

1911.
NEW ZEALAND.

NATIVE LAND CLAIMS ADJUSTMENT ACT, 1910

(REPORT AND RECOMMENDATION UNDER SECTION 28 OF THE), ON PETITION No. 611/1910,
RELATIVE TO MANGAMINGI No. 1.

Laid before Parliament in compliance with Sub-section (4) of Section 28 of the Native Land Claims Adjustment Act, 1910.

Native Land Court (Chief Judge's Office), Wellington, 15th July, 1911.

Re *Mangamingi No. 1* (Petition No. 611/1911).

PURSUANT to section 28 of the Native Land Claims Adjustment Act, 1910, the Chief Judge has referred this matter for inquiry and report. The report has been made, and is now forwarded for your perusal, and to be dealt with under subsection (4).

Personally, I am not quite in accord with the opinion expressed that the order referred to was within the protection of the Land Titles Protection Act, 1908, so as to preclude its being dealt with under section 50. To remove any doubts on the matter I would recommend that the Native Land Court be empowered to annul the order of the 13th June, 1890, appointing successors to Hone Pihama (deceased), and any subsequent order affected thereby, and to make a fresh order appointing successors to Hone Pihama (deceased), such power to be exercised subject to any existing valid contract of alienation of the block.

R. N. JONES,
Deputy Chief Judge.

The Hon. the Native Minister, Wellington.

SIR,—

Native Land Court, Wellington, 21st June, 1911.

Case 397, New Plymouth Panui, 16th January, 1911.—Mangamingi No. 1.—Petition of Rangitaniwha Pihama re succession to the interest of Hone Pihama (deceased), referred by the Chief Judge for inquiry and report in terms of Section 28 of the Native Land Claims Adjustment Act, 1910.

I have the honour to report that the above case was heard by me at New Plymouth on the 27th February and 24th March, 1911. Mr. Marshall appeared for the petitioner, and Mr. O'Dea for (1) Tama Ohungia, (2) Ngawini Karoro, (3) Tikapa Tama Ohungia, (4) Tuaiwa Kao, and (5) Tito Hanataua, who are the respondents herein.

The facts of the case are as follows:—

The title to a block of land known as Mangamingi, and containing an area of 8,300 acres, was investigated by Judge Heaphy, sitting at Patea, on the 15th July, 1880. The application for investigation of title was signed by Te Ratoi, Komako, Uerangi, Tuata, and Poki, on the 30th April, 1877, and at the hearing the claimants were represented by Tito Hanataua. After the latter had given his evidence on oath objectors were challenged, but none appeared. Hone Pihama then applied to have 100 acres cut off for himself and children. The claimants agreed to this, and left it to the Court to determine the locality. The Court thereupon ordered that a memorial of ownership of Hone Pihama of a parcel of land on the Patea River, in the District of Patea, containing 100 acres, and known by the name of Mangamingi No. 1, be inscribed on a separate folium of the Court rolls. On the same day a memorial of ownership for the balance of the land, and known by the name of Mangamingi No. 2, was ordered to be inscribed on a separate folium of the Court rolls, in the names of the following twenty persons—viz., Tito Hanataua, Ratoia, Tuata, Komako, Te Uerangi, Rangitupoki, Tauria Hemara, Rangihurumanu, Patohi, Ngahuinga, Te Weurangi, Karewa Ratana, Mihi Turi, Te Aorere Wilson, Korie, Pito Tahua, Nakora, Te Purei Hitarera, Te Rakete Hohaia, and Whanau Whaiao, as tenants in common with equal shares.

Hone Pihama died on or about the 1st April, 1890, leaving three daughters named respectively Te Onetu Pihama, Rangitaniwha Pihama (the petitioner), and Tekenui Pihama.