

SESSION I.
1912.
NEW ZEALAND.

NATIVE LAND CLAIMS ADJUSTMENT ACT, 1910:

REPORT AND RECOMMENDATION ON PETITION No. 500/08, RELATIVE TO WHANGARA BLOCK.

Laid before Parliament in compliance with Subsection (4) of Section 28 of the Native Land Claims Adjustment Act, 1910.

Native Land Court, Wellington, 26th October, 1911.
The Hon. the Native Minister, Wellington.

Re Whangara Block.

PURSUANT to section 28 of the Native Land Claims Adjustment Act, 1910, I referred to the Native Land Court for inquiry and report the petition of Eruera te Kura and others herein.

I have received, and enclose herewith, the report of His Honour Judge Jones on the matter, and beg to recommend legislation on the lines indicated in paragraph 26 thereof.

JACKSON PALMER,
Chief Judge.

In the Native Land Court of New Zealand.—In the matter of an inquiry held under section 28 of the Native Land Claims Adjustment Act, 1910, regarding the petition of Eruera te Kura and others respecting the Whangara Block.

To His Honour the Chief Judge of the Native Land Court.

THIS matter having been referred by you to the Native Land Court for inquiry and report, I beg to report as follows:—

1. After due notice an inquiry into the matter of the petition was held in open Court at Gisborne on the 14th day of June, 1911, and subsequent days.

2. The block of land affected is portion of a larger block called Whangara, originally held by Kerehona Piwaka and other Natives under a Native Land Court certificate of title issued under the provisions of the 17th section of the Native Lands Act, 1867, the Court at the same time making an order recommending certain restrictions against dealings to be placed upon the title.

3. One Charles Seymour and his predecessors in title had acquired certain leasehold interests in the block. There had been litigation with regard to this lease, which eventually reached the Privy Council.

4. In addition, Mr. Seymour, apparently believing that a valid title was procurable, entered into negotiations with some of those interested in the block for the purchase of their undivided shares, and some fifty-eight interests were affected by a document purporting to be a memorandum of transfer or conveyance of their shares.

5. On applying to continue the negotiations under the Native Land Administration Act, 1886, the documents became the subject of proceedings in the Supreme Court, where it was held that the special restrictions imposed were effective to bar dealings by sale.

6. In the meantime the litigation with regard to the lease had been proceeding when the Native Land Court Acts Amendment Act, 1889, was passed.

7. Under the 20th section of that Act Messrs. Edwards (now His Honour Mr. Justice Edwards) and Ormsby were appointed Commissioners.

8. Mr. Seymour thereupon made application under that Act to the Commissioners to inquire into all the circumstances attending the alleged alienation or acquisition of the interests of Rawiri Maki and fifty-seven other Natives in the said Whangara Block.

9. The hearing of the application before the Commissioners was from time to time adjourned so that the applicant and the Natives might agree upon terms of settlement of their disputes, and eventually an agreement, dated the 27th June, 1890, was arrived at. A copy of the agreement was attached to the Commissioners' report, and is printed in the schedule to a Bill introduced into Parliament (No. 126 of 1890) and entitled the Whangara Land Act, 1890.