

1925.

NEW ZEALAND.

NATIVE LAND AMENDMENT AND NATIVE LAND
CLAIMS ADJUSTMENT ACT, 1924.REPORT AND RECOMMENDATION ON PETITION No. 19 OF 1921, OF MERE HAPE AND OTHERS,
RELATIVE TO RAKAUKAKA BLOCK.*Presented to Parliament in pursuance of Section 45 of the Native Land Amendment and Native Land
Claims Adjustment Act, 1924.*

Native Department, Wellington, 29th June, 1925.

Petition No. 19 of 1921.—Re Rakaukaka Block.

ENCLOSED herewith is the report of the Native Land Court herein, pursuant to section 45 of the Native Land Amendment and Native Land Claims Adjustment Act, 1924. In view of that report, I recommend that no further action be taken.

R. N. JONES, Chief Judge.

The Hon. the Native Minister, Wellington.

Native Land Court and Tairāwhiti District,
Māori Land Board Office, Gisborne, 28th May, 1925.

The Chief Judge, Native Land Court, Wellington.

Rakaukaka.—Petition 19/1921 (Mere Hape).

YOUR reference, under section 45, Act 1924, No. 45, of the above matter came before the Court sitting at Gisborne on the 18th day of December, 1924, when petitioners and owners in title were represented by Messrs. Pitt and Cooper respectively.

The Court begs to report that the title to this block is a grant under the Poverty Bay Grants Act, 1869, in favour of Pimia Aata and Mere Hari, issued pursuant to an award by a Commission consisting of Judges Rogan and Munro, which sat at Gisborne in the year 1869 to hear claims to various portions of the ceded area in the Poverty Bay district, over the greater part of which the Crown had relinquished its rights in favour of loyal Natives. The claims to Rakaukaka came before the Commission on the 22nd July, 1869, when cases were set up by (1) Pimia Aata (p. 191), (2) Henare Turangi (p. 192), (3) Hoani te Haraki (p. 195). Pimia Aata's claim was based on occupation and descent from Te Raatu through her mother Amiria Tipoki, whose brothers had surrendered their claims in favour of herself and her sister Meri Hari. Te Raatu's right was practically undisputed. The claims of Henare Turangi and Hoani te Haraki occupied the Commission three days, and they were awarded an area of 108 acres, which was cut off and called "Poroporo."

Mr. Graham, for Pimia Aata, then applied for an award in favour of his clients, stating that, besides their rights of descent, they rested a more special claim upon an arrangement made that they should be accounted the sole proprietors of this block, being excluded from any share in Kaimoe (Patutahi) and other tribal lands. It would appear that this arrangement referred to by Mr. Graham was a deed of gift from Tamati Rangituawaru and others in favour of Amiria Tipoki and her daughters. The evidence of a Mr. Goldsmith shows that he had attended a Native meeting at Patutahi, when the gift was discussed and the boundaries arranged; that the gift appeared to him to have been well understood by the meeting; that there was not a dissentient voice, and all seemed pleased with the arrangement; that the gift was an absolute one, and that no trust was expressed. It was remarked at this meeting, when it was seen on going around the boundaries that a large area was being given up, that Pimia ought not to ask for Patutahi also.

Te Teira Whakangaro was the principal objector to the application put forward by Mr. Graham, and claimed descent from Te Ika, the father of Te Raatu. The gift was also objected to and denied by others, and it was alleged that the gift was upon trust only, as certain of those interested were Hauhaus, and it was thought that they might thus evade the confiscatory eye of the Crown agents and so preserve their rights in the land by being represented by their relatives who were loyalists.