

1927.
NEW ZEALAND

NATIVE LAND AMENDMENT AND NATIVE LAND CLAIMS ADJUSTMENT ACT, 1925.

REPORT AND RECOMMENDATION ON PETITION No. 417 OF 1924, OF PETA TIEKIWAI AND OTHERS, AND PETITION No. 90 OF 1925, OF TE WHARE PUHAKI AND OTHERS, RELATIVE TO HINEWHAKI No. 2 BLOCK.

Presented to Parliament in pursuance of the Provisions of Section 34 of the Native Land Amendment and Native Land Claims Adjustment Act, 1925.

Native Department, Wellington, 23rd July, 1927.

Petition No. 417 of 1924 and Petition No. 90 of 1925.

PURSUANT to section 34 of the Native Land Amendment and Native Land Claims Adjustment Act, 1925, I herewith transmit the report of the Court upon these two petitions.

The report recommends no further action be taken in respect of the petitions. It is clear, however, from the report that the investigation of the title was not exhaustive, and that persons entitled were omitted from such title. There was a statutory duty upon the Court to ascertain the rightful owners, and it is hardly an answer to say that it is to be inferred that the ownership was determined by the elders of the tribe. Hinewhaki, containing 229 acres 3 roods, was brought before the Court as a single block, but because there were more than ten owners the Natives asked for two orders, and then stated a different set of grantees and owners for a divided block under the names of Hinewhaki East and West. The surveyor's evidence was that there was great dispute about the survey, and the pegs on the dividing-line were said to have been pulled up.

I am quite satisfied from the evidence that some rightfully entitled have been omitted, and I recommend legislation enabling such persons to be admitted by the Court if it shall find them entitled.

R. N. JONES, Chief Judge.

The Right Hon. the Native Minister, Wellington.

The Native Land Amendment and Native Land Claims Adjustment Act, 1925.

Wairoa Minute-book 37/193.

In the Native Land Court of New Zealand, Tairāwhiti District.—In the matter of the land known as Hinewhaki West (or No. 2); and in the matter of a reference to the Native Land Court under section 34 of the Native Land Amendment and Native Land Claims Adjustment Act, 1925, for inquiry and report as to the matters arising out of petitions Nos. 417 of 1924 and 90 of 1925.

At a sitting of the Court held at Wairoa on the 26th day of February, 1926, and concluded on the 5th day of March, 1926, the Court made inquiry into the above matter, and reports as follows:—

All parties were well represented, and there was a large attendance of interested persons. At the outset the question was raised as to the scope of the inquiry, there being some suggestion that it was merely a preliminary one set up to decide whether or not the title should be reopened. The Court