

interests as the lower Court for the reason that certain discrepancies appear—which, however, may be capable of explanation—yet as an appellate tribunal we cannot hold that they have been so clearly demonstrated to be wrong as to justify our setting them aside Moreover, apart from the fact that about one-sixth of the block has been sold, it is far from certain that any benefit would result to the appellant's hapu if the title were investigated *de novo*.”

The opinion of the Court of inquiry is that no good reason was shown as to why there should be any alteration in the present position of the title, but it seems to the Chief Judge that an opportunity should be given to go into the discrepancies referred to by the Native Appellate Court, and I recommend legislation accordingly.

If any legislation is undertaken I think it should include the validity of the title. Apparently the Court dealt with the land as if it was uninvestigated Native land.

R. N. JONES, Chief Judge.

Office of the Aotea District Native Land Court, and Maori Land Board,
Wanganui, 27th September, 1935.

The CHIEF JUDGE, Native Land Court, Wellington.

REUREU No. 1 AND PETITION No. 199, OF PURA RURUHIRA FOR READJUSTMENT OF THE
PARTITION OF REUREU No. 1 BLOCK.

I HAVE the honour to inform you that the Native Land Court sitting at Marton on the 24th September, 1934, held the inquiry directed by you into the above-mentioned petition, and I beg to report as follows:—

This petition amounts, in effect, to an application for the inclusion of the additional names in the title, the deletion of certain other names, and a general revision of the partitions into which the block has been divided.

A full report on the question of reopening the title to this block was furnished to you on the 29th March, 1927, and I would refer you to that.

A copy is attached hereto of the evidence adduced at the inquiry. In the Court's opinion no good reason has been shown as to why there should be any alteration in the present position of the title. The persons now petitioning had ample opportunity at the previous inquiries held in connection with this block of establishing their alleged rights, and the fact that they did not do so leads this Court to the conclusion that they themselves have grave doubts either as to the extent of those rights or even as to the existence of them.

(Sgd.) JAS. W. BROWNE, Judge.

[Extract from M.B. 96, folios 108–112. Place: Marton. Date: 24/9/34.
Judge: Jas. W. Browne.]

807. REUREU No. 1.—INQUIRY IN PURSUANCE OF REFERENCE BY CHIEF JUDGE REGARDING
PETITION OF PURA RURUHIRA.

Petition read.

Taite te Tomo.—I am representing the petitioner, who is present in Court.

Titi Karanga.—I am opposing the petition. There are six of us altogether.

Taite te Tomo, o.f.o.—This petition is for the appointment of a Court to readjust partitions of Reureu No. 1. The petitioners are not owners in any one subdivision—they have interests all over the block in several subdivisions. At the previous inquiries affecting Reureu No. 1, Pura was living on the Wanganui River. She took no part in the proceedings, being engaged on other matters. It was only when I went into the Reureu matter myself that they took an interest in their land. They found then that they were hemmed in by other subdivisions and they now ask that the partitions be adjusted. She asserts that her interests at the previous inquiries were in the hands of their aunt, but there were other conductors more experienced than their aunt at those inquiries, consequently they suffered. They assert—

- (1) The subdivision on which their elders lived was awarded to some one else—that is, No. 5, the 18 acres awarded to Tutunui Rora. The petitioner never set up any claim to this area before.
- (2) An area of 5 acres was set aside by their aunt, and on partition this 5 acres was put up on the bank—this 5 acres is called No. 8. The complaint was made on account of want of access, but on inspecting the plan I am satisfied there is access.

Some of the petitioners assert that persons in Reureu No. 1 have larger shares than persons really entitled.

Titi Karanga has no questions to ask.