

1927.

NEW ZEALAND.

NATIVE LAND AMENDMENT AND NATIVE LAND CLAIMS
ADJUSTMENT ACT, 1925.REPORT AND RECOMMENDATION ON PETITION No. 107 OF 1925, OF TE WHARE PAORA
AND TWENTY-NINE OTHERS, RELATIVE TO OHUIA Nos. 3 AND 4 BLOCKS.*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, 16th June, 1927.

Petition No. 107 of 1925.—Ohuia 3 and 4 Blocks.

THE matter of this petition was referred to the Court for inquiry and report under section 6 of the Native Land Amendment and Native Land Claims Adjustment Act, 1922.

The report of the Court is sent herewith. The Court recommends that no further action be taken on the petition. I am unable to concur in that recommendation, for the following reasons: (1) The proceedings in the original hearing show that the list compiled of persons entitled, handed in by Hamana Tiakiwai and accepted by the Court, was not exhaustive; (2) Judge Butler, in 1896, was convinced that many persons were wrongly excluded, and that an injustice was inflicted upon those persons; (3) the present Court says that it is evident that in many cases one member of a family was admitted into the title, while another was left out.

Under these circumstances there seems a *prima facie* case for the Court to be empowered to correct any injustice, if such has occurred, and I recommend legislation accordingly.

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.

In the Native Land Court of New Zealand, Tairāwhiti District.—In the matter of the land known as Ohuia Nos. 3 and 4; and in the matter of a reference to the Native Land Court in pursuance of 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 Petition No. 107 of 1925.

At a sitting of the Court held at Wairoa on the 8th day of February, 1926, and concluded on the 9th day of February, 1926, the Court made inquiry into the above matter, and reports as follows:—

The petitioners and respondents were well represented, and there was a large attendance of interested parties. 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 was very careful to point out that the proceedings might have a very much wider operation. Parliament, by its own Act, had already recognized that a further inquiry was called for, and for that reason the facts should be stated as fully as possible. It was not desirable to limit the proceedings in any way. The Court's function was to inquire and to report to a higher tribunal, which would take whatever action it deemed necessary.

The minutes taken fully record the proceedings, and disclose the earlier history of the block. A copy is attached for your information.

It is very evident that in many cases one member of a family was admitted into the title while another was left out.