

ORDER IN COUNCIL 497.

[Vol. 61, Folio 230.]

Date of title: 15th February, 1913.

Owners: The Tairāwhiti District Maori Land Board.

Description of land: All that parcel of land, containing 97 acres 3 roods 14 perches, situate in the Provincial District of Hawke's Bay, and being the Native Land Court subdivision known as Hinewhaki West Block.

Memorials: This certificate of title is issued under the authority of the Maori Land Claims Adjustment and Laws Amendment Act, 1907, and is subject to the provisions thereof. 1502: Order in Council prohibiting for the period of one year from the 6th August, 1917, all alienations other than those in favour of the Crown. Produced 22nd August, 1917, at 10 a.m. 1628: Order in Council extending Order in Council 1502 for a further period of six months. Produced 5th August, 1918, at 10 a.m. 1659: Order in Council extending Order in Council 1502 for a further period of eighteen months. Produced 18th January, 1919, at 11 a.m. 474: Proclamation taking portion of within land (2 roods 5-3 perches) for road purposes. Produced 14th October, 1920, at 10 a.m. 589: Proclamation taking parts of within land for railway and road in connection therewith. Produced 9th October, 1923, at 3 p.m. 2326: Order vesting Hinewhaki West (or 2), Section 35A, in Wiremu Kaipūhe. Produced 5th November, 1924, at 11.30 a.m. Certificate of title 87/194.

[Extract from Wairoa Minute-book 37/193, &c.]

Place: Wairoa. Commissioner: W. H. BOWLER. Date: 26th February, 1926.

HINEWHAKI No. 2.

Reference to Court, under section 34 of the Native Land Amendment and Native Land Claims Adjustment Act, 1925, for inquiry and report as to the claims and allegations in the undermentioned petitions: Petition 417/1924, by Peta Tiakiwai and others; Petition 90/1925, by Te Whare Puhaki and others.

PETA TIAKIWAI: I appear in support of my own petition.

H. MCGREGOR: I represent the petitioners in Petition 90/1925.

J. H. MITCHELL and MAREKING PERE appear in opposition.

Court explained the nature of the proceedings.

Petitions read in Court.

At the request of Mr. McGregor the case was adjourned until to-morrow in order to allow the parties an opportunity to prepare lists of names of persons claiming admission into the title.

[Folio 196.]

Present and place, the same. Date: 27th February, 1926.

HINEWHAKI No. 2.

[From p. 194.]

H. McGregor and Peta Tiakiwai handed in lists of names of persons whose names were desired to be included. Wepiha Karaitiana also handed in a list, and stated that the persons named therein were not petitioners. Timo Kerehi intimated that he proposed to hand in a list on Monday.

Mr. McGregor: The title to Hinewhaki Block (229 acres, more or less) was investigated in 1868 under the Act of 1867. Tiopira Kaukau handed in the list of names and asked for two orders—one for Hinewhaki East and the other for Hinewhaki West. He submitted a list of Hinewhaki West (or No. 2). The names of Te Waata Karihuka and nine others were ordered to be entered on the certificate of title, and the names of twenty-three others were entered as entitled by virtue of section 17 of the Act, making thirty-three owners in all. (M.B. 1, p. 121.) The relative interests were defined by the Court on the 30th May, 1917. (M.B. 28, p. 249.) The block was partitioned in May, 1918, into thirty-nine subdivisions. The petitioners claim that when the list of names was handed in a number of persons entitled to inclusion were left out.

List 3.

Mere Maupuku is not in the title, but her brother and sister are.

Whakapapa read; not challenged.

MERE TUPAEA (sworn): I am the only child of Mere Maupuku. I am about thirty-eight years of age. I was born on the block. I have been told that my mother lived there when the title was investigated.

Examined by Mr. Mitchell.] I got a portion of Marara Taku's share by succession. My mother had a house on Ohuia—a boarded house, four rooms. It got into disrepair and was pulled down last year. It was built since I was born.

Re-examined by Mr. McGregor.] Our family owned a *wharepuni* at Waitomokia, on the block.

HORIANA TAWHIRI (sworn): I do not know how old I am. I was a child when Hinewhaki was investigated. I remember Mere Maupuku. She lived at Te Uhi, on Hinewhaki. I also lived there. She was much older than I. I think she was married then. Her husband was Te Whareraupo at that time. I know that Mere Maupuku was fully conversant with Court procedure. She left the block at times and lived elsewhere.