

1948
NEW ZEALAND

**REPORT AND RECOMMENDATION ON PETITION No. 240 OF 1932, OF HORI
TUPAEA AND FOUR OTHERS, PRAYING FOR RELIEF IN CONNECTION
WITH WHANGANUI-O-ROTU (OR NAPIER INNER HARBOUR) AND
THEIR RIGHT OF PROPERTY THEREIN**

*Presented to Parliament in Pursuance of the provisions of Section 27 of the Maori Purposes
Act, 1933*

Maori Land Court (Chief Judge's Office),
P.O. Box 3006, Wellington C. 1., 23rd June, 1948.

Memorandum for the Right Hon. the MINISTER OF MAORI AFFAIRS.

WHANGANUI-O-ROTU (NAPIER INNER HARBOUR)

PURSUANT to section 27 of the Maori Purposes Act, 1933, I transmit to you the report of the Court on the claims and allegations contained in petition No. 240 of 1932, of Hori Tupaea and others, concerning Whanganui-o-Rotu, commonly known as the Napier Inner Harbour.

The petitioners seek redress in respect of the area formerly known as the Napier Inner Harbour, and known to the Maoris as Whanganui-o-Rotu, the greater part of which became dry land as a result of the Hawke's Bay earthquake in 1931. The report of the Court is of considerable length, and for your assistance in considering it I will briefly summarize the facts and the main questions in issue.

It is to be noted that, although this petition is prompted by the fact that the area in question was, by the earthquake, converted from an area covered by water to an area of dry land, the Maoris laid claim to it many years before the earthquake. The matter was first brought before the Maori Land Court in 1916.

It appears to have always been considered by the Crown that the area was included in the sale by the Maoris to the Crown of the Ahuriri Block under a deed of sale made on 17th November, 1851. In 1874 the area was vested in the Napier Harbour Board by the Napier Harbour Reserves Act, 1874, and in 1929 a certificate of title under the Land Transfer Act was issued to the Napier Harbour Board.