

1940.
NEW ZEALAND.

THE NATIVE PURPOSES ACT, 1938.

REPORT AND RECOMMENDATION ON PETITION No. 43 OF 1937, OF HENARE MATANUKU AND OTHERS, PRAYING FOR A READJUSTMENT AND REDISTRIBUTION OF SHARES IN MARAEHARA BLOCK.

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

Auckland, 3rd July, 1940.

Memorandum for the HON. NATIVE MINISTER, Wellington.

MARAEHARA BLOCK.

I FORWARD herewith the report of the Court made pursuant to section 23 of the Native Purposes Act, 1938, upon Petition No. 43 of 1937, of Henare Matanuku and others, praying for a readjustment of shares in the Maraebara Block.

Having regard to the Court's findings, I have no recommendation to make.

CHAS. E. MACCORMICK, Chief Judge.

THE NATIVE LAND ACT, 1931, AND SECTION 23 OF THE NATIVE PURPOSES ACT, 1938.

In the Native Land Court of New Zealand, Tairāwhiti District.—In the matter of the land known as Maraebara; and in the matter of a Petition No. 43 of 1937, by Henare Matanuku and others, referred to the Court for inquiry and report.

At a sitting of the Court held at Tikitiki on the 31st day of May, 1940, before Harold Carr, Esquire, Judge.

The Court begs to report:—

That all parties affected were present or represented.

That Maraebara was originally investigated in 1891, when titles issued respectively for Maraebara A, B, C, D, E, and F. Block A was awarded to the "descendants of Mahanga now in occupation and such other persons who shall be found to be entitled by descent or continuous residence"; Block B was awarded to the descendants of Te Whakaohonga as shall be found entitled, inclusive of Pineaha Haerewa—"A" being situated to the east of the Pohatukarekare Stream and "B" to the west.

Maraebara A and B were the principal blocks, and the claims by the petitioners affect these titles only.

In May, 1880 (eleven years prior to the investigation), a lease to a Mr. Robertson, a European, was arranged by Pineaha Haerewa and the recognized owners at a yearly rental of £100. This lease was apparently signed individually, as reference was made at the hearing to the exercise or non-exercise of acts of ownership. The original lessee, now dead, transferred his rights many years ago, and the transaction is still recognized although the original lease has long since expired.

In 1898 the lands were repartitioned, and the interests of the lessors, whose ancestral rights placed them in A, B, C, or D, as the case may be, were grouped together and new titles issued as under:—

- Maraebara A: Lessors, and being parts of old A, B, C, and D.
- Maraebara B: Non-lessors, and being parts of old A and B.
- Maraebara C: Non-lessors; balance of old C.
- Maraebara D: Non-lessors; balance of old D.
- Maraebara E and F were not affected.

The lessors and non-lessors retained their equivalent areas in the new titles, but one result of the repartition is that descendants of Mahanga and Whakaohonga are now found together in the same title. The petitioners apparently were not aware as to how this arose—they also allege that the shares allotted to their section (descendants of Hikita) did not receive shares commensurate with their occupation.