

1920.
NEW ZEALAND.

NATIVE LAND AMENDMENT AND NATIVE LAND CLAIMS ADJUSTMENT ACT, 1919.

REPORT AND RECOMMENDATION ON PETITION No. 359 OF 1919, RELATIVE TO ADJUSTMENT
OF RELATIVE INTERESTS, BOUNDARIES, AND SHORTAGE OF AREA IN MANGAPOIKE
No. 2 BLOCK.

*Presented to both Houses of the General Assembly in pursuance of Section 34 of the Native Land
Amendment and Native Land Claims Adjustment Act, 1919.*

Office of the Chief Judge, Native Land Court, Wellington, 2nd October, 1920.

Re Mangapoike No. 2, and Petition No. 359 of 1919.

PURSUANT to section 34 of Act No. 43 of 1919, I transmit herewith the report of the Native Land Court herein. That report did not appear to me sufficiently conclusive or definite to justify my framing a recommendation upon it, so that I have made further inquiries, the result of which is as follows:—

1. The Mangapoike No. 2 Block was partitioned by the Native Land Court on the 22nd October, 1894, into 2A 1 to 4, 2B, 2C, 2D 1 to 3, 2E, and 2F; and an application for rehearing was lodged.

2. Subsequently, and before the rehearing or appeal was disposed of, the whole block and its divisions were brought before the Validation Court to deal with claims concerning it.

3. It then appeared the Crown had bought shares in various subdivisions, and that therefore the Validation Court could not deal with the application without the Crown's consent.

4. Before proceeding further in that Court the Crown's interest was, on the 6th July, 1896, defined in the Native Land Court, and the nine interests purchased in the various divisions were for convenience allocated in the 2A 4 Block, to contain 486 acres 3 roods 14 perches.

5. The following minute was on that occasion recorded in Native Land Court Minute-book, Gisborne, Vol. 25, folio 219: "As the interests of most of the above persons belong properly to other subdivisions than that in which their interests have been awarded, it is understood that N'Ruapane and N'Hinewhaianga Blocks will repay to N'Hinehika the interests due to them. No order will be made for the balance of the block, as the land is before the Validation Court and will be dealt with therein."

6. There are indications that the 2A Block belonged to Ngati-hinehika, 2D to Ngati-hinewhaianga, and 2E to the Ruapane Tribe.

7. As a matter of fact no partition orders were made in the Validation Court, but that Court made decrees on the 8th July, 1896, vesting portions of the remaining block in Carroll and others, adopting in most cases the same designation as that already given by the Native Land Court on partition.

8. Carroll and others were to hold the land upon trust, in most cases, for the rightful owners, to be thereafter ascertained by the Validation Court, but in the case of the 2F Block it was to be for the owners of 2E as found by the Appellate Court on the 21st September, 1897. Originally this decree had the same provision as the others, but was amended in accordance with section 46 of the Native Land Laws Amendment Act, 1896.

9. Upon survey, by reason of the Crown's interest being deducted and other circumstances, the areas of the various remaining divisions were found to be less than that originally awarded to them, and they each in consequence suffered a *pro rata* reduction; but it does not appear that any adjustment as between the blocks necessitated by the cutting-out of the sellers' interests in 2A 4 was made on such survey.