

1928.
NEW ZEALAND.

NATIVE LAND AMENDMENT AND NATIVE LAND CLAIMS
ADJUSTMENT ACT, 1927.

REPORT AND RECOMMENDATION ON PETITION No. 331 OF 1927, OF W. K. WIHAPI, RELATIVE
TO LANDS OF ARAWA TRIBE INCLUDED IN THE BAY OF PLENTY CONFISCATION AREAS.

*Presented to Parliament in pursuance of the Provisions of Section 63 of the Native Land Amendment
and Native Land Claims Adjustment Act, 1927.*

Native Department, Wellington, 26th September, 1928.

Petition No. 331 of 1927.—Confiscated Lands.

PURSUANT to section 63 of the Native Land Amendment and Native Land Claims Adjustment Act, 1927, I forward herewith report of the Court upon the above petition.

In view of that report I have no recommendation to make.

R. N. JONES, Chief Judge.

Office of the Waiariki District Native Land Court,
Rotorua, 29th May, 1928.

*Petition No. 331 of 1927, of W. K. Wi Hapi, praying that the Native Land Court may be empowered to
inquire into and determine Ownership of Land alleged to have been erroneously included in the Bay
of Plenty Confiscated Lands District, and which is claimed to belong to the Arawa Tribe.*

DEAR SIR,—

Upon your reference under section 63 of the Native Land Act and Native Land Claims Adjustment Act, 1927, of the claims and allegations in the above petition for inquiry and report, I have to report as follows:—

The inquiry was held in open Court at Rotorua on the 17th instant. The petitioner, Wi Karena Wi Hapi, appeared in person. Mr. Darby, of the Lands Department, appeared to represent the Crown.

I have found it very difficult to ascertain what relief the petitioner actually seeks. In the first instance I cannot find that petitioner had the support of any other members of the Arawa Tribe, and throughout the proceedings the remarks passed by some of the large number of persons present seemed to indicate that they looked upon the proceedings somewhat in the light of a huge joke.

It would appear that out of an area of 440,000 acres (approximate) confiscated in the Bay of Plenty district under the New Zealand Settlements Act, 1863, by Order in Council dated 17th January, 1866 (*New Zealand Gazette*, 1866, p. 17), an area of 87,000 acres (approximate) belonging to the Arawa Tribe was included. I can find no absolute evidence of this wrongful inclusion, but from the documents produced to me such appears to have been the case, and I have accepted the position as such. I understand, however, that before the Commission presided over by Mr. Justice Sim, the Ngati Awa claimed this land. I cannot find that the confiscation of the 87,000 acres was ever revoked, although I have perused all the documents and references that were quoted and available to me.