

1940.
NEW ZEALAND

THE NATIVE PURPOSES ACT, 1937.

REPORT AND RECOMMENDATION ON PETITION No. 204 OF 1936, OF HIRINI WHAANGA CHRISTY AND OTHERS, RELATIVE TO THE SALE OF PORTION OF THE NUHAKA No. 1 BLOCK.

Presented to Parliament in pursuance of the Provisions of Section 16 of the Native Purposes Act, 1937

Native Land Court (Chief Judge's Office),
Wellington, C. I., 25th June, 1940.

Memorandum for the Hon. the NATIVE MINISTER, Wellington.

NUHAKA No. 1 BLOCK.

I TRANSMIT to you the report made by the Court pursuant to section 16 of the Native Purposes Act, 1937, upon the claims and allegations contained in Petition No. 204 of 1936, of Hirini Whaanga Christy and others, concerning the sale of the Nuhaka No. 1 Block to the Crown.

In view of the Court's report, I have no recommendation to make.

CHAS. E. MACCORMICK, Chief Judge.

THE NATIVE LAND ACT, 1931, SECTION 16 OF THE NATIVE PURPOSES ACT, 1937

In the Native Land Court of New Zealand, Tairāwhiti District.— In the matter of the land formerly known as the Nuhaka (No. 1) Block; and in the matter of a sale thereof to the Crown, and in the matter of a petition No. 204 of 1936, by Hirini Whaanga Christy and others, referred to the Court for inquiry and report.

At a sitting of the Court held at Nuhaka on the 30th June, 1938, and the following days before Harold Carr, Esquire, Judge.

The Court begs to report that—

The Crown and the petitioners were represented and were heard at length.

The land known as the Nuhaka (No. 1) Block was conveyed to the Crown by the leading chiefs of the day by deed dated the 16th March, 1865. As usual where the title had not been investigated or the land surveyed, the boundaries of the area sold and purchased were defined by reference in the deed to natural features. Most of these points are also referred to in the plan attached to the deed, and the area affected thereby was presumed to be approximately 120,000 acres.

The petitioners allege that an area of 28,267 acres and being the northern part of the land comprised in the deed of sale was not intended to be sold by their elders, and that the sale was of an area of approximately 10,000 acres only lying to the south of the 39th parallel. They state that their elders had no knowledge, memory, or tradition of any sale of a greater area than the 10,000 acres referred to, and in support of their claims they point out that:—

In May, 1865, a notice in the *Gazette* certified to the extinguishment of the Native title to 10,000 acres and that it was not until ten years later that a similar notice appeared in the *Gazette* affecting the area to the north of the 29th parallel.

No survey was made of this northern area of 28,267 acres.