

1926.  
NEW ZEALAND

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NATIVE LAND AMENDMENT AND NATIVE LAND CLAIMS  
ADJUSTMENT ACT, 1925.

REPORT AND RECOMMENDATION ON PETITION No. 403 OF 1924, OF HAMUERA KINGI AND SEVENTY-SIX OTHERS, FOR READJUSTMENT OF RELATIVE INTERESTS IN THE PUKETOTARA BLOCK.

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*Presented to Parliament in pursuance of Section 34 of the Native Land Amendment and Native Land Claims Adjustment Act, 1923.*

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Native Department, Wellington, 30th July, 1926.

*Petition No. 403 of 1924.—Puketotara Block.*

PURSUANT to section 34 of the Native Land Amendment and Native Land Claims Adjustment Act, 1925, I herewith forward report of the Native Land Court herein. In accordance with that report, I recommend that power be given to the Court to add the name of Hera Wiremu and to readjust the reapportionment of shares as between Tamati te Maara and his brother and sister.

The Right Hon. the Native Minister, Wellington.

R. N. JONES, Chief Judge.

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(B.I.M.B. 7/89-91.)

Kaikohe, 2nd February, 1926.

*Report of the Native Land Court to the Chief Judge after Inquiry into the Claims and Allegations in Petition No. 403 of 1924, of Hamuera Kingi and Seventy-six Others, praying for Readjustment of the Relative Interests in the Puketotara Block.*

THE Native Land Court, acting under the authority of section 34 of the Native Land Amendment and Native Land Claims Adjustment Act, 1925, opened its inquiry into the claims and allegations of the petitioners at Russell on the 15th January, 1926, but adjourned the case for hearing at Kaikohe. The inquiry was held at Kaikohe on the 28th January, 1926, and the 2nd February, 1926, a large number of interested Natives being present.

Evidence was given in favour of the petitioners by Hamuera Kingi, Tame Arena, and Eruera Mihaka. Evidence opposing the claims of the petitioners was given by Hone Rameka, Hone Toia, Hone Hau, and Kereihi Manotau.

The Court will briefly refer to the previous history of Puketotara. The Crown handed the block back to the Natives in 1920, following upon the proceedings of the Commission of 1920. The area was 2,196 acres, and the land was poor country, worth about 15s. to 20s. at the most. The Native Land Court (Judge Holland), in June, 1921, held a sitting at Ohaewai, and held that the land should be awarded to the descendants of the ancestor Turou known as Te Whiu Hapu, and the Court called upon the claimants to submit lists. Lists of names were prepared, submitted, read out, and approved. Hirimai Piripo was the only objector, but his appeal was dismissed. His objections have no relation to the claims of the present petitioners. The petitioners now ask for a readjustment of relative interests. They allege that they did not know in what manner the shares were apportioned in 1921, and they claim that many persons not descendants of Turou were included in the lists.

The Court, after inquiry at Kaikohe, now begs to report as follows :—

The Court is satisfied from the evidence given that—

- (1.) The Puketotara owners were amply represented at the hearing at Ohaewai in June, 1921.
- (2.) The leading representatives prepared the various lists after conferences lasting several days.
- (3.) At least 122 owners were present in Court at the hearing, but no objections were raised when the final lists were read out by the Court and passed.
- (4.) A large number of people were put into the title not in right of descent from Turou, but by reason of their contributions of cash to pay the legal expenses of the case against the Crown in 1920.
- (5.) These *mataotao* or "cold" owners should not now be disturbed in their award of shares. The awards are nearly all very small (two to four) and correspond with cash (£1 per share) actually paid towards expenses of case against Crown.
- (6.) The persons really entitled by ancestry to this Puketotara Block definitely agreed in 1920 and 1921 to include these cash contributors in the title, and the principal owners still strongly approve of the arrangement made and object to the suggested repudiation of the agreement made.
- (7.) In 1921 the shares for the various lists were first apportioned and approved, and then the leaders of each list fixed the apportionment of the shares given to each list. Representative owners fixed the shares, and they were the close relatives of the present petitioners.
- (8.) In only one respect does the Court think, on the evidence before it, that an injustice was done. Hamuera Kingi seems to have a real grievance, and the other petitioners are probably hoping to get something out of the petition through his efforts. Hamuera Kingi's grievance is against his brother Tamati te Maara, who gave himself and his family seventy-one shares, but only gave Hamuera (or Hami Kingi) five shares, though Hamuera was the elder brother. Tamati also left out his sister Hera Wiremu altogether.

*Recommendation.*—The Court begs to recommend that the freehold order of the 9th June, 1921, be left with names and shares as at present, except that the Court be authorized by Parliament to amend the apportionment as between Tamati te Maara and his wife and children on the one side, and Hamuera Kingi and Hera Wiremu on the other side, with power to add Hera Wiremu's name to the list of owners.

2nd February, 1926.

F. O. V. ACHESON, Judge.

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