

1936.
NEW ZEALAND.

THE NATIVE PURPOSES ACT, 1934.

REPORT AND RECOMMENDATION ON PETITION No. 55 OF 1928, OF PIRIKA TE MIROI AND OTHERS, AND PETITION No. 146 OF 1934, OF WIREMU KEEPA PATAHURI AND OTHERS, PRAYING FOR RELIEF IN RESPECT OF THE ADMINISTRATION AND ACQUISITION OF THE PUKEROA-ORUAWHATA BLOCK (TOWN OF ROTORUA) BY THE CROWN.

Presented to Parliament in pursuance of Section 9 of the Native Purposes Act, 1934.

Chief Judge's Office, Native Land Court,
Wellington, 23rd May, 1936.

The Right Hon. Native Minister, Wellington.

CY 55 Petitions Nos. 55 of 1928 and 146 of 1934, Rotorua Township.

PURSUANT to section 9 of the Native Purposes Act, 1934, I herewith transmit the report of the inquiry by the Native Land Court into the above petitions.

The Court finds that the allegations that certain rents could, with reasonable diligence, have been collected on behalf of the Natives, and that the township was purchased at less than its real value, are, to a certain extent, proved.

The inquiry was held before the Chief Judge and his recommendations are contained in the report. Shortly summed up, they are that the grievances of the petitioners, for which they have no legal redress, might fairly be met and compensated for by a cash payment of £7,155, being £3,155 in respect of the leases and £4,000 in respect of the purchase.

R. N. JONES, Chief Judge.

In the Native Land Court of New Zealand,
Waiariki District.

In the matter of section 9 of the Native Purposes Act, 1934, and of two petitions (No. 55 of 1928 and No. 146 of 1934), praying for relief with respect to the administration and subsequent purchase by the Crown of the Pukeroa-Oruawhata Block forming the Rotorua Township.

REPORT OF THE COURT.

The Court begs to submit the following report of the inquiry held by it relative to the above petitions:—

Petition No. 55 of 1928 alleged that the Native owners of the Pukeroa-Oruawhata Block were entitled to the bath fees received by the Crown in respect of the reserves for thermal purposes at Rotorua on the ground that the land had not been paid for; that £17,868 back rent due in respect of the township had not been accounted for; that the consideration of £8,250 mentioned in the deeds of purchase for the Rotorua Township was quite inadequate; and that the relative interests of the owners had never been validly defined. At an inquiry held by the Court in March and April, 1930, it was admitted on behalf of the petitioners that the thermal reserves were a gift by the Natives to the Crown for the public benefit. The petitioners therefore made no further claim to the bath fees.

Petition No. 146 of 1934 alleged that the purchase of the town by the Crown was a breach of trust, and that the sale should be declared null and void and the land revested in the Native owners or, alternatively, that compensating damages should be paid to such owners. The petition incidentally refers to the income received from the baths to show that it totalled more than the sum paid for the acquisition of the township. It also questions the validity of the relative interests.

There seems, therefore, two main heads upon which it is necessary for the Court to report:—

- (1) The administration of leasing the township on behalf of the Natives.
- (2) The Crown's purchase of the township.