weren't afforded the recognition that was deserved for the Tongariro Power Project Development Scheme ("TPPDS") as well as the creation of blocks in Te Rohe Potae inhibiting and minimising our claims to our whenua.

**3.** We will present our evidence in a chronological way providing incite of our own experiences on our whenua as well as stories passed down to us by our tupuna. Respectfully we have arranged our brief of evidence from 1944 when Merle was born, following on to 1949 when Manuera was born, 1956 when Tiaho was born and to conclude Daniel who was born in 1964. Our evidence aims to illustrate the relevance of our claims on our whenua in context to Te Rohe Potae.

### Te Whararangi

**4.** This claim is lodged by the descendants of Te Whararangi an acclaimed Hikairo tipuna and a leader of spirituality, harmony and foresight. This tipuna embodied the relationship between the prominent groups of Te Rohe Potae and Whanganui tribes and established their pa on Motuopuhi which is now the island that lies in the shadow of Tongariro's north face on Lake Rotoaira.

**Native Land Court**

**5.** Ngati Hikairo suffered much land loss due to the inadequate processes of the Native Land Court[1] ("NLC") in particularly from 1892-1907. The NLC dealings of large Ngati Hikairo lands created tension between Ngati Hikairo and other hapu as well as the Crown illustrating a complete disregard for the economic and social well being of the hapu whose territory they sought to own and control[2]. Boundaries were tampered with and new alliances between different hapu were formed not realising the ultimate impact it would have on the ownership of their lands.

**6.** NLC functions directly distorted the traditional processes our tupuna had derived when it came to dealing with our whenua. NLC dealings with the larger blocks within Te Rohe Potae during subdivisions of 1897[3] could have been settled better than the adversarial Court processes it faced. Caution and upmost regard should have been taken by the Court because of the many subdivisions created and the high number of hapu and iwi within those larger blocks which could obviously potentially cause contestation and strained hapu relationships. The large blocks the NLC dealt with in this regard were the Rangitoto Tuhua, Pirongia and Kinohaku West blocks[4].

**7.** Subdivisions ordered by the NLC created a number of sections many of which were awarded to the Crown[5]. This period illustrates the extensive transfer of power and authority over lands from Maori to the Crown. Applications appointing trustees for minors or lands left without direct heirs were ultimately enforced only by the Crown whereas these decisions should traditionally be agreed upon by our kuia and kaumatua who knew not only those who are capable to be kaitiakitanga but also understood the unquantifiable value of their lands.

**8.** Costs for Court proceedings, surveyors as well as costs incurred for hapu and iwi members to attend Court contributed to land loss. Our tupuna John Ormsby took measures to protect pieces of land ensuring survey liens for example were paid in

[1] Woolford Roa Wai 898 #03(a) *'Less than a Pig' The Alienation of Maori Land in the Northwest King Country*
[2] Ibid pp. 3
[3] Husbands, Mitchell Wai 898 #A079 '*The Native Land Court, land titles and Crown land purchasing in the Te Rohe Potae district 1866-1907'* pp. 283
[4] Ibid pp. 285
[5] Ibid

cash[6]. John Ormsby also accounts for the external Court costs endured by Maori who took a case to the NLC. He substantiates that there was a significant cost for those who had to attend especially considering the lack of roading and distance that was required to travel to where the NLC was sitting[7].

***1944***

**MERLE MAATA ORMSBY**

**9.** My name is Merle Maata Ormsby (nee Patena-Mariu) and I was the first of 10 siblings born in a mainstream 'Maternal Health' setting at Taumarunui Hospital, 16th March 1944. I lived at Kakahi and Kaharoa, Whangaipeke Block that was affected by the imposition of the Railway responsible for taking most of the land for that purpose and never returned.

**10.** Whangaipeke block is the whenua of my great grandmother Tarihira, who was whangai to the Ngati Hinewai people. This block is controlled and surrounded by trusts and incorporations specifically by Kahakaharoa Trust. It is important to acknowledge and give recognition to the presence of Ngati Hinewai elders as well as their individual presence to other hapu and iwi of Te Rohe Potae, Ngati Rangatahi, and Ngati Maniapoto.

**11.** Terena, Taurewa, Whakapapa Island, The Cutting, Taumarunui, Piriaka, Owhango, Whanganui River and Whangaipeke River, Tokaanu River, Lake Taupo, Lake Rotoaira, Pukawa, Okahukura, Motuopuhi Island, "The haka" Tongariro Maunga, Tahu Potiki, Wiremu Ratana/Morehutanga are very familiar names in my early life and entrenched in history by kuia and kaumatua who lived the history. These significant memoirs specifically told by our mother directly discussing Taurewa, Nukuroa and Kaharoa blocks of land will be told by my sister Tiaho.

**12.** Through urupa and wahi tapu sites we are able to identify and locate our whenua and relay back our whakapapa connections. Our father's oldest brother Hokowhitu Mariu is buried on the side of Whakamoenga and this is one of Ngati Hotu's burial grounds.

[6] Ibid pp. 313
[7] Ibid pp. 295

Also buried there is Koro Kepa Te Ahuru who was the last descendant of ours to be laid there. Our Koro Patena and Kui Maata are Ngati Hotu. My parents would say "Your uncle sealed the door. From that day onwards no one must ever be buried there. They do not belong". We whakapapa to prominent tupuna and rangatira who descend from Ngati Hotu namely Hurikareao and Hinekapa.

**13.** Our pre-fleet tribe hapu is Ngati Hotu who occupied the village of up to approximately 300 descendants. Our kaumatua and kuia claimed they were the first inhabitants in the Central Plateau long before the great migration. Stories have been written and told that descendants of Ngati Hotu became extinct at the demise of Ngati Tuwharetoa; I am one of many descendants of Ngati Hotu. Manuera my brother will discuss these events in more detail.

**14.** In 1947 our whanau relocated to Te Pahiko. Te Pahiko is situated on the boundary of Te Rohe Potae being the awa Tokaanu and now lies within Puketi Block Survey District, Tongariro #1 as Tokaanu B2L, original part of the greater Okahukura whenua. The underground water flow of the Wairehu into the awa Tokaanu makes it the most north-easterly confluence of the Whanganui i te Wainui-a-Ruatipa. On good days above the Tokaanu Reservoir, you can still hear the roar of the Wairehu and the occasional sound of rocks, depending on the depth of the flood waters, rushed and rolling toward the awa Tokaanu.

**15.** Our homestead at Te Pahiko is Kia Puaawai (the whare) located on the high tide water level mark of the southern shores of Taupo-nui-a-tia moana, adjoined to the Tokaanu stream river mouth just before Waihi village entrance on state highway 41, heading toward Taumarunui, within Te Mataapuna o Te Huri-Kareao (known today as Tokaanu Bay). A common reference to our homestead is Te Pahiko o Te Huri Kareao.

**16.** During this relocation, after our Koro Te-Ngoi Patena-Mariu asked our parents to return from Whangaipeke-Kahakaharoa Te Rena to the homestead Te Pahiko o Te Huri-Kareao, our parents and siblings were given a powhiri, by our Koro Hiri Mariu (younger brother of Te Ngoi) and Kui Maata Gotty (his wife), Koro Turii and Kui Huriana Homepo (sister to Koro Dave Homepo), Kui Wiki Tai (Connections to Ngati

Kahu Kahunungu) and Uncle Tu Kahu (Te Kuru) and Aunty Rita (his wife), which reinforced the reinstatement of our parents to determine the role of Kaitiakitanga.

**17.** The role of Kaitiakitanga was bestowed to our parents because of their whanaungatanga connections. Their knowledge and support was acknowledged to advocate and protect the Mana Motuhake/Kaitiakitanga and Waahi Tapu. This is the historical homestead of Te Ngoi Patena Mariu and Maata Piwhara Kanohi Te Whero whanau who are my father's parents, my grandparents.

**18.** Waihi Kahakaharoa block is directly above Tokaanu. This block is affected mainly by waterways and the TPPDS encouraged unnatural water flows due to its man-made waterway systems. From Tongariro and Ruapehu there was an anticlockwise natural water flow. This has caused paru, uncleanliness and ungodliness in our waters, waters my people have tried to preserve for many years before the TPPDS.

**19.** At 4 years old, my most fond memory was when my father, Te Taawhi-ite-rangi Patena Mariu, took us out on the Lake and asked me to look down into the water to tell him what I could see. I saw the top of the fence, which disappeared in the sand, and what looked like the roof of a small house.

**20.** At 11 years, I realised our piece of heaven came with responsibilities, our father monitored the Morihana, Koura, Koaro, Inanga, Kokopu, and Trout Hunting grounds which are our kai basket. This was our front yard with fruit trees and an orchard across the river and further up the creek across the highway leading to the reservoir.

**21.** The history of our people includes landmarks. South and West Lake Taupo and Rotoaira, Tongariro Maunga, Taurewa, Waimarino, Kakaramea, Puketi, Poutu, Tokaanu, Waihi, Waitahanui, Te Tiriti o Waitangi, Rangatiratanga Tohungatanga, Maunganmu, Ngati Hikairo, Ngati Te Aho, the Ngahere and much more that signifies 'kaitiaki' and whenua.

**22.** Inside the boundary of Te Rohe Potae is Pohaturoa Pa. This pa is between Taupo and Tokoroa and is complimentary to the families of Kuru Ngaituku and Hatupatu. The site is difficult to get to on foot however it is accessible by Helicopter. This pa is included in the Crown breaches allowing forestation. Currently this pa is under a

'historical site' status. It is important for the people of Pohaturoa to be recognised who were a part of the compact, Te Ohaaki-Tapu & Te Pakanga ki te Karauna i Orakau.

**23.** My family and I travelled throughout the North Island because of my husband's labouring employment. I completed various studies towards my current qualifications as a Psychiatric Nurse and I was employed as a Community Psychiatric Nurse, Maori Health worker and Registered Nurse of which I am currently one of four Maori Cultural Advisors for the Mental Health Services of the Whanganui District Health Board.

**24.** As a Cultural Advisor, forums are held at the Whanganui District Health Board to determine cultural policies and procedures that reflect the spirit of Te Tiriti o Waitangi. Our whanau walk in the shadow of tupuna who strived to make this world a better place for their mokopuna (us). We the mokopuna have continued the Whaariki of 'Love and Peace' and are committed to follow due process, in pursuit of an elusive Treaty partner to become confirmed. Nga Mihinui ki a tatou, ma te Atua hei Manaaki.

***1949***

**MANUERA MAHINUI PATENA-MARIU**

**25.** My name is Manuera Mahinui Patena-Mariu. I am 64years of age and was born at Taumarunui Hospital, 28th August 1949. I was raised at our homestead at Te Pahiko and was firstly educated at Tokaanu Primary School in Turangi and then later at Tokaanu Maori District Native High School. I completed my 'Mechanical Engineering' apprenticeship under a local business 'Dempsey's Garage' in the Tokaanu Township. In later years I worked in Auckland and throughout New Zealand and more recently throughout Australia.

**26.** Te Mataapuna o Te Huri-Kareao (Tokaanu Bay) and its river mouth is not an estuary of the Tongariro Power Project Development Scheme Agreement between the British Crown, its Crown defacto entities, and individual New Zealand government officials. Non-landowner local whanau, and non-mandated hapu representatives involved

throughout the late 1800s to the early 1900s and although specifically is not limited to the 1930s, 1940s, 1950s and early 1960s right through to the present day.

**Pre fleet occupation of Ngati Hotu in the Central North Island**

**27.** Prior to 1945 and 1950 the whakapapa of Te Pahiko is related to our parents by kaumatua, koroua, kuia and whanau of Te Rohe Potae. They are very familiar with the whakapapa of Morehu, who were the 1st surviving remnant settlers from the Central North Island before 'nga waka haerenga i Hawaiiki'. They were known as Ngati Hotu. We are informed that Te Pahiko was known to be one of the largest marae in the region with its population having approximated 300 Morehu. The Ngati Hotu marae Te Pahiko is submerged directly in front of the Patena homestead approximately 20-30 metres from the shore line.

**28.** Ngati Hotu are a peaceful people prior to, during and after the aftermath destruction of the marae Te Pahiko o Te Huri Kareao, surviving into the present day as the whanau of nga hapu o Ngati Hikairo of which nga hapu o Tuwharetoa belongs to as one hapu, whom owes homage, recognition and acknowledgement too, for peacefully allowing them to reside as one of the hapu of Ngati Hikairo.

**29.** Being informed of the Morehu whanau of Te Pahiko and experiencing firsthand the injustice of the kaitiaki Te Huri-Kareao (Taniwha/tuna-ika) whom witnessed a whakahihitanga upon tikanga and kawa. The wisdom of our kaitiakitanga being challenged, through the infiltration upon the peace and harmony of Ngati Hotu through whakamana.

**30.** Te Huri-Kareao signalled for whanau to be reverent to the tikanga and kawa of their tupuna. While bearing witness to the arrogant ignorance, Te Huri-Kareao raised his head and swiftly moved downstream from his puia matapuna above the now Tokaanu Hot Pools, and by the time he reached Te Pahiko he had created, our people claim, a massive tidal wave, which destroyed the marae of Te Pahiko. A deathly lesson to learn when tikanga and kawa or inherent rites, are breached.

**31.** As Wai 1196 has stated in previous evidence, inside other settlement processes it was not unusual to find koiwi or human remains, and taonga artefacts on the breach

foreshore of Te Pahiko. From whakanoa to whakahoki our parents would return taonga into the swamp.

**32.** Ngati Hotu marae can still be seen in and around areas of Te Arawa the Central North Island, Ngati Hikairo rohe, Taranaki and other hapu rohe of the "great fleet migration". Few whanau of Ngati-Hikairo possess absolute unextinguished aboriginal title identity to the Ngati Hikairo cluster of claimants, Ngati Hikairo i Otukou, i Papakai, i Tataia, me nga hapu o Tuwharetoa, and have whakapapa and manawhenua to the rohe north east of Taupo-nui-a-tia moana, Hatepe, Opawa-Rangitoto, Opepe-Tauhara, Wharetoto, Mohaka, Te Haroto, Kaimanawa, and inclusive of Tongariro, Taurewa, Waimarino, Maunganui-o-te-ao, Northern Whanganui, Whanganui i te Wainui-a-Ruatipua, as well as including the wider Whanganui rohe.

***1956***

**TIAHO-O-TE-MARAMATANGA MARY PATENA-PILLOT**

**33.** My name is Ko Tiaho-o-te-maramatanga Mary Patena-Pillot but my preferred names on my birth certificate are Tiaho Mary. I was born at Taumarunui Hospital on 1st November 1956. I grew up and have always lived at Te Pahiko. I currently live in Melbourne with my partner Kerry and our son Raniera.

**34.** I will give evidence on the recollection of stories as told by my mother as well as the impact of Crown and the New Zealand Government weeds of legislative amendment that have led to land loss and the diminishing mana of my people. I would also like to present evidence relating to the Native Meeting that took place in Poutu, Tongariro in 1886. My parents told me that certain prominent families in nga hapu o Tuwharetoa didn't want anyone to know that this meeting took place. These families are also my family through marriage and adoption.

**Tupuna Phillipus Wiripo Tohi Raukura (1855-1925)**

**35.** This is a recollection of the stories passed down by my mother about our tupuna Phillipus Wiripo Tohi Raukura, "Koro Tohi".

**36.** My mother spoke of large blocks of land that were covered in native bush and of Koro Tohi's love of the land and his family, he decided to clear and develop this land for farming. Our Koro was the first Maori Farmer. He hired skilled European labour who in turn could also teach him how to fell and clear native bush and trees, fencing, farming management etc. In general they liked his outlook for the future. He was a hard worker, honest and thoughtful as far as also providing employment for many who were willing to work.

**37.** Once sufficient land was cleared and grassed Koro Tohi bought dairy cattle and so began his milk production business. He started off with around 20 cows and gradually increased that number in later years. All milking was done by hand and pack horses were used to carry the cream cans across the Whakapapa River to the Kakahi Railway Station where guards would load them on to the goods train to be taken to Piriaka and then finally to the Kaitieke butter factory.

**38.** According to our grandmother Koro's land was so fertile that its rich fertile pastures produced top quality graded milk that was rarely given a second grade. Unfortunately with all his efforts to provide a stable future for himself and his family, he was disliked by his own people for spending most of his time with the Europeans (in general, learning how to farm success). His people had decided that Koro Tohi was instead learning how to make a profit for himself and his family.

**39.** Koro Tohi was a business man who owned 2 general stores – one in Korohe and the other in Tokaanu. He also owned the Tokaanu Billiard Saloon and had a storage shed built on the Tokaanu Wharf (which was burnt down by jealous relations). He also had a tourist business and sold fishing gear and supplies. As a tourist fishing guide he would also take them to popular fishing spots.

**40.** Koro Tohi left his numerous businesses in Tokaanu to his eldest son Dan Runga and decided to return to Nukuroa and Kaharoa with his youngest children – Tiahuia and Turangitukua Gabriel Tohi Raukura. However, through ill health he asked his son Dan to help manage the farm for them. By this time Dan had given up his business in Tokaanu and had been living with his in laws in Waihi. Dan wasn't able to fulfil his

father's wish and instead our grandfather Tamamutu was left in charge while Koro Tohi tried to talk to his son Dan.

**41.** At the same time Kepa Te Ahuru was also asking for his son Tamamutu to return to his own homeland Korohe to farm land, grow crops and provide for his family. Our grandparents were undecided at the time, until later on and after much thought and careful planning they decided to leave for Korohe. (Parekarangi Polly, Rauaiterangi and Te Wharerangi Sonny – were their children at the time).

**42.** Try as he may Koro Tohi was not able to persuade our grandparents to stay and not leave. He wept for his daughter and grandchildren when they left him. To ease his sadness somewhat he provided them with some stock and farming implements etc. This made my grandfather clear land and develop it for dairy farming in Korohe and eventually make a living for his family. Starting off with a small number of cows where milk would be delivered to the Waihi butter factory.

**43.** Koro Tohi's health was deteriorating and he asked our grandmother to return to Te Rena to care for him and for our grandfather to manage the farm. Our grandparents gave up their farm in Korohe and returned to Te Rena, near Kakahi. There was a lot of work to be done. Turangitukua, Bill Ranginui, Renata Tawera and Te Ririo were just teenagers then and they helped our grandfather with the milking and other farm chores. It was during the year 1923-24 Koro Tohi passed away. His son Dan returned to Te Rena for a short time and then decided to return to Tongariro to start farming too. That farm is now leased to Mr Aurther Grace of Turangi.

**44.** Our grandfather continued to farm on Taurewa but because of a national drought he was forced to sell his stock. During the 1930s Taurewa block was soon to expand and in the 1940s the Native Land Scheme began. At this time our uncles (Te Wharerangi, Rangataua and Mareikura) were employed by various timber companies. Our grandfather thought that the right thing to do was to have his sons help to develop more farmland and asked them to return home to work. Our father, Te Taawhi also became a helping hand on the farm whenever he could.

**45.** Later on brothers Fred (Rangataua) and Monty (Mareikura) would move on to higher paid jobs in timber companies. Youngest brother Nepia was educated and trained for

office work in Auckland and was seldom on the farm. But Sonny (Te Wharerangi) remained working on the farm with our grandfather almost from the beginning until he retired. Sonny could've written a book about developing those two big blocks at Taurewa and Whangaipeke. As the manager he had to embrace all its hard working responsibilities and at the same time keeping a close watch on what the Maori Affairs were gradually doing.

**46.** Our mother's Taurewa farm was the first to become a part of the Native development scheme. Our grandfather was responsible for starting the scheme in the area. He was shot at by some of the owners of the surrounding blocks because they believed that he was working for the Native Development Scheme and that would eventually take control of their lands too.

**47.** Our grandfather on our father's side, Te Ngoi Patena-Mariu, strongly opposed the scheme saying that he preferred his native ferns and tea trees be left alone and not disturbed then at least he'd still have his land. But the Maori affairs scheme continued – claiming thousands of acres of land.

**48.** My brothers Whetu, Kepa, Patrick and Paraone worked for 'the scheme' during their college days with Uncle Sonny as manager. This was how they earned money to pay for their college fees.

**Native Meeting of Poutu, Taupo**

**49.** Attached and marked 'A' are 6 pages of the Native Meeting as reported by Inspector Scannell in 1886. This document is a point of reference I wish to be recorded within this inquiry.

**Disappearing Boundaries**

**50.** Ngati Hikairo tribal boundaries are overlapping along the eastern side of the Te Rohe Potae i.e. Karangahape – Hauhungaroa and Puketapu. Attached and marked 'B' is a map of the Hauhungaroa block. Puketi and Mangaku lay together side by side. It is acknowledged that the awa of Tokaanu significantly contributed to the determining of boundaries. Our people further upstream recognise that they share the water resource with others. There has never been such a thing as individually owning a stream or land for that matter. Everything had a communal setting for the purpose of serving ahau whanau, hapu and iwi as one collective.

**51.** Hauhungaroa block is a range and forest which is the traditional boundary marks that we are accustomed to.

**52.** Tribal boundaries can be said to have been put in place so that each hapu manage their environmental resources in order to survive. The maintenance and sustainability of the food source was also the responsibility of that hapu and this is why the appropriate food source exchanges could be made amicably between hapu when required. Leadership within the hapu reinforced this vital understanding about respecting each other's boundaries. Contested tribal boundaries evolved when the Crown decided to change those boundaries as the increasing influx of the European farming community began.

**53.** Changing our people's traditional boundaries was in some cases the beginning of 'opening up' old tribal disputes that had already been settled. All of our hapu leaders have passed on now and in some instances the next generation have a different process and attitude towards understanding and dealing with resolving issues.

***1964***

**Daniel Whetu Ormsby**

**54.** My name is Daniel Whetu Ormsby. I am a direct descendant of Robert Ormsby and Mere Pianika Takiari, the parents of my koroua Kiripato Ormsby. His brother was John Ormsby who became the first chairman of the Kawhia Native Committee which was a success for Ngati Maniapoto, Ngati Hikairo, Whanganui Iwi, and te iwi-maori and te iwi-morehu.

**55.** John Ormsby' prominence in the 1880s as a protégé of Wahanui Huatare, and therefore Ngati Maniapoto, Ngati Hikairo and Te Rohe Potae.

**56.** The Kawhia Native Committee was seen as the most active and successful of those elected under the 1883 Native Committees Act. Although John Ormsby is young and junior in whakapapa the authority of leading rangatira supported his chairmanship. They were keen to utilise his considerable skills in speaking and dealing successfully

with European officialdom. John Ormsby' duties were to investigate and report on land issues, succession and title, and settling disputed claims of payment.

**57.** In 1884 John Ormsby and others successfully petitioned Parliament to permit Wahanui Huatare to address the House on Maori land issues. John Ormsby accompanied Wahanui to Wellington. Their main concern was seeking lawful empowerment as an equal Treaty partner to the Crown, into dealing with the many land issues because of Government's intention to build a main trunk railway line within the King Country. This more often than not resulted in their land being subject to the many prejudice and bias acts and proclamations utilised to alienate the unextinguished aboriginal title from recognised Maori landowners. This was done through the New Zealand Government promoted land sales to any non-maori rather than the Crown.

**58.** The visit bore fruit when a meeting was arranged between native minister John Ballance and representatives of Ngati Maniapoto, Ngati Tuwharetoa, Whanganui iwi, Ngati Raukawa and Ngati Hikairo at Kihikihi on 4 February 1885. In his duty as chairman John Ormsby presents their many concerns. They were committed to protect te iwi-maori from further loss of land, through rates and mounting private debt, and consequent freehold sale, but they were prepared to grant leases.

**59.** John Ormsby obtains agreement that the powers of the Kawhia Native Committee be progressively expanded, and that the operation of the Native Land Court breathe a reformed respect, and te iwi-maori maintain individuals rights over the mining operations of their minerals. The most important concession being no rates be levied against the land until it was either in production or leased to Pakeha settlers. Minister John Ballance rejected John Ormsby' argument for increasing the number of Maori MHR's to eight.

**60.** The Kihikihi agreement was a success. John Ormsby was delegated to discuss amending legislation with Government, but endeavoured to encourage te iwi-maori to seek a righteous means to remove the many weeds of Government legislative amendments that covered the true spirit of goodwill and natural justice of Te Tiriti o Waitangi. The land court hearings preceded without the drunken debasement or the outrageous practises that Ngati Maniapoto, Ngati Hikairo, and te iwi-maori had noted

in Cambridge. The Kawhia Native Committee collected royalties from contractors, for the right to take timber and minerals. The Committee issued licenses to keep billiard rooms, granted temporary occupation rights to Pakeha storekeepers and railway contractors, and liaised with the Government. It also continued to administer Ngati Maniapoto rohe and other lands. Maori land was leased to Pakeha settlers on 21 year leases, with 5 year rent reviews and no compensation for improvements. In 1887 Ngati Maniapoto engaged with contractors attempting to avoid royalty payments owed. A Government native agent investigated and recommended that no further action be taken. John Ormsby seems to have mediated that conflict, and the agreed payment.

**61.** In 1920 he supported the establishment of the Kingitanga movement marae at Turangawaewae. He also was an advisor to the Maori King, Te Rata, and assisted Te Puea Herangi to pioneer differential voting techniques to ensure the election of other Maori to local bodies.

**62.** Ngati Hikairo has always supported our tupuna in their works.

**63.** I have presented an origin for our whanau claim in Te Rohe Potae inquiry, and the nature of our claim addresses the murderous time-consuming impacts of the TPPDS. This promoted the Communal House Arrest of the Unextinguished Aboriginal Inhabitants into District Council adjudicated cities, townships, villages, marae all subject to Government parliamentary acts, proclamations, and all mannerisms of outrageous practices. These practices breached Te Tiriti o Waitangi article 2 and article 3 as recognised and acknowledged in the Ohaaki-Tapu compact. The full extent of our claim is to support all the hopes and aspirations of Ngati Maniapoto, Ngati Hikairo and te iwi-maori to exercise the true spirit of goodwill and natural justice alongside an unconfirmed sovereign tri-head state, in order for such an elusive treaty partner to become confirmed.

**Conclusion**

**64.** It is our aspiration that the claims we present today are not only recognised and recorded in the Te Rohe Potae Inquiry but that it acknowledges the whanau, hapu, and iwi who were affected right across Te Ika a Maui due to the TPPDS, and where compensation would be an appropriate means to acknowledge the breaches of the

Crown. The amalgamation of blocks led to the minimisation of claims over lands which should have been held accountable in particular the creation of the Taupo-nui-a-tia block and the Waimarino block, which we acknowledge is outside the jurisdiction of this inquiry, however both those involved are within original Te Rohe Potae boundary. The creation of this block created an overlap of an already existing boundary. Our people should be able to claim the lands by 'Urupa' especially on the Taupo-nui-a-tia block which has our old people buried on it.

**65.** Earlier legislative tools led to continual land loss and diminished recognition of our people when it came to whenua. These actions adversely affected the interests of Maori with their land as well as severely diminishing their mana whenua. The consolidation of acts within the Native Lands Act 1909 led to the ability to alter and create land owner lists through adoption as well as unnatural human status on land.

**66.** Intrinsic to myself whanau, hapu and iwi is for a greater presence to impacted Maori land owners of protection and preservation for the wahi tapu and papakainga associated to those land owners over and above the influential trusts and incorporations who currently manage these lands, minimising land owner impact.

**67.** We, the uri o Te Wharerangi seek a successful settlement package here within Te Rohe Potae, for and alongside Ngati Rangatahi, Ngati Maniapoto. Consisting of a Crown land exchange package and a belated monetary compensation package of which both packages are to be derived from within Te Rohe Potae. Ngati Hikairo supports the spiritual and physical commitment of Te Ohaaki-Tapu compact and the Te Tiriti o Waitangi to pursue an elusive Treaty partner. In order to become confirmed and to be the respectable entity of goodwill and natural justice that is accordingly provided for under Article 2 of Te Tiriti o Waitangi. I.e. Individuals rights guaranteed.

**MERLE MAATA ORMSBY**
**MANUERA MAHINUI PATENA-MARIU**
**TIAHO-O-TE-MARAMATANGA MARY PATENA-PILLOT**
**DANIEL WHETU ORMSBY**