

1929.  
NEW ZEALAND.

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

REPORT AND RECOMMENDATION ON PETITION No. 300 OF 1927, OF MAORA MAUWHATA, RELATIVE  
TO TOKOMARU B No. 7 BLOCK.

*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, 25th September, 1929.

*Petition No. 300 of 1927.—Tokomaru B 7 Block.*

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

I recommend that legislation be passed empowering the Court to adjust the matter by allotting 1 acre and the house to Maora Mauwhata and adjusting this out of Maora Mauwhata's share in Tokomaru B 5.

R. N. JONES, Chief Judge.

The Hon. the Native Minister, Wellington.

In the Native Land Court of New Zealand, Tairāwhiti District.—In the matter of the Tokomaru B 7 Block and of petition No. 300 of 1927, of Maora Mauwhata, referred to the Court under the provisions of section 63 of the Act of 1927 for inquiry and report. At a sitting of the Court held at Tokomaru Bay on the 24th August, 1928, before Harold Carr, Esquire, Judge.

The Court begs to report as follows:—

All the parties interested were present and represented.

Hare Mauwhata (deceased) was an original owner in the Tokomaru Block. He was succeeded to on the 5th June, 1888, by his daughters, Tuihana Paerata, Rinaha Wairakau, Harata Matekino, Maora Mauwhata (the petitioner), and Ripeka Mauwhata.

The Tokomaru Block came before the Court at Tolaga Bay in May, 1888, on partition, and, after a lengthy hearing, divisions for the subtribes and A. C. Arthur, lessee and purchaser of undivided shares, were ordered on the 24th September of that year. The relative interest of the individual owners were also determined at this hearing, Hare Mauwhata's children being allotted 66 acres 2 roods 19 perches, and were located with others in Tokomaru B, estimated to contain 2,257 acres. Numerous petitions, prohibitions, reopening, and rehearings occurred, and the partition was not finalized until October, 1891. In the main the scheme of partition laid down in 1888 was followed; the area for B, however, increased on survey to 2,464 acres, and the interest of the Mauwhata family rose to 72 acres 3 roods 38 perches.

The petitioner states that in 1895 she married a Mr. Forrester, who was a shepherd for the lessee (Arthur), and that by arrangement with the manager of the station her husband built a house on the Tokomaru B Block, and in which they lived for some years together with their children, her children and their children being still in occupation. Petitioner further states that, as she was a minor at the time, her affairs were looked after by her sister's (Tuihana) husband, Hone Paerata, and that when the Tokomaru B Block came up for partition at Tolaga Bay Hone was instructed to secure to the petitioner the part where her house was, and, further, petitioner was not aware until some years afterwards that her sister Tuihana had secured this area (Tokomaru B 7) and that petitioner's interests were, with the rest of the family, placed in B 5.

These allegations are denied by Tuihana, who claims that the house was erected after the partition of B, and that Forrester was permitted by her husband, Hone Paerata, to occupy and build on B 7.