

1917.
NEW ZEALAND.

NATIVE LAND CLAIMS ADJUSTMENT ACT, 1913.

REPORT AND RECOMMENDATION ON PETITION No. 393 OF 1912, RELATIVE TO A ROAD THROUGH
A BURIAL-GROUND ON POKURU No. 3A BLOCK.

*Laid before Parliament in compliance with Section 2 of the Native Land Claims Adjustment Act,
1913.*

Native Land Court (Chief Judge's Office), Wellington, 24th August, 1917.

The Hon. Native Minister.

Petition No. 393 of 1912—Rihi Huanga.

PURSUANT to the provisions of section 2 of the Native Land Claims Adjustment Act, 1913, I have the honour to forward herewith the report of Charles Edward MacCormick, Esq., Judge of the Court, on petition No. 393 of 1912, of Rihi Huanga, otherwise known as Mrs. Mainwaring, praying for relief *re* a road through a burial-ground in Pokuru No. 3A Block.

The suggestion that the position of the cemetery should be altered in any manner without the consent of the private owner of the land by which it is surrounded seems to me to be altogether impracticable, and legislation to effect such an arrangement, which Judge MacCormick points out would be necessary, would, I feel certain, result in fabulous claims against the Government for interfering in the matter, to say nothing of the expense of the revision of the survey.

It is rather a pity that the official file on this subject was not placed before Judge MacCormick in connection with the inquiry, especially the following report by the late Mr. G. T. Wilkinson, Government Agent for the Waikato District, dated 16th May, 1902 :—

“ [TRANSLATION.]

“ To George Wilkinson.

“ Kihikihi, 8th May, 1902.

“ GREETINGS to yourself and Mahora and family. I shall be glad to know that you are all well.

“ George, I have seen from the Court book [possibly minute-book] that my graveyard at Te Iakau, within Pokuru No. 3 Block, has not been returned to me, but that it is in the possession of the Government. How is it that effect has not been given to the promise of the Premier to return that graveyard to me? At the time I asked for it he agreed to do so. Why then did you not inform me when partition was made of the land that it (the graveyard) was not awarded to me but to the Government? You told me that it had been awarded to me. George, I have discovered that you have deceived me. Now, friend, if you do not put this matter right during this month, I shall take some other steps, because this is very bad work indeed. That is all from

“ RIHI HUANGA.”

“ Mr. Sheridan.

“ THIS refers to a portion of the area that was awarded to the Crown out of Pokuru No. 3 Block, called Pokuru 3A. The total area awarded to the Crown was 251 acres—viz., 250 acres in one locality, and 1 acre in the locality that is said to contain the graveyard referred to by the writer. This graveyard has been the subject of contention between the writer, who is one of the owners of the adjoining block called Pokuru No. 2, and the owners of Pokuru No. 3. When the Pokuru Block was before the Court for partition some years ago the writer set up a claim to this graveyard and tried to get it included in the block awarded to her and her people, but either the Court did not believe her statement regarding it or doubted her right to it. Anyhow, the Court included it in the portion it awarded to the owners of Pokuru No. 3. The writer then appealed and a rehearing was ordered, but the Appellate Court also refused to include it in Pokuru No. 2. After that the writer petitioned Parliament for a further hearing, but was not successful in getting one. Subsequently she interviewed the Premier during his visit here