

1916.
NEW ZEALAND.

NATIVE LAND AMENDMENT AND NATIVE LAND CLAIMS ADJUSTMENT ACT, 1915.

REPORT ON PETITION No. 96 OF 1915, OF POHOI TE TAHITIKA, *RE* AMENDMENT OF
PARTITION OF OKAUIA No. 3A, SECTIONS 1, 2, AND 3.

Laid on the Table of the House of Representatives pursuant to Act.

Native Land Court (Chief Judge's Office), Wellington, 14th July, 1916.

IN THE NATIVE LAND COURT OF NEW ZEALAND.

The Hon. the Native Minister.

IN accordance with the provisions of section 23 of the Native Land Amendment and Native Land Claims Adjustment Act, 1915, I forward herewith the report of Judge Holland on Petition No. 96 of 1915, praying for the amendment of the partition of Okauia No. 3A Block, which I beg to supplement with the following particulars :—

1. The partition was made over six years ago.
2. The partition surveys have been effected by the Survey Department on behalf of the Natives at an approximate cost of £85.
3. That an application for the confirmation of a sale to Edwin George Beeson, James Duncan, and James Victor Mackay, of the land in which the *urupa* referred to is situated, is before the Waikato-Maniapoto Maori Land Board for confirmation, a lease of interests representing approximately two-thirds of the land for a term of fifty years to the same persons having already been confirmed.

Under the circumstances I do not see how any relief is now possible. No doubt, however, the Waikato-Maniapoto Maori Land Board will be able to make some arrangement between the parties by which the *urupa* will be excluded from the sale and be vested in the Board for the use of all the owners of the various subdivisions of the Okauia No. 3A Block.

Dated this 14th day of July, 1916.

JACKSON PALMER,
Chief Judge.

Office of the Waikato-Maniapoto District Native Land Court, Auckland, 3rd July, 1916.

Okauia No. 3A.—Petition No. 96 of 1915, of Pohoi te Tahitika, re-Amendment of Partition.

SIR,—

I have the honour to report upon the attached petition as follows :—

Inquiry was held at Ngaruawahia on the 14th June, 1916. The petitioners only were represented. The principal petitioner, who is deceased, was represented by one Ngarino Tutahi. Beyond making a statement, a copy of which is annexed hereto, Ngarino had nothing very definite to say.

An inspection of the plan certainly shows that of the three divisions that awarded to Pohoi te Tahitika has the least road frontage.

As there was no comparative valuation available, I am unable to say if the partition, which is certainly a shapely one, is inequitable.

Beyond suggesting that the *urupa* be reserved, I have no recommendation to make.

The Chief Judge, Native Land Court, Wellington.

I have, &c.,

A. J. HOLLAND, Judge.

[Extract from Mercer Minute-book 20, 14/6/16, p. 176.]

Okauia No. 3A, Sections 1, 2, and 3.—Reference under Section 23, 1915, for Inquiry and Report.

Ngarino Tutahi: I appear for Pohoi te Tahitika, the petitioner, who is dead. Our first objection to partition is that the E part of block awarded to us is rocky, steep country. The second ground is that our *urupa* is included in Section 2. Hihitaua and Tarewa are two of the *tupapaku* who are buried there, but there are others, as it is an old *urupa*. It would be about half an acre in extent. Some of the graves are marked, and a pine-tree grows alongside. We contend that all parties should share in the good land and the bad. We ask that a half-chain access be given to *urupa* from main road. So far as I know no notice was received by petitioner. Cannot say definitely when petitioners first heard of partition. One of the petitioner's daughters has now been residing on block for about eight months. Do not know where various parties resided when partition was made in 1910. I suggest that block should be repartitioned, and all partitions should be equal in value. I cannot at present call any evidence as to comparative values of land. This is all I have to say regarding the matter.

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