

In the Native Land Court of New Zealand, Tokerau District.—In the matter of section 23 of the Native Purposes Act, 1938, and in the matter of Petition No. 33 of 1937 (referred to in the said section as No. 33 of 1938) of Ata Paniora and another, praying for relief in respect of injustice allegedly suffered by them in relation to Waipoua 2B 3B 1, Waipoua 2B 3D 2 and 2B 3A Blocks.

To Chief Judge Shepherd, Native Land Court, Wellington C. 1.

WHEREAS pursuant to section 23 of the Native Purposes Act, 1938, the claims and allegations made by the petitioners in the above-mentioned petition were referred to the Native Land Court for inquiry and report: Now, therefore, the Court reports as follows:—

A sitting of the Court was held at Kaihu on the 6th day of July, 1939, before Frank Oswald Victor Acheson, Judge, when evidence was brought forward by Mr. Louis Wellington Parore on behalf of the Native petitioners and by Mr. V. R. Meredith, Crown Solicitor, on behalf of the Crown.

After the hearing of lengthy evidence the Court was asked for an adjournment in order to enable the parties to confer to see whether the claims of the petitioners were capable of reasonable settlement by agreement.

The conference was duly held, and the parties announced to the Court that agreement had been reached on matters referred to in clauses 6–13 of the petition.

An agreement was accordingly drawn up covering the claims set out in clauses 6–13 of the petition, and it has been signed by all parties affected. A photostat copy of this agreement is attached (Agreement No. 1).

A further sitting of the Court was held at Utakura on the 19th day of February, 1940, when after a conference between Mr. Parore, representing the Native petitioners, and Mr. P. B. Wright, representing the Crown, the parties announced to the Court that a tentative agreement had been reached covering clauses 1–5 of the petition, which agreement would be submitted to the Conservator of Forests, Auckland, for approval. Agreement duly approved.

This further agreement was accordingly drawn up to cover the claims set out in clauses 1–5 of the petition, and it has been signed by all parties affected. A photostat copy of this agreement is attached (Agreement No. 2).

The original agreements are held by the Lands Department, but signed copies are also held by the Native Department, Wellington.

In order to give effect to the agreements the following further action is necessary:—

(a) *Agreement No. 1.*—The Waipoua 2B 3D 2B and Waipoua 2B 3A 2 Blocks have already been declared to be Crown Land (*N.Z. Gazette* No. 4 of 24/1/1924 and *N.Z. Gazette* No. 89 of 28/10/1920 respectively). Application should now be lodged by the Honourable the Native Minister in terms of section 529 of the Native Land Act, 1931, for a redefinition of the boundaries of Waipoua 2B 3D 2A, 2B 3D 2B, 2B 3A 1 and 2B 3A 2 Blocks. The written consent of the Honourable the Minister of Lands to the inclusion of the Crown sections as provided by subsection (2) of section 529 will also require to be lodged. If the above Crown sections have been declared to be State Forest reserves, steps will require to be taken to have such reservation revoked. When redefined a survey of the readjusted boundaries will be essential in order to complete title both to the Natives and the Crown:

(b) *Agreement No. 2.*—As the Waipoua 2B 3B 1 block has not been partitioned as between the Crown and Natives under the original purchases, the Court should be moved to partition the land in accordance with the terms of the agreement. Application should be made on behalf of the Crown for partition in terms of the agreement, and the written consent of the Minister to this procedure lodged.

A plan will be required for title purposes.

As witness the hand of the Judge and the seal of the Court.

[L.S.]

F. O. V. ACHESON, Judge.