

1939.
NEW ZEALAND.

THE NATIVE PURPOSES ACT, 1938.

REPORT AND RECOMMENDATION ON PETITION No. 177 OF 1937, OF RANGIRUMAKI PERENIKI, OF PAEROA, PRAYING FOR AN INQUIRY IN RESPECT OF THE OWNERSHIP OF MURAOTEAHU BLOCK.

Presented to Parliament in pursuance of the provisions of Section 23 of the Native Purposes Act, 1938.

Native Land Court (Chief Judge's Office),
WELLINGTON, C. 1, 18th September, 1939.

The Right Hon. Native Minister, WELLINGTON.

PETITION No. 177 OF 1937.—MURAOTEAHU BLOCK.

PURSUANT to section 23 of the Native Purposes Act, 1938, I transmit herewith the report of the Court on the above petition.

The Court has gone into the matter fully and finds that the petitioner has failed to show that she had any right to be included in the title and that the proceedings upon investigation of title to the land should not be reopened.

Under the circumstances, I have no recommendation to make in the matter.

R. N. JONES, Chief Judge.

In the Native Land Court, New Zealand, Waikato-Maniapoto District.—In the matter of the Muraoteahi Block; and in the matter of reference dated 14th October, 1938, by the Chief Judge in terms of section 23 of the Native Purposes Act, 1938, to the Native Land Court for inquiry and report upon the claims and allegations made by the petitioner, Rangirumaki Pereniki, in Petition No. 177 of 1937, for an inquiry in respect of the above-named block.

THE Court held inquiry as directed at Auckland on the 18th and 27th July last (Akld. M. Bk. 17, pp. 90-95, 99-101).

Mr Sullivan appeared for the petitioner, and Messrs. Blomfield and O'Neill for the successors to Rihitoto Mataia, deceased.

The title to the block was investigated by the Native Land Court sitting at Paeroa on the 2nd September, 1878. There had been three applications for investigation, two of which, dated 11th April, 1876, were by Rihitoto Mataia only. One was signed by Rihitoto herself (her signature being well known to the Court) the other was not. This latter was objected to by the District Officer and was not further dealt with. A third application was lodged on 5th April, 1878. It purports to be signed by Rihitoto [*sic.*], Pereniki, Apera, and Hati. I do not think the signatures were those of the people themselves, but were made by the agent or other person who prepared the application. Certainly the signature "Rihitoto" is not the signature of Rihitoto Mataia. Both the applications signed by Rihitoto herself and the last-mentioned application appeared in the *Gazette* of 29th April, 1878 (gazetted in *New Zealand Gazette* of 1878, pages 678 and 679). This disposes of the statement in clause 4 of the petition that the name of Muraoteahi Block did not appear in the *Gazette*.

It was urged upon me by counsel for petitioner that the fact that Pereniki's name was not mentioned in the Court minutes shows that he was not present. But, in my opinion, all it shows is that he made no claim. It is obvious that unless he did so or gave evidence his name would not be mentioned.