

1936.  
NEW ZEALAND.

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# THE NATIVE PURPOSES ACT, 1933.

REPORT AND RECOMMENDATION ON PETITION No. 199 OF 1932, OF PURA RURUHIRA AND OTHERS: PRAYING FOR AN INQUIRY AND READJUSTMENT OF THE PARTITION OF THE REUREU No. 1 BLOCK.

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*Presented to Parliament in pursuance of the provisions of Section 27 of the Native Purposes Act, 1933.*

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Native Land Court (Chief Judge's Office),  
Wellington, C. 1, 8th May, 1936.

The Hon. the NATIVE MINISTER, Wellington.

PETITION No. 199 OF 1932.—REUREU No. 1 BLOCK.

PURSUANT to section 27 of the Native Purposes Act, 1933, the report of the Native Land Court of the inquiry into the grievances alleged by the petitioners is enclosed herewith.

The block in question formed part of a larger block set aside by the Crown through the agency of Sir Donald McLean. Mr. McLean in the House of Representatives explained, "In addition to the various other Natives occupying these lands there were two hundred or three hundred from Waikato who held the inland portions of the block. They had held these upwards of thirty years, and although their rights were not recognized by the Native Land Court they still claimed the right to occupy and it was evident they were not to be easily dispossessed of the land they had held so long a period. In fact, they were resolved to hold their own." At an inquiry held by Mr. Commissioner Mackay in 1884 he found that the interested hapus were N'Pikiahū, N'Waewae, N'Maniapoto, and N'Rangitahi. Mr. Mackay suggested 204 names for inclusion in the title, but later suggested there should be further inquiry as others had claimed.

In 1895 the Native Land Court investigated the matter, and on this occasion found that 274 persons were entitled. It further divided the land into two portions—Reureu No. 1 being for N'Pikiahū and N'Waewae, and the rest for the other two hapus.

An appeal was lodged principally on the ground of the location and area awarded to Reureu No. 1. The Appellate Court held that the only right to the land was a gift from the Crown. This does not seem to quite accord with Mr. McLean's statement that the Natives had been in possession for thirty years. Further, the Court expressed the opinion that those interested were entitled to equal rights among themselves and intimated its intention when the list was settled to apportion the area on the basis of numbers. The lists before the Native Land Court showed 181 names on the N'Pikiahū side and 88 on the N'Maniapoto side. Fortunately, the Natives themselves agreed upon the location and area for the respective sides. The persons in the Reureu No. 1 list numbered 229 as against 181 previously, probably increased to ensure a greater area being awarded. The rest of the people went into Reureu Nos. 2 and 3.

It was not long before difficulties arose with regard to Reureu No. 1, and several petitions were presented asking for readjustment. Section 6 (a) of the Native Land Adjustment Act of 1910 granted jurisdiction to the Native Land Court to make an adjustment, but not to reinvestigate. In 1912 an adjustment was made under that section. This did not satisfy the Natives, and in 1927 the legislation granted a right of appeal against the decision of 1912.

The judgment of the Appellate Court stated: "While we are not prepared to say that sitting as a Court of first instance we would have made quite the same definition of relative