

divisions were natural features. 22,556 acres was first stated as the area of 2F at the Court which defined the Crown interests. How this area was arrived at it is impossible now to say, but it could have been an estimate only, as the boundary between 2c and 2F, which followed natural features, had not then been surveyed. The petitioners, however, assume that the investigation Court intended the area of 2F to be 22,556 acres, and allege that the difference between that area and the present surveyed area—viz., 19,965 acres—has arisen through the dividing-line between 2F and 2c being wrongly surveyed so that a portion of 2F has been included in 2c. On the other hand, the owners of 2c contend that the line has been correctly surveyed. One side might just as easily be right as the other.

Arani Kunaiti, an owner in 2F, stated that shortly after the survey had been completed he inspected the surveyed boundary with another owner, Eria Raukura, and they decided it was not correct. He stated he brought the matter under the notice of the trustees, who told him they would direct the surveyor to amend the boundary. He added, he did not think, however, they did so. Under the circumstances it must be assumed that the trustees inquired into the matter and ascertained that there was no ground for interference. Any way, the owners of 2F do not appear to have taken any other steps, and this lends colour to the idea that the discrepancy, if any, must be slight, and that the impression that there is a discrepancy has arisen solely through the miscalculation in the area at the Court which defined the Crown interests.

There is, however, this to be said for the owners of 2F: that although the dividing-line between 2c and 2F as surveyed seems to follow the boundary laid down by the Court, it is impossible to say definitely that it does. And, further, although Land Transfer titles have been issued for 2c and 2F No. 2 on decrees of the Validation Court, the plans have never been approved by a Judge of the Native Land Court or by the Chief Judge, and probably, if they had been submitted for approval, the Judge or Chief Judge, before approving, would have ordered them to be exhibited for the information of the Native owners of both blocks, so that any objections might be made and dealt with.

The petitioners seem to have some ground for their complaint that on the definition of Crown interests the Crown obtained more land than it was entitled to. When the Crown interests were defined it was stated by the Land Purchase Officer, who appeared before the Court, that the area of 2F was 22,556 acres, divided into 403 shares, of which the Crown had acquired 125, equal to 6,996 acres, leaving 15,560 for the non-sellers. An additional 1,099 acres was added to the Crown award to cover the cost of survey. As the area on survey was found to be 19,965 acres, the proportion to which the Crown would be entitled would be 6,193 acres only, so that the Crown would appear to have obtained 803 acres more than it should, and for this the owners claim they are entitled to some compensation.

JAS. W. BROWNE, Judge.

The Chief Judge, Native Land Court, Wellington.

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