

[TRANSLATION.]

No. 412 (1907).—Pitihana a TAWHI PARANIHI me etahi atu toko ono.

E INOI ana kia whakahaua e te Whare kia whakakorea atu nga ota me nga Tiwhikete Taitara a te Kooti Whenua Maori mo ia o nga wawahanga o Okahukura Poraka.

Kua whakahaua ahau kia ripoata, me tuku atu tenei pitihana ki te Kawanatanga kia whiriwhiria paitia, me te tohutohu atu kia mahia mai he rarangi ture whakaora i runga i nga huarahi kua tohutohungia mai e nga hunga e tautotohe ana ki a raua (a e piri nei te kape ki tenei).

24 o Oketopa, 1907.

[COPY.]

THE Native Appellate Court shall have jurisdiction, on the application of any Native claiming to be interested in the Okahukura Block, to inquire and ascertain the boundaries, whether ancestral or as the same may have been agreed to, between the hapus to which the said block (including the blocks known as Papakai No. 1 and No. 2 and Ngapuna) was awarded on the investigation of title as set out in the minutes of the proceedings of the Native Land Court recorded in Vol. iv, page 107, and the following pages of the Native Land Court minutes for the Taupo district, and for the purposes aforesaid shall have power to confirm, amend, or vary all or any of the orders made on subdivision of the said block, or to cancel all or any of such orders, and to issue partition orders in lieu of such orders as may be cancelled, and the Native Appellate Court may by such partition orders or by separate orders ascertain and declare the relative interests of the Native owners of and in all or any of the subdivisions of the said block, and all such orders shall be final and conclusive. Nothing herein contained shall authorise the Native Appellate Court to vary or amend the award of the Native Land Court on investigation of title as recorded in the said minutes, and the said award is hereby declared to be conclusive as to the hapus entitled to the said block, and as to the persons constituting such hapus, as if a valid and final order on investigation of title in favour of the persons constituting the said hapus had been completed in accordance with the said minutes at the date of the said investigation of title. No order to be made by the Native Appellate Court under the foregoing provisions shall prejudicially affect the rights of any persons who have entered into contracts for the purchase or milling of flax on the said block:

Provided that, in case any alteration shall be made by the Native Appellate Court in the boundaries or ownership of any subdivision, all rents, royalties, or other moneys now or hereafter to become payable under any such contract to the owners of any such subdivision of the said block shall be paid to the person or persons found by the judgment of the Native Appellate Court to be entitled as owners of such subdivision, instead of to the person or persons who but for such judgment would have been entitled to receive the same.

[TRANSLATION.]

ME whai mana whakahaere, te Kooti Piira Whenua Maori, i runga i te tono a ia Maori e kereme ana he paanga tona ki Okahukura Poraka, ki te uiui me te whakatau i nga rohe, ahakoa he rohe tupuna he rohe pewhea ranei aua rohe i runga i te whakaaetanga i mahia i waenganui i nga hapu i whakataua nei ki a ratou taua Poraka (hui atu ki nga poraka e karangatia nei ko Papakai No. 1 me Papakai No. 2 me Ngapuna) i te whakawakanga o nga take paanga e mau nei te whakaatu i roto i nga meneti o te whakahaerenga a te Kooti Whenua Maori, Pukapuka iv, wharangi 107, me nga wharangi o muri iho, o nga meneti o te Kooti Whenua Maori mo te takiwa o Taupo, a mo runga mo nga tikanga kua kiia ake nei ka whai mana ki te whakau, ki te whakatikatika, me te whakarereke ranei, i te katoa, i etahi ranei, o nga ota i mahia i runga i te wawahanga o taua poraka, ki te whakakore ranei i te katoa i etahi ranei o aua ota, me te whakaputa ota wehewehe hei riiwhi mo aua ota tera e whakakorea, a ka ahei te Kooti Piira Whenua Maori, i runga i ena ota wehewehe, i runga ranei i etahi ota motuhake, ki te whakatau me te panui i nga hea paanga o nga Maori ki—a kei roto hoki i—te katoa, i ia ranei, o nga wawahanga o taua poraka, a ko ia ota pera hei whakaotinga tuturu, pumau. E kore tetahi kupu o tenei pukapuka e whakamana i te Kooti Piira Whenua Maori ki te whakarereke, ki te whakatikatika ranei, i te whakatau a te Kooti Whenua Maori, i runga i te whakawakanga o nga take paanga, e mau nei i roto i aua meneti kua kiia ake nei, me taua whakatau e kiia tuturutia ana i konei kua tino pumau mo te taha ki nga hapu e whai take ana ki taua poraka, a mo te taha hoki ki nga tangata e ekengia ana e aua ingoa hapu, ano tonu me te mea nei i tino whakaotia he ota whai mana tuturu, i runga i te whakawakanga o nga take paanga, ki aua tangata e ekengia ana e aua ingoa hapu i runga i te tikanga o aua meneti, i te wa o taua whakawakanga i nga take paanga. E kore tetahi ota tera e mahia e te Kooti Piira Whenua Maori i runga i nga tikanga kua kiia ake nei e pa hei mate ki runga ki nga tika o ia tangata kua uru ki roto ki nga kanataraka mo te hokonga mo te miratanga ranei o nga harakeke i runga i taua poraka:

Engari mehemea ka whakarereketia e te Kooti Piira Whenua Maori nga rohe, nga tangata ranei mo ratou tetahi o aua wawahanga, ko nga moni reti katoa, roiate, me era atu moni katoa ranei e tau ana i naianei, a muri ake ranei te tau ai, hei utunga i raro i ia kanataraka pera ki nga tangata no ratou ia wawahanga pera o taua poraka, me utu ki te tangata, ki nga tangata ranei, i whakataua ai e te Kooti Piira no ratou taua wahanga, kua ki te tangata ki nga tangata ranei e tika ana, mehemea kaore taua whakatau, hei tango i aua moni.