

agreements for reasonably sufficient and lawful considerations 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 objectors of said application, and upon hearing Mr Nolan, of counsel for the applicant, the said Alexander Creighton Arthur, and the evidence adduced before the Court, it is hereby ordered and decreed:—

1. That the said Alexander Creighton Arthur is owner of an estate of inheritance in fee-simple, free from encumbrances by any of the persons hereunder named as objectors and by all persons claiming through any of them, in all that parcel of land situated in the district of Poverty Bay, in the Gisborne Native Land Court District, containing by admeasurement 578 acres 2 roods 19 perches, be the same a little more or less, particularly delineated on the plan thereof indorsed hereon, edged red, and called or known as the Whatatutu A Block, being the block of land described in the aforesaid Crown grant, dated the 15th day of March, 1888, and registered in the office of the District Land Registrar at Napier, in Volume 22, folio 207

2. That the following are names of the objectors aforesaid, all of whom failed to appear at the hearing of the said application Paora Haupa, Paora Haupa as successor to Rihara Rahui, Paora Haupa as successor to Marara Tahuipare, Heni Hinearangi (*alias* Tipuna), Hona te Huhu, Eruera Matarau, Pirihi Tutekohi, Pirihi Tutekohi as successor to Hirini Tutaha, Pirihi Tutekohi as successor to Hirini Tutaha a successor to one-fourth share of Marara Kahungunu, Pirihi Tutekohi as successor to one-fourth share of Marara Kahungunu, Epiha Parau, Karaitiana Ruru, Hohepa Tahataha, Hemi Popata, Hemi Popata as successor of one-fourth share of Marara Kahungunu, Rongotipare Tawhiao, Netana Puha, Hera Kiekie, Tapine Turei, Atareta Ruru, Epeniha Tipuna, Tamati Rawhiti, and Pene Maire as successors to Erena Haupa, Tiopira Tawhiao as successor to one-fourth share of Marara Kahungunu, and Ka te Hane.

3. And it is hereby further ordered and decreed that the said Crown grant, dated the 15th day of March, 1888, and registered in the office of the District Land Registrar at Napier, in Volume 22, folio 207, for the said Whatatutu A Block shall cease and become void and of none effect, and the registration of such Crown grant 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 certificate of title under the provisions of "The Land Transfer Act, 1885," and the amendments thereof, for the said Whatatutu A Block in favour of the said Alexander Creighton Arthur for an estate of inheritance in fee-simple, free from encumbrances.

Witness the hand of his Honour George Elliott Barton, Esquire, Judge, and the seal of the said Validation Court, this 22nd day of June, 1894.

G. E. BARTON, Judge.

WHATATUTU No. 1B.

IN THE VALIDATION COURT, HOLDEN AT GISBORNE.

In the matter of "The Native Land (Validation of Titles) Act, 1893," and of the application of Alexander Creighton Arthur in respect of the Whatatutu No. 1B. Block.

WHEREAS at a sitting of the Validation Court duly held at Gisborne on the 23rd day of June, 1894, under the provisions of "The Native Land (Validation of Titles) Act, 1893," before his Honour George Elliott Barton, Esquire, Judge, and Atanatiu Kairangi, Assessor the application of Alexander Creighton Arthur, of "The Willows," near Gisborne, in the district of Poverty Bay sheepfarmer, in respect of the Whatatutu No. 1B Block, duly came on for hearing before the said Court And whereas the said Alexander Creighton Arthur by such application claimed to have acquired all the shares and interests of the whole of the Native owners in the said Whatatutu No. 1B Block under certain contracts (produced to the Court) incapable of being enforced, because such contracts were not made in accordance with the requirements of the statutes in force (but now repealed) at the time the said contracts were entered into by such Natives And whereas the making of the said several contracts were duly proved to the satisfaction of the said Court And whereas the title to the said Whatatutu No. 1B Block at the time such application was made was a Crown grant, issued in favour of Tiopira Tawhiao and twenty-four other aboriginal natives (the whole of whose interests are claimed by the said Alexander Creighton Arthur), which grant is registered in the office of the District Land Registrar at Napier in Volume 22, folio 295 And whereas it was duly proved to the Court that the said contracts are such that had the same been made between Europeans touching and concerning the said land they and each of them would have been valid and binding contracts capable of being enforced in the Supreme Court of New Zealand that the said contracts and each and every of them are not in any respect contrary to equity and good conscience, and are not tainted with any fraud or improper dealing, and that they were fully translated to and 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 considerations 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 objectors to said application, and upon hearing Mr Nolan, of counsel for the applicant, the said Alexander Creighton Arthur, and the evidence adduced before the Court, it is hereby ordered and decreed:—

1. That the said Alexander Creighton Arthur is the owner of an estate of inheritance in fee-simple, free from encumbrances by any of the persons hereunder named as objectors and by all persons claiming through any of them, in all that parcel of land situated in the district of Poverty Bay, in the Gisborne Native Land Court District, containing by admeasurement 164 acres 3 roods 34 perches, be the same a little more or less, particularly delineated on the plan thereof indorsed hereon, edged red, and called or known as the Whatatutu No. 1B Block, being the block of land