

1943.

NEW ZEALAND.

OTAKI-PORIRUA AND PAPAWAI-KAIKOKIRIKIRI TRUSTS COMMITTEE

(REPORT OF THE).

(MR. O'BRIEN, CHAIRMAN.)

Presented to both Houses of the General Assembly on the 12th day of March, 1943, pursuant to Order.

ORDERS OF REFERENCE.

Extracts from the Journals of the Legislative Council.

THURSDAY, THE 20TH DAY OF AUGUST, 1942.

Ordered, "That a Select Committee be appointed, consisting of ten members, to consider the petitions of the Porirua College Trust Board, the Papawai and Kaikokirikiri Trusts Board, Te Hioirangi Te Whaiti and eighty-four others, Wiremu Tahana and thirty-two others, Wirihana Rawhira Paku and fifty-one others, Henare Tabiwi and four others, and Dan Ransfield and seventy-six others relating to the Papawai and Kaikokirikiri Trusts, and any other petitions or particulars relating to the same subject which may be referred to it, with power to confer and sit together with any similar Committee which may be appointed by the House of Representatives, and to agree to a joint or separate Report: the Committee to consist of the Hon. Mr. Bloodworth, the Hon. Mr. Briggs, the Hon. Mr. Davis, the Hon. Mr. Grounds, the Hon. Mr. Martin, the Hon. Mr. Mawhete, the Hon. Mr. O'Kane, the Hon. Mr. Perry, the Hon. Mr. Ward, and the Mover."—(Hon. Mr. WILSON.)

WEDNESDAY, THE 14TH DAY OF OCTOBER, 1942.

Ordered, "That the petitions of Kahurangi Durie and ninety-six others be referred to the Otaki-Porirua and Papawai-Kaikokirikiri Church Trusts Committee."—(Hon. the SPEAKER.)

THURSDAY, THE 15TH DAY OF OCTOBER, 1942.

Ordered, "That the petitions of Toka Potangaroa and others and Roore Rangihueca and others be referred to the Otaki-Porirua and Papawai-Kaikokirikiri Church Trusts Committee."—(Hon. Mr. MARTIN.)

THURSDAY, THE 3RD DAY OF DECEMBER, 1942.

Ordered, "That the Otaki-Porirua and Papawai-Kaikokirikiri Trusts Committee have power to sit during the recess and for fourteen days after the commencement of the next session at such times as the Committee may see fit: the Committee to report to the Council before the expiration of fourteen days after the commencement of next session."—(Hon. Mr. WILSON.)

FRIDAY, THE 5TH DAY OF MARCH, 1943.

Ordered, "That the period set down by order of the Council dated 3rd December, 1942, within which the Otaki-Porirua and Papawai-Kaikokirikiri Trusts Committee was required to present its report be extended for a further period of seven days to enable the Committee to complete its deliberations and prepare its report."—(Hon. Mr. WILSON.)

Extracts from the Journals of the House of Representatives.

THURSDAY, THE 20TH DAY OF AUGUST, 1942.

Ordered, "That a Select Committee be appointed, consisting of ten members, to consider the petitions of Te Hioirangi Te Whaiti and eighty-four others, Wiremu Tahana and thirty-three others, Dan Ransfield and seventy-six others, Henare Tabiwi and four others, Wirihana Rawhira Paku and fifty-one others, the Papawai and Kaikokirikiri Trusts Board, and the Porirua College Trust Board relating to the Papawai and Kaikokirikiri Trusts, and any other petitions or particulars relating to the same subject which may be referred to it, with power to confer and sit together with any similar Committee which may be appointed by the Legislative Council, and to agree to a joint or separate report: the Committee to consist of Mr. Lowry, Mr. Massey, the Hon. Mr. Mason, the Hon. Sir Apirana Ngata, Mr. O'Brien, the Hon. Mr. Paikea, Mr. Ratana, Mr. Sutherland, Mr. Thorn, and Mr. Tirikatene."—(Hon. Mr. SULLIVAN.)

Ordered, "That the petitions of Toka Potangaroa and others and Hone McMillan and others be referred to the Otaki-Porirua and Papawai-Kaikokirikiri Trusts Committee."—(Mr. O'BRIEN.)

Ordered, "That the petitions of Henare Tahiri and others, Wirihana Rawhira Paku and others, Wiremu Tahana and others, D. Ransfield and others, Te Hioirangi Te Whaiti and others, the Porirua College Trust Board, and the Papawai and Kaikokirikiri Trusts Board be referred to the Otaki-Porirua and Papawai-Kaikokirikiri Trusts Committee."—(Hon. Sir APIRANA NGATA.)

WEDNESDAY, THE 14TH DAY OF OCTOBER, 1942.

Ordered, "That the petition of Kahurautete Durie and others be referred to the Otaki-Porirua and Papawai-Kaikokirikiri Trusts Committee."—(Mr. LOWRY.)

FRIDAY, THE 4TH DAY OF DECEMBER, 1942.

Ordered, "That the Otaki-Porirua and Papawai-Kaikokirikiri Trusts Committee have power to sit during the recess and for fourteen days after the commencement of the next session at such times as the Committee may see fit: the Committee to report to the House before the expiration of fourteen days after the commencement of the next session."—(Hon. Mr. MASON.)

FRIDAY, THE 5TH DAY OF MARCH, 1943.

Ordered, "That the period set down by order of the House dated 4th December, 1942, within which the Otaki-Porirua and Papawai-Kaikokirikiri Trusts Committee was required to present its report be extended for a further period of seven days to enable the Committee to complete its deliberations and prepare its report."—(Hon. Mr. MASON.)

REPORT OF THE OTAKI-PORIRUA AND PAPAWAI-KAIKOKIRIKIRI TRUSTS COMMITTEE.

In the matter of the following petitions: No. 65/1941, TOKA POTANGAROA and Others; No. 66/1941, HONE McMILLAN and Others.

PRAYING that, whereas certain lands at Porirua, Otaki, Papawai, and Kaikokirikiri were Crown-granted to the Bishop of New Zealand in the year 1853 by Sir George Grey for the education of children of British subjects of all races and of children of other poor and destitute persons being inhabitants of the islands of the Pacific Ocean on the promise that colleges or schools were about to be established in the districts named, and whereas no college or school has been built with the exception of certain spasmodic and unsuccessful efforts over the past ninety years, and whereas the lands have not produced sufficient revenue to carry out the purpose of the said trusts, legislation be enacted to establish trust boards in the Wairarapa and Manawatu districts respectively with a view to establishing hostels in the vicinity of existing State colleges under the management of the Native Trustee, and that none of the trust lands be sold except with the consent of the donor tribes.

And the petitions of No. 26/1942, HENARE TAHIRI and Others; No. 27/1942, WIRIHANA RAWIRI PAHU and Others; No. 28/1942, WIREMU TAHANA and Others; No. 29/1942, DAN RANSFIELD and Others; No. 30/1942, TE HIOIRANGI TE WHAITI and Others; No. 31/1942, PORIRUA TRUST BOARD; No. 32/1942, PAPAWAI and KAIKOKIRIKIRI TRUSTS BOARD; No. 36/1942, KAHURAUTETE DURIE and Others.

PRAYING that no action be taken regarding the two aforementioned petitions numbered 65 and 66 of 1941, and that no such legislation as therein prayed be recommended or granted, as the existing Porirua College Trust Board and Papawai and Kaikokirikiri Trusts Board propose to seek legislation to grant scholarships at Church of England schools to cover allowances for clothes, books, travelling, tuition, and board fees and to make grants to parents and guardians of scholars attending local schools where desirable, to appoint extra Maori representatives on each Board, and a representative of the Education Department.

The Committee has the honour to report that it has heard voluminous evidence from the petitioners, including a large amount of documentary evidence and addresses of counsel. Meetings have been convened by the Committee in the areas in which the trust lands are situated, and the Committee has carefully considered the reports of such meetings.

As a result of its deliberations the Committee recommends:—

(1) That in consideration of the fact that the lands referred to in the petitions were vested in the Church of England for the education of the Maoris in the Porirua, Otaki, Masterton, and Greytown districts, and that the inability of the Church to administer the trusts according to the original intention was not due to any fault of its own, the trusts be continued in the name of the Church of England and as far as possible be administered so as to provide the educational training contemplated by the Maoris when the lands were gifted.

(2) That with a view to the administration of the trusts to the satisfaction of the Maoris concerned the Committee is of opinion that the Boards governing the trusts should be representative of the Church of England, of the Maoris, and of the Education Department.

(3) That the lands at Porirua and Otaki given by the Ngatitua, Ngatiraukawa, and Ngatiawa, together with the assets derived therefrom, shall be administered to carry out as far as is practicable the terms and intentions of the original grant, but the Committee is of opinion that the Trust Board should emphasize assistance in the education of the members of these tribes, including all their descendants.

(4) That the lands at Masterton and Greytown, given by the hapus of the Ngatikahungunu Tribe in the Wairarapa, together with the assets derived therefrom, shall be administered to carry out as far as is practicable the terms and intentions of the original grants, but the Committee is of opinion that the Trust Board should emphasize assistance in the education of those hapus belonging to the Ngatikahungunu Tribe residing in the Wairarapa district south of the line joining Akitio and Pahiataua and continuing to the Tararua Ranges.

(5) That the trust lands at Otaki and Porirua and the investments and other assets held upon the same trusts should be administered by a board of eight persons—namely, (i) four members appointed by the Church of England, one of whom shall be elected as chairman; (ii) three Maori members, not necessarily adherents of the Church of England, who shall be appointed by the Raukawa Marae Trustees constituted by section 10 of the Native Purposes Act, 1936, and of whom one shall belong to the Ngatitoa Tribe; (iii) one member appointed by the Minister of Education.

(6) The trust lands at Masterton, Papawai, and Greytown, and the investments and other assets held upon the same trusts, should be administered by a board of eight persons constituted as in section (5) herein, except that the three Maori members shall be appointed by a meeting of members of the Ngatikahungunu Tribe residing in the Wairarapa district south of the line joining Akitio and Pahiataua and continuing to the Tararua Ranges convened for the purpose in the same manner as meetings of the assembled owners are convened under Part XVIII of the Native Land Act, 1931.

(7) Neither Board shall have power to sell any land vested in it unless and until the consent and agreement of the respective tribes or hapus concerned or interested shall have been obtained in open meeting summoned in the manner prescribed by section 416 of the Native Land Act, 1931.

(8) Neither Board shall have the power to make grants from the trust funds to any institution unless and until the consent and agreement of the respective tribes or hapus concerned or interested shall have been obtained in open meeting summoned in the manner prescribed by section 416 of the Native Land Act, 1931.

(9) Each of the said Boards should be empowered to assist in the education of the tribes concerned in the following ways:—

(a) By granting scholarship busaries or other financial assistance to pupils attending or proposing to attend the secondary schools. The wishes of the parents of each selected pupil to determine the school at which the scholarship or bursary shall be tenable shall be given the fullest consideration. In the case of any dispute in regard to the allocation of benefits the Minister of Education shall decide:

(b) By providing books, clothes, or other equipment for such pupils:

(c) By erecting, purchasing, or otherwise acquiring suitable buildings to house such pupils, and by furnishing, conducting, and managing the same.

(10) Copies of the annual reports of the respective Boards shall be presented to Parliament.

(11) That appropriate legislative provision be made to give effect to these recommendations.

JAS. O'BRIEN, Chairman.

11th March, 1943.

RIPOATA A TE KOMITI O TE WHARE PAREMATA MO NGA WHENUA O OTAKI ME PORIRUA O PAPAWAI ME KAIKOKIRIKIRI KEI RARO I TE MANA KAI-TIAKITANGA O TE HAHU O INGARANGI.

Mo te take o nga pitihana e whai ake nei ara: 65/1941, a TOKA POTANGAROA ma; 66/1941, a HONE
McMILLAN ma.

E inoi ana notemea tera etahi whenua kei Porirua, kei Otaki, kei Papawai a kei Kaikokirikiri i Karauna Karaatitia ki te Pihopa o Niu Tiren i te tau 1855 e Ta Hori Kerei hei whakawhiwhi ki te matauranga i nga tamariki a nga tangata o nga iwi katoa kei raro i te mana o te Kiingi o Ingarangi ratou ko nga tamariki a era atu tangata pohara a rawakore he tangata no nga iwi o nga motu e tau nei i roto i te moana nui a Kiwa i runga i te oati he kareti, he kura ranei ka mahia ki roto i nga takiwa kua whaka-ingoatia a notemea kaore he kareti, he kura ranei kia mahia, ahakoa nga whakahaere waimori a angitua ki te whakatu kareti a kura i roto i nga tau e iwa tekau kua taha ake nei a notemea kaore i ranua nga oranga o aua whenua hei whakarite mo nga take i tukua ai aua whenua, kia mahia he ture hei whakatu Poari Kai-tiaki ki nga takiwa o Wairarapa me Manawatu hei whakatu whare nohonga mo nga tamariki kura kia tata ki nga kareti a te Kawanatanga i raro i te mana whakahaere o te Kai-tiaki Maori a kia kaua tetahi o aua whenua i tukua ki raro i taua kai-tiakitanga e hokona me matua whakaae rano e nga iwi nana i tuku aua whenua.

Me nga pitihana 26/1942, a HENARE TAHIWI ma; 27/1942, a WIRIHANA RAWIRI PAHU ma; 28/1942, a WIREMU TAHANA ma; 29/1942, a DAN RANSFIELD ma; 30/1942, a TE HIOIRANGA TE WHAITI ma; 31/1942, a TE POARI KAI-TIAKI O PORIRUA; 32/1942, a TE POARI KAI-TIAKI O PAPAWAI me KAIKOKIRIKIRI; 36/1942, a KAHURAUTETE DURIE ma.

E inoi ana kia kaua e whakaaetia te inoi a nga pitihana e rua kua huaina i mua ake nei ara Pitihana Nama 65 me Pitihana Nama 66 o te tau 1941 a kia kaua e tohutohungia a e whakaaetia kia mahia he ture kia rite ki te inoi a aua pitihana notemea ko te Poari Kai-tiaki o te Kareti o Porirua me te Poari Kai-tiaki mo Papawai me Kaikokirikiri e mea ana ki te rapu i tetahi ture whakamana ki te tuku karahipi ma nga tamariki i nga kura o te Hahi o Ingarangi hei utu mo nga kakahu mo nga pukapuka, mo nga haerenga mo te akonga a mo te nohonga i te whare kura a ki te tuku moni oranga ki nga matua ratou ko nga kai-tiaki o nga tamariki kura e haere ana ki nga kura kei nga wa kainga mehemea e pai ana ki te whakaaro, ki te whakatu kia maha atu nga tangata Maori mo ia Poari a i tetahi mangai mo te Tari mo nga Kura.

Ko te Komiti e whai honore ana ki te ripoata kua whiriwhiria e te Komiti nga korero a nga kai-pitihana hui atu ki nga korero e pa ana ki tenei take kei roto i nga pukapuka me nga kauwhau a nga roia. I karangatia he hui ki nga takiwa kei reira nga whenua te putake o nga pitihana kua huaina i mua ake nei a kua ata whiriwhiria e te Komiti nga ripoata o aua hui.

I runga i te taunga o ana whiriwhiri tenei te Komiti ka tohutohu:—

(1) He whakaarohanga mo te ahuatanga o nga whenua kua huaina ake nei i roto i nga pitihana, i tukua ki te Hahi o Ingarangi hei whakawhiwhi ki te matauranga i nga tamariki o roto i nga takiwa o Porirua, o Otaki, o Mahitaone, o Kereitaone a i te mea e hara i a ia ake te he i kore ai a taea e te Hahi te whakahaere o aua whenua, i tukua nei ki raro i tona mana kai-tiakitanga, kia rite ki te whakaaro tuatahi i tukua ai enei whenua, ko nga whenua e tiakina nei me mau tonu i raro i te ingoa o te Hahi o Ingarangi a me whakahaere hei whakawhiwhi i tera matauranga i whakaarohia ai e nga Maori i te wa i tukua ai enei whenua.

(2) Mo te whakahaere o enei whenua e tiakina nei, kia ngata ai te whakaaro o nga Maori e pa ana ki a ratou tenei take, ki te whakaaro o te Komiti ko nga mema mo nga Paori Whakahaere o enei whenua e tiakina nei ko nga mangai o te Hahi o Ingarangi, o te Iwi Maori, a o te Tari mo nga Kura.

(3) Ko nga whenua i Porirua, a i Otaki i tukua e Ngati-Toa, e Ngati-Raukawa, a e Ngati-Awa hui atu ki nga oranga e puta mai ana i aua whenua me whakahaere kia rite ki nga tikanga me nga whakaaro o te Karaati tuatahi, ina taea, engari ki te whakaaro o te Komiti me tino mau mahara te Poari Kai-tiaki ki te tuku awhina ki nga mema o enei iwi hui atu ki o ratou uri kia whiwhi i te matauranga.

(4) Ko nga whenua i Mahitaone, a i Kereitaone i tukua e nga hapu o Ngati-Kahungunu ki Wairarapa hui atu ki nga oranga e puta mai ana i aua whenua me whakahaere kia rite ki nga tikanga me nga whakaaro o nga Karaati tuatahi, ina taea, engari ki te whakaaro o te Komiti me tino mau mahara te Poari Kai-tiaki ki te tuku awhina ki nga hapu o Ngati-Kahungunu e noho ana i roto i te Takiwa o Wairarapa ki te taha tonga o te raina e hono ana i a Akitio ki Pahiatua a atu i reira ki te maunga o Tararua.

(5) Ko nga whenua e tiakina ana i Otaki me Porirua me nga oranga a take putanga oranga mai i raro i te mana kai-tiakitanga a aua whenua me whakahaere e tetahi Poari kia tokowaru nga mema mo taua Poari ara,—(i) kia tokowha nga mema i whakaturia e te Hahi o Ingarangi, ko tetahi nei o aua mema me whakatu hei tiamana; (ii) kia tokotoru nga mema Maori, ahakoa no waho i te Hahi o Ingarangi, ma nga Kai-tiaki o te Marae o Raukawa i whakaturia i raro i tekiona 10 o te Ture Mo Nga Mea Maori, 1936, e whakatu a kia kotahi o enei mema no Ngati-Toa; (iii) kia kotahi he mema i whakaturia e te Minita Mo Nga Kura.

(6) Ko nga whenua e tiakina ana i Mahitaone, i Papawai me Kereitaone me nga oranga a take putanga oranga mai i raro i te mana kai-tiakitanga o aua whenua me whakahaere e tetahi Poari kia tokowaru nga mema mo taua Poari pera me tera Paori e whakaaturia ake nei e tekiona 5 o tenei ripoata engari ko nga Memu Maori tokotoru, mo taua Poari me whakatu e tetahi hui o nga mema o Ngati-Kahungunu e noho ana i roto i te Takiwa o Wairarapa ki te taha tonga o te raina e hono ana i Akitio ki Pahiatua a atu i reira ki te maunga o Tararua i karangatia i raro i nga tikanga a i nga ahuatanga i rite ki era o nga hui mo nga tangata no ratou nga whenua e karangatia ana i raro Waahi XVIII o te Ture Whenua Maori, 1931.

(7) Kua tetahi o enei Poari e whai mana ki te hoko i tetahi whenua i tukua ki a ia tiaki ai me matua whakaare rano e nga iwi, e nga hapu ranei e pa ana, e whai paanga ana ranei ki aua whenua i roto i te hui i karangatia i raro i nga tikanga o tekiona 416 o te Ture Whenua Maori 1931.

(8) Kua tetahi o enei Poari e whai mana ki te tuku moni o roto i te tahua moni o nga whenua e tiakina ana e ia ki tetahi atu ropu me matua whakaare rano e nga iwi e nga hapu ranei e pa ana e whai paanga ana ranei ki taua tahua moni i roto i tetahi hui i karangatia i raro i nga tikanga o tekiona 416 o te Ture Whenua Maori, 1931.

(9) Ko ia Poari o aua Poari me whakamana ki te awhina kia whiwhi ki te matauranga nga iwi e pa ana ki tenei take i runga i nga huarahi e whai ake nai:—

(a) Ki te tuku karahipi, moni oranga, i era atu awhina moni ranei ki nga tamariki e haere ana e mea ana ranei ki te haere ki nga kura nunui. Ko nga hiahia o nga matua o ia tamaiti i kohia, ki te whakatau i te kura ki reira te karahipi, te moni oranga ranei ma taua tamaiti me tino whiriwhiri. Mehemea ki te tautohetohetia te wahi hei taunga mo aua painga ma te Minita o nga Kura e whakatau:

(b) Ki te whakarite pukapuka, pakikau, me era atu taputapu ma aua tamariki kura:

(c) Ki te hoko mai, ki te whakarite whare pai ranei hei whare nohonga mo aua tamariki kura a ki te whakarite taonga mo roto i aua whare, ki te whakahaere a ki te tiaki i aua whare.

(10) Ko te taura o te ripoata-a-tau a ia Poari me whakatakoto ki te aroaro o te Paremata.

(11) Kia mahia he ture e rite ana hei whakatutuki i enei tohutohu.

JAS. O'BRIEN, Tiamana.

11 o Mache, 1943.

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