

IN THE MATTER OF The Treaty of Waitangi
Act 1975

AND

IN THE MATTER OF Claims by HUHURERE
TUKUKINO and
OTHERS known as the
HAURAKI CLAIMS

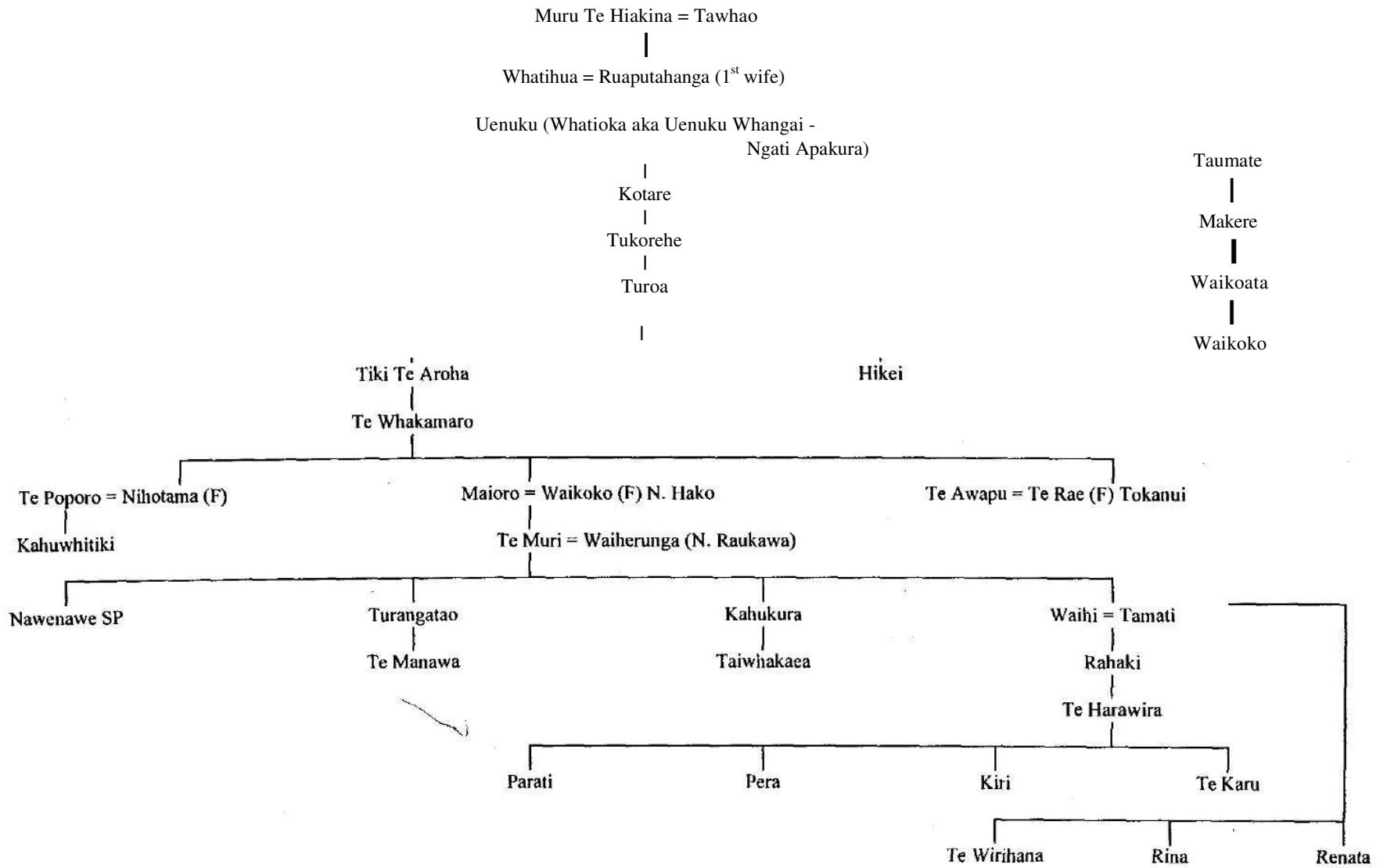
**STATEMENT OF EVIDENCE OF PANI RU PAHATA HORI KEETI ON
BEHALF OF NGATI TARA TOKANUI AND NGATI KOI**

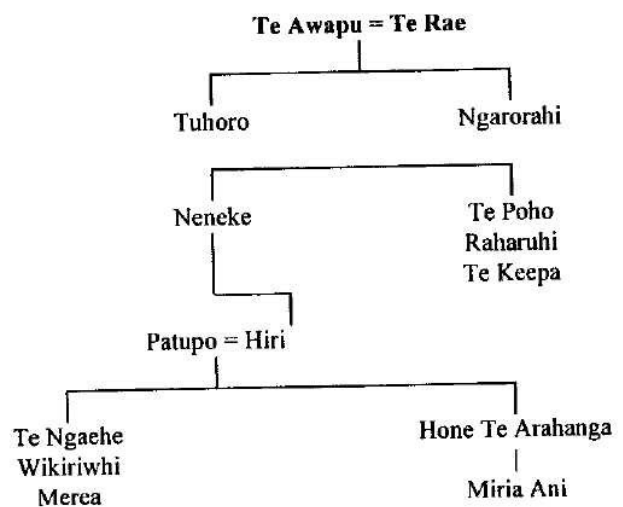
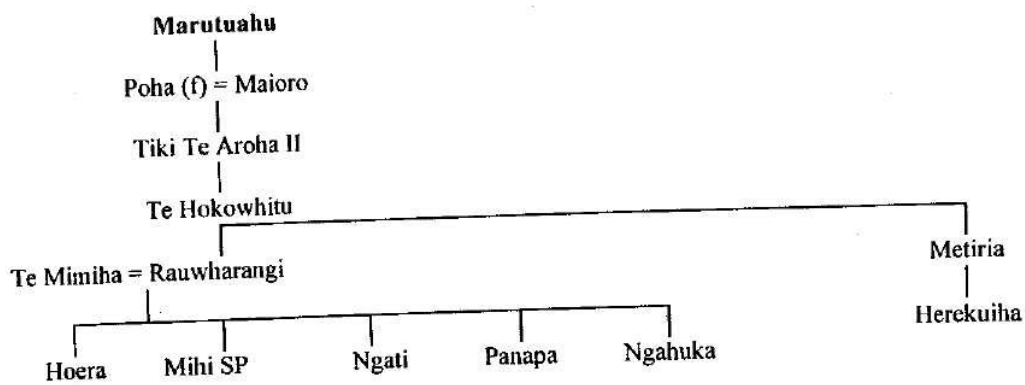
1. My name is Pani Ru Pahata Hori Keeti. People call me Bunny Gage. I am a kaumatua of Ngati Tara Tokanui and Ngati Koi.
2. Tainui is the waka of Tara Tokanui and Tara is the tupuna.
3. Tara Tokanui is closely interlinked with Ngati Tamatera, Ngati Hako, Ngati Maru and Ngati Tawhaki. Through intermarriage we are all one.
4. I have attached the whakapapa of Tara Tokanui to my evidence. This shows that we are a Tainui Iwi through Whatihua and his first wife Ruaputahanga.

5. Whatihua's first wife was Ruaputahanga. They had a son named Whatioka. Ruaputahanga ran off back to her people in Taranaki. Whatihua chased her. She knew that Whatihua was right behind her. She wrapped up her baby, Whatioka, and left him by the creek. She knew that Whatihua would find the baby and, unable to leave him behind, would be burdened in his chase. She saw Whatihua arrive at the river and see Whatioka. But before Whatihua could pick up his child he saw a taniwha. It was the taniwha of Ruaputahanga. Whatihua realised that if he was to continue the chase for his wife he would have to carry the baby and fight the taniwha. If he lost the fight with the taniwha, he would also lose his child. So he gave up the chase and turned back. It was four more generations between Whatioka and Tara.
6. Ngati Tara Tokanui settled predominantly in the Ohinemuri area. Tara himself came originally from Mangatautari (near Cambridge). He followed Ngati Maru into Hauraki when they migrated, as they were closely related. At the time of the signing of the Treaty of Waitangi we had substantial land holdings throughout the Ohinemuri area. By 1885 we had lost virtually all of our land, from Ohinemuri right through to the Athenree gorge. Our iwi was burdened by the ruinous expenses involved in defending title to our lands in the Native Land Court. The Native Land Court did not understand our customary rights. It denied tribal ownership and the authority of our rangatira.
7. James Mackay and the other government agents were supposed to help us. Instead Mackay made loans to our tupuna to the extent that they could not pay the money back. He then took our best lands as payment for the debt. This is what we call raihana. As a result of debt we lost our Ohinemuri lands. We were moved into swamp land which had been set aside as a reserve for our people. This Ngati Koi reserve was made up of 1170 acres at Mangakiri at a place called Motukeho.
8. We were given this reserve because our tupuna were saying that they had no land left. They wanted a rahui on the sale of the land so that some could be saved for the mokopuna of the coming generation. The government put restrictions on the sale of

the land. Then in 1882 the government decided that it wanted the land for goldmining. The restrictions on sale were removed.

9. There were 73 names recorded on the title to this land, including my great great grandfather on my father's side and Herekiuha Muroa, my great great grandfather on my mother's side. They picked us off one by one. By the 1890's we had lost ownership of this land as well. This land is now being used as a processing plant for the Martha Hill gold mine. It is under lease from the Council. There is a long conveyor belt which transports the mining spoil from the mine to our reserve for processing.
10. When I was a young boy I remember occasions when we passed by the Ngati Koi reserve. We would stop on the road and have a karakia. I asked my mother why we stopped here. She said that it was the pa of my tupuna and that I should always pay respect. It is only recently that the pa site has been fenced off by the Council.
11. We had another 50 acres which was reserved from sale. We understood that there would be timber on the land. But when we got there, there was no wood. Also we had no legal access to the land. It was a bad deal.
12. I also attach correspondence in respect of the Ohinemuri 7A2 and 16A2 blocks which were acquired by the Crown through special legislation. I do not believe that all of the owners were compensated for that taking, but even if they were, why did the Crown have to take the land in the first place?
13. These are some of our concerns as Ngati Tara Tokanui and Ngati Koi. These concerns are in addition to the general grievances outlined in the WAI 100 claim which we also support. We hope that, with these hearings, the claims of our people will be dealt with properly and honourably. If they are not, we will just hand them on to the next generation and they will fight just as we have. I do not want that to be their inheritance.





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OTOROHANGA

Please make appointments for interviews.

5th March 1991

Bunny Gage Esq C/-
PO Waiomu THAMES
COAST

Dear Sir

You will remember that we discussed with you before, the situation in regard to Ohinemuri 7A2 and 16A2 Blocks. We advised you that the land had been partitioned by the Maori Land Court on the 4th October 1887 but subsequent to the partition, the lands were acquired by the Crown under Section 14 of the Native Purposes Act 1946. However, the purchase money was apparently never paid. In fact, an Act of Parliament intended to legalise the situation was passed as the Native Purposes Act 1947. Section 14 of that Act created a Trust in favour of Maori owners, the Trustee being the Waikato Maniapoto District Maori Land Board.

The whole result of the transaction is that 110 years have passed without the Maori owners being paid for their land and we believe that because we had no response to our letter of the 23rd November 1990 from the Maori Trustee at Wellington that you should now make an application to the Waitangi Tribunal for redress. Please advise whether you approve.

Yours faithfully
PHILLIPS AND -POWELL

Per:



F L Phillips

PHILLIPS & POWELL

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OTOROHANGA

Please make appointments for interviews.

7th October 1991

Mr Bunny Gage c/-
Post Office
Waiomu THAMES
COAST

Dear Sir

Re: Ohinemuri 7A2 and 16A2 Blocks

We refer to your letter dated the 3rd of September 1991. We have now requested that the Maori Trustee advise us on the payment of compensation moneys for the people through whom you claim an interest In Ohinemuri 7A2 and 16A2 Blocks. We have received confirmation by the Maori Trustee that three of those owners have had compensation moneys paid out, and that the fourth owner Tuinga Te Wani was succeeded by Peter Panapa Te Wani. We have requested further information on the succession of the share of Peter Panapa Te Wani from the Maori Trustee, and will advise you in due course.

In the meantime we enclose a copy of the Maori Trustee's letter, which explains the payment of compensation moneys for your information. We look forward to your comments, if any, on that letter. Should you have any queries please do not hesitate to contact the writer.

Per:



Mark Hornabrook

encl