

1937.

NEW ZEALAND.

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# THE NATIVE PURPOSES ACT, 1936.

REPORT AND RECOMMENDATION ON PETITION No. 203 OF 1936, OF TUTAWA PARAEROA AND OTHERS, RELATIVE TO THE OWNERSHIP OF OTAUTU No. 17 (SECTION 136, BLOCK VII, CARLYLE SURVEY DISTRICT).

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*Presented to Parliament in pursuance of the Provisions of Section 13 of the Native Purposes Act, 1936.*

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Native Land Court (Chief Judge's Office),  
Wellington, C. 1, 18th June, 1937.

The Right Hon. the NATIVE MINISTER, Wellington, C. 1.

PETITION No. 203 OF 1936.—SECTION 136, BLOCK VII, CARLYLE SURVEY DISTRICT.

PURSUANT to section 13 of the Native Purposes Act, 1936, I herewith transmit the report of the Court herein.

It transpired that, although the petition originally referred to Otautu No. 7 Block, it really referred to the Otautu No. 17 Block. Shortly, the facts are that three distinct blocks of land held under grant to identical owners were treated as one area to be partitioned among the respective parties of owners as if they were tenants in common of the whole. The partition was made on a valuation basis, and Otautu No. 17, which comprised the whole of the land formerly known as Hukatere, was allotted to Irihapeti Raukura and Ihipera Korua in equal shares. On 28th September, 1915, a partition order was made accordingly. Later Irihapeti died, and her interest became vested in Ngarangi Katitia, the person mentioned in the petition. A person of this name was an owner of the original Hukatere Block. The partition order subsisted for over twenty years, and apparently without complaint until recently.

The land was awarded to actual persons named in the grant. It seems to be too late now to return the land to its former state of title, and the Chief Judge does not recommend any legislative action in the matter.

R. N. JONES, Chief Judge.

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Office of the Native Land Court,  
Wanganui, 24th February, 1937.

The CHIEF JUDGE, Native Land Court, Wellington.

PETITION No. 203 OF 1936.—OTAUTU No. 17.

I HAVE the honour to inform you that the Court, sitting at Patea on the 18th instant held the inquiry directed by you into the petition by Tutawa Paraeroa and others relative to the ownership of Otautu No. 17, Section 136, Block VII, Carlyle Survey District, and I beg to report as follows:—

Otautu No. 17, containing 21 acres 1 rood 10 perches, is a division of three blocks—viz., Otautu, Oteha, and Hukatere, all originally owned by the same persons. They were partitioned as one block by the Court on the 25th January, 1915, under the provisions of section 15 of the West Coast Settlement Reserves Amendment Act, 1913, and section 55 of the Native Land Amendment Act, 1913.

The petitioners alleged that Otautu No. 17 included the Hukatere Block, that Hukatere was an ancient Kainga, that they did not understand it was partitioned in conjunction with the other two blocks, and that they were entitled to share in Hukatere under Native custom.