

1928.
NEW ZEALAND.

NATIVE LAND AMENDMENT AND NATIVE LAND CLAIMS
ADJUSTMENT ACT, 1927.

REPORT AND RECOMMENDATION ON PETITION No. 252 OF 1927, OF KEPA ANAHA EHAU,
RELATIVE TO ROTORUA NATIVE RESERVES.

*Presented to Parliament in pursuance of the Provisions of Section 63 of the Native Land Amendment
and Native Land Claims Adjustment Act, 1927.*

Native Department, Wellington, 27th September, 1928.

Petition No. 252 of 1927.—Rotorua Native Reserve.

PURSUANT to section 63 of the Native Land Amendment and Native Land Claims Adjustment Act, 1927, I herewith enclose report of the Native Land Court upon this petition.

I recommend that legislation be passed enabling the matters referred to in the report to be reopened and readjudicated upon with the object of having the injustices removed. It is observed that the Court apparently thinks that the decision as to equal shares should stand. As a matter of policy it might be wise to adhere to the shares as found, but it is quite evident the shares would not necessarily be equal according to Native custom.

R. N. JONES, Chief Judge.

The Right Hon. the Native Minister, Wellington.

Office of the Waiariki District Native Land Court,
Rotorua, 14th June, 1928.

*Petition No. 252 of 1927, of Kapa Anaha E hau : Praying that certain Sections in the Rotorua Township
be vested in Ngati Whakaue only, and Members of other Tribes be removed from the Title.*

SIR,—

Upon your reference of above petition to the Court for inquiry and report I have to report as follows :—

The inquiry was held in open Court at Rotorua on the 30th March and 21st May last. The petitioner appeared in person, and others appeared in support of certain claims in the petition and against them.

The complaint set forth in clauses 1 to 10 is one against the names of the Ngati-Rangiwewehi and Ngati-Uenukukopako tribes being included in the title as co-owners with Ngati-Whakaue. The petitioner is fully justified in his complaint, and is entitled to relief on this particular point.

It is evidenced that the officer who purchased the Pukeroa-Oruawhata Block dealt with the three tribes—viz., Ngati-Whakaue, Ngati-Uenukukopako, and Ngati-Rangiwewehi. The negotiations for sale took place before the title to the said Pukeroa-Oruawhata Block had been investigated. (*Vide* agreement between T. W. Fenton and Natives, dated 25th November, 1880.)

The title was investigated and decision delivered on the 28th June, 1881, such decision being in favour of Ngati-Whakaue alone. (Copy of decision is attached hereto.) The order in pursuance of this decision drawn up and signed by the Judge was to the effect “ that the Ngatiwhakaue Tribe are the owners,” &c. Order determining the members of the Ngatiwhakaue Tribe and the persons entitled to Pukeroa-Oruawhata No. 1 was made by Chief Judge Fenton on the 27th April, 1882. (Copy of covering sheet of such order is attached hereto.) This decision was further endorsed in a decision upon an application for partition dealt with on the 22nd April, 1884. (Copy of this decision is also attached hereto.)