

1928.
NEW ZEALAND.

NATIVE LAND AMENDMENT AND NATIVE LAND CLAIMS ADJUSTMENT ACT, 1927.

REPORT AND RECOMMENDATION ON PETITION No. 257 OF 1927, OF TE AMO KOUKOU PAPARATU,
RELATIVE TO ARANUI BLOCK.

*Presented to Parliament in pursuance of the Provisions of Section 63 of the Native Land Amendment
and Native Land Claims Adjustment Act, 1927.*

Native Department, Wellington, 24th September, 1928.

Petition No. 257 of 1927.—Aranui Block.

PURSUANT to section 63 of the Native Land Amendment and Native Land Claims Adjustment Act, 1927, I herewith forward report of the Native Land Court hereon.

You will note the Court recommends that a sum equivalent to £620 be paid by the Crown. As, however, the suggested compensation is based upon the fact that injury done to the Native arose through a mistake of the Court, the question whether the Government should accept liability in such cases is one of policy.

There is no necessity for legislation upon the matter.

R. N. JONES, Chief Judge.

The Right Hon. the Native Minister, Wellington.

Aranui Block.

In the Native Land Court of New Zealand, Tairāwhiti District.—In the matter of the Aranui Block; and in the matter of petition 257 of 1927, by Te Amo Koukou Paparatu, and referred to the Court pursuant to section 63, Act No. 67 of 1927, for inquiry and report.

At a sitting of the Court held at Wairoa on the 3rd day of February, 1928, before Harold Carr, Esquire, Judge.

After hearing the petitioner and others on his behalf the Court begs to report:—

The title to Aranui (353 acres) was investigated on the 17th September, 1868, when a certificate of title under the Native Land Acts was ordered to issue in favour of (1) Teretiu Take, (2) Heta Kuaha, (3) Rewai, (4) Rawinia Kahuitau, (5) Keita Poneke, (6) Te Rawha, (7) Koukou.

A European, R. D. Maney, who had a lease of the block purchased certain interests. The conveyance reserved 100 acres, described in the deed, for those who sold. Two of the owners, Te Rawha and Koukou, would not sell, and in order to complete his title Maney prevailed on Koukou to sign a conveyance which made no reservation, and at the same time he (Maney) conveyed back to Koukou a specific area of 50 acres (situated within the 100 acre reserve area) as representing Koukou's interest in the original block. Although a consideration of £100 was expressed in the conveyance to Maney, Mr. Hector Duff, J.P., who witnessed the transaction, gave evidence in 1889 that no consideration was paid in his presence, and that he understood Maney was to convey to Koukou the same share back again.

To finalize Maney's purchases the block came before the Court on partition in 1884, when Te Rawha, the other non-seller, was cut out in Aranui No. 1. The balance of the original owners and sellers, inclusive of Koukou, were awarded a parcel called Aranui, contained in two severed areas of 142 acres 1 rood 31 perches and 125 acres 2 roods 10 perches (exclusive of roads). The 142 acres 1 rood 31 perches portion subsequently passed to Maney by virtue of his conveyances, and the sellers were left with the 125 acres 2 roods 10 perches. This division of 1884 was arranged on a basis of equal shares as between the original owners.