

1936.

NEW ZEALAND.

# THE NATIVE PURPOSES ACT, 1933.

REPORT AND RECOMMENDATION ON PETITION No. 381 OF 1929, OF ROKA MEREHANA AND OTHERS: PRAYING THAT THE NATIVE LAND COURT BE EMPOWERED TO REHEAR THE REUREU Nos. 2 AND 3 BLOCKS.

*Presented to Parliament in pursuance of the Provisions of Section 27 of the Native Purposes Act, 1933.*

Native Land Court (Chief Judge's Office),  
Wellington, C. 1, 7th May, 1936.

The Hon. the NATIVE MINISTER, Wellington.

PETITION No. 381 OF 1929.—REUREU 2 AND 3 BLOCKS.

PURSUANT to section 27 of the Native Purposes Act, 1933, I herewith transmit the report of the inquiry held by the Native Land Court with regard to the grievances alleged by the petitioners.

About the year 1870 Sir Donald McLean arranged for a reserve for the resident Natives consisting of N'Pikiahū, N'Waewae, N'Maniapoto, and N'Rangitahi. In 1884 lists of these different hapus supposed to be entitled were prepared by Mr. Commissioner Mackay, but were not given effect to till 1895, when the Court, purporting to act under jurisdiction conferred by an Order in Council, ascertained the beneficiaries. The N'Pikiahū and N'Waewae were dissatisfied with the area awarded to them, contending that a boundary-line had been arranged. On appeal, the Court decided that a division should be made according to numbers. Eventually the parties themselves came to an arrangement by which N'Pikiahū and N'Waewae became entitled to Reureu No. 1 and the other two hapus to Reureu Nos. 2 and 3 Blocks. No great alteration was then made in the lists of the latter hapus, and although the owners of No. 1 petitioned and secured a reopening of that section the N'Maniapoto and N'Rangitahi have not shown that there is any widespread desire to reopen the case as far as they are concerned.

I have no recommendation to make in view of the report by the Court that sufficient has not been shown to justify the Court in finding an injustice had been done.

R. N. JONES, Chief Judge.

Office of the Aotea District Native Land Court, and Maori Land Board,  
Wanganui, 27th September, 1935.

The CHIEF JUDGE, Native Land Court, Wellington.

REUREU NOS. 2 AND 3 AND YOUR REFERENCE OF THE PETITION OF ROKA MEREHANA AND OTHERS FOR INQUIRY AND REPORT.

I HAVE the honour to inform you that the Court sitting at Marton on the 24th September, 1934, held the inquiry directed by you into the petition, and I beg to report as follows:—

At the date of the Court sitting Roka Merehana, the petitioner, was dead, but Taite te Tomo repeated to the Court a statement which he alleged Roka had made to him before her death. A copy of this statement is attached hereto.

According to Taite te Tomo, the petitioner is asking for a redefinition of the interests and the inclusion of certain other names in the lists, but, as the statements in support of the petition were so very vague and unsatisfactory and disclosed no ground for reopening the case, the Court withheld its report in the hope that further evidence might be adduced. No further evidence has so far been brought forward.

The position, shortly, is that the Reureu Block, of which Reureu Nos. 2 and 3 are a part, was one of the reserves made on the purchase of the Rangitikei Manawatu Block by the Crown. There were at the time living on this reserve section of the N'Pikiahū, N'Waewae, N'Rangitahi, and N'Maniapoto. These hapus had no ancestral right to the land, but had simply been squatting there for many years and refused to move, and it was decided to make an award of about 4,400 acres to them.

In January, 1888, the Native Land Court was, by Order in Council, empowered to ascertain the ownership of the reserve and at a sitting of the Court at Marton in December, 1895, it gave effect to an agreement making a division between the hapus as follows:—

Reureu No. 1 for N'Pikiahū and N'Waewae	..	..	2,270 acres.
Reureu No. 2 for N'Rangitahi and N'Maniapoto	..	..	1,700 acres.

It ascertained the owners for each division and made orders accordingly.

This decision was appealed against, and the Appellate Court on the 9th December, 1896, after an exhaustive inquiry, made orders as follows:—

Reureu No. 1: N'Pikiahū and N'Waewae	..	..	2,546 acres.
Reureu No. 2: N'Rangitahi and N'Maniapoto	..	..	1,033 acres.
Reureu No. 3: N'Rangitahi and N'Maniapoto	..	..	517 acres.

Before both the Native Land Court and the Appellate Court the lists affecting Nos. 2 and 3 were scrutinized with great care. These lists have remained undisturbed until the present time, and it seems to me that a great deal more evidence is required than that adduced at the inquiry at Marton to prove that a mistake has been made and that persons who have a right have been omitted from the titles.

(Sgd.) JAS. W. BROWNE, Judge.

[Extract from M.B. 96, folios 106–108, Marton. 24/9/34. Jas. W. Browne.]

808. REUREU NOS. 2 AND 3: REFERENCE BY CHIEF JUDGE TO COURT WITH REGARD TO PETITION OF ROKA MEREHANA AND OTHERS.

Inquiry by Court. Petition read.

*Taite te Tomo*.—I am appearing for the petitioners and will give evidence in support of the petition.

No one present in Court opposed the petition.

*Taite te Tomo (sworn)*.—Roka Merehana, the petitioner, is dead, but I will repeat the statement made by her to me regarding this matter.

In 1840 one called Wiremu Pukapuka first brought her on to this land—she was one of the rangatiras of Ngati-Maniapoto and Ngati-Rangitahi and Ngati-Matakore. She told us that when this land was returned to the Maoris that Wiremu Pukapuka and his wife Mereaina, *alias* Rangitoto, were both put into the block. Since then up to the sitting of the Court in 1912 she had always thought that the two were in the block. It was during that Court she discovered that they were not in—she verified this subsequently when I read out the lists at a later inquiry. The position was not made any better for her owing to the fact that she was not able to read. Roka Merehana was related to both Wiremu Pukapuka and his wife, Mereaina, and was their adopted child. Wiremu Pukapuka died shortly after 1844, but his wife Mereaina did not die until 1905.

I was instrumental in making it known to Roka in 1926 that neither Wiremu Pukapuka nor his wife were in the lists—Roka herself was an owner. Neither Wiremu Pukapuka nor Mereaina had any issue. It was in 1926 that Roka discovered that some of the owners had two shares others one and a half and others one—she was always under the impression that they had all shared alike—viz., Ngati-Maniapoto, Ngati-Rangitahi, and Ngati-Matakore. I came to the conclusion that her grievance was well founded and I got my wife Ngahuia who holds two shares to sign the petition—it may be that a portion of the two shares belong to Roka. Roka was awarded one share only.

There was another person, Pepene Tahatika, whose name is not in the present list, although he contends he was in the first one. He belonged to Ngati-Maniapoto. He was one of the persons who resided on Te Reureu in the same manner as Wiremu Pukapuka and his wife. Pepene Tahatika is dead, but his descendants are still alive. It is through ignorance that no previous application has been made for his inclusion in the list. His descendants are living in Waikato. One of them in 1915 came down to look at his interest. He was handed £30 by Hamapiri, but he told Hamapiri he did not want the money. He wanted his land.

That is all Roka told me. It is the desire of the petitioners that a Court be set up to go into the question of the shares.

Inquiry closed.

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