

1901.  
NEW ZEALAND.

“NATIVE LAND (VALIDATION OF TITLES) ACT, 1893”

(DECREE MADE UNDER THE), IN RESPECT OF PUKEHOU.

*Presented to both Houses of the General Assembly in pursuance of “The Native Land (Validation of Titles) Act, 1893,” and ordered to be printed.*

IN RESPECT OF THE LAND KNOWN AS PUKEHOU 5G. No. 1.

IN THE VALIDATION COURT, HELD AT OTAKI.

In the matter of “The Native Land (Validation of Titles) Act, 1893,” and of the application of Tamati Ranapiri, half-caste, otherwise known as Thomas Ransfield, for the validation of his title to the block of land known as Pukehou 5G. No. 1, containing 55 acres 2 roods 2 perches, being the whole of the land now comprised in certificate of title, Volume 48, folio 258.

WHEREAS, at a sitting of the Validation Court held at Otaki on the 24th day of September, 1900, and subsequent days, before Alexander Mackay, Esquire, Judge of the Court, and Te Whatahoro, Assessor, the application of Tamati Ranapiri (Thomas Ransfield) duly came on for hearing in the said Court: And whereas the said Tamati Ranapiri (Thomas Ransfield) by such application claimed to have acquired all the shares and interests of the under-mentioned persons—viz., Mohi Heremia, Piripi te Ra, Oriwia Kingi, Reweti te Kohu, Renao Wharepakaru, Karanama te Wakaheke, and Ruihi Piripi, Native owners—in the said block, under certain contracts, produced to the Court, incapable of being enforced because such contracts were made in contravention of the provisions of the statutes in force at the time the said contracts were entered into by such Natives: And whereas the title of the block of land known as Pukehou 5G., of which the block of land now before the Court, designated Pukehou 5G. No. 1, forms part, was a certificate of title issued under the 17th section of “The Native Land Act, 1867,” in favour of the aforesaid Tamati Ranapiri (Thomas Ransfield) and ten other Natives: And whereas the making of such contracts were duly proved to the satisfaction of the said Court: And whereas the original block of land contained an approximate area of 72 acres, which, by a subsequent partition on the 13th day of May, 1887, was divided into several parcels, one of which was designated Pukehou 5G. No. 1, comprising an area of 55 acres 2 roods 2 perches, was allotted to Tamati Ranapiri and seven others by order of the Native Land Court on the 13th day of May, 1887: And whereas the seven persons referred to are the persons who contracted to sell their shares to the said Tamati Ranapiri (Thomas Ransfield): And whereas it was duly proved to the Court that the said contracts and each and every one of them are not in any respect contrary to equity and good conscience, and are not tainted with fraud or any improper dealing, and that they were fully understood by the several Native vendors at the time they were respectively entered into, and that they were fair agreements for reasonably sufficient and lawful consideration at the time and under the circumstances in which they were respectively made:

Now, therefore, upon reading the application filed herein, and upon proof of service upon the parties entitled to be heard, and upon hearing Mr. Harper of counsel for the applicant, the said Tamati Ranapiri (Thomas Ransfield), and the evidence adduced before the Court, it is hereby ordered and decreed,—

(1.) That the said Tamati Ranapiri (Thomas Ransfield) is the owner of the estate of inheritance in fee-simple, free from any encumbrances by any of the persons previously named, and all persons claiming through or any of them, in all that parcel of land situated near Otaki, in the Wellington Native Land Court District, containing by admeasurement 55 acres 2 roods 2 perches, be the same a little more or less, called or known as Pukehou 5G. No. 1, being the block of land described in the certificate registered in Volume 48, folio 258.

(2.) And it is further ordered and decreed that the said certificate shall cease and become void and of no effect, and the registration of such certificate in such Registration Office as aforesaid shall be cancelled and be of no further force or effect, and in lieu thereof there shall be issued a new certificate of title in favour of the said Tamati Ranapiri (Thomas Ransfield) for an estate in fee-simple free from any encumbrance.

Witness the hand of Alexander Mackay, Judge, and the seal of the Court, this 8th day of January, 1901.

A. MACKAY, Judge.

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