

A REPORT COMMISSIONED BY THE WAITANGI TRIBUNAL

This report is prepared by Brian Herlihy of Wanganui, whose working life covers an early career in teaching (including service in Maori Schools) as well as twenty years with the Department of Maori Affairs.

Prior to his retirement, he was for several years, Deputy Registrar of the Maori Land Court, and upon retiring established a consultancy business covering the many and varied problems encountered when dealing with Maori Estates, shareholding in Maori Land, usage of Maori Land and all aspects of Maori Land Court work.

The scope of this report is to identify, by reference to the Maori Land Court records and reports by J. Ford on Compensation Court Awards and Fox Bell Awards (docs. F25 and F26 on the record of documents for the Taranaki claims), the reserves set aside for Ngati Tama (which presumably were in the confiscation area), illustrate the locations on either a detailed or diagrammatic map, and describe subsequent alienations (how much was sold, how soon), and describe what land remains.

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INVESTIGATION REPORT

To the best of my knowledge I have covered all the grants in the Ford reports relevant to this exercise, plus several I was unable to locate in the reports namely :-

Grant No. 5290 Pukearuhe Sections 6 & 7

Grant No. 5291 Pukearuhe Section 8

Grant No. 5299 Mimi Sections 2, 25, 26 Blk. XI

There is also a "temporary file" for Mimi Section 62 Block X. The land transfer search indicates it is now General Land and I have been unable to locate it on maps.

The map supplied by the Tribunal showing tribal boundaries indicates that the Ngati Tama area stretched from White Cliffs in the north to Papatiki in the south and I have extended my search to include land in the southern part of Mimi Survey District.

Each Grant is dealt with in Schedule B hereto which shows the various subdivisions created and their current status i.e. :

- (a) Maori Land.
- (b) General Land.
- (c) Crown Land.
- (d) Europeanised.
- (e) Parininihi-Ki-Waitotara.

Status is also visually illustrated on coloured copies of part of an older cadastral of Mimi Survey District. This was used as the appellations line up more closely with those in the original Grants.

In many cases, there were restrictions on alienations imposed at the time of the Grants. I had previously been aware of restrictions in respect of other blocks of Maori Land, particularly in the vicinity of Tongariro National Park. These were usually imposed or extended by Gazette Notice and were finally removed by Section 5 of the Maori Purposes Act 1972. In the case of these Taranaki lands the files show many instances where the restrictions were removed by Order of the Court.

SCHEDULE A

SOURCES OF INFORMATION

1. Copies of documents F25 and F26 - Reports by Janine Ford 1991.
2. Maori Land Court Title Binders.
3. Maori Land Court Block Order Files.
4. Current and older Cadastral maps.
5. West Coast Commissioner's Reports 1881, 1882, 1883, 1884 and 1884
Final Report.

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SCHEDULE B

MIMI SURVEY DISTRICT

Note: Number at beginning of each Section is the Ford Report number.

118 MIMI SECTION 1 BLK. X

Grant 5207

Area: 100 acres

Now Part **Parininihi Ki Waitotara.**

Ref. Binder 44 BOF Tar. 807

119 MIMI SECTION 2 BLK. X (& Sec. 95 & 96 closed road).

Grant 4191

Area: 500 acres

Section 2A1 50 acres 0 r. 00 p. **General Land** (see below*)

 2A2 50 acres 0 r. 00 p. **General Land** sold 1978

 2A2 (closed road) 3 r. 14.7 p. **Maori**

 2B 200 acres 0 r. 00 p. **General Land**

 2C 200 acres 0 r. 00 p. **Maori**

* Vested in William Beaumont Fisher by Partition Order dated 20.12.1904.

Ref. Binder 15 BOF. Tar. 421.

120 MIMI SECTION 1 B LK. X1

Grant 4001

Area: 250 acres

Awarded to Miriama TAREWA 7.10.1884.

Now Part **Parininihi Ki Waitotara**

Ref. BOF. Tar 710

121 MIMI SECTION 65 BLK. X

Grant 4004

Area: 200 acres

General Land (date of sale unknown but probably about 1884 as restriction on alienation removed in 1883).

Ref. BOF Tar. 425

122 MIMI SECTION 4 BLK. VI NGARAUTIKA

Grant 4034 dated 28 Oct. 1886

Awarded to PARAREWA & Others.

122 (continued)

Area: 576 acres 0 r. 00 p.
Ngarautika A 5 acres 0 r. 00 p. **Maori**
Ngarautika B1 48 acres 1 r. 36 p. General Land. Sold 1956.
Ngarautika B2 41 acres 2 r. 10 p. **Maori.**
Ngarautika C 59 acres 3 r. 35 p. **Maori.**
Ngarautika D 38 acres 2 r. 20 p. **Maori**
Ngarautika E 83 acres 2 ro. 00 p. General Land.

Ngarautika Grant 1892 Act leases 296 acres.

Sale to Crown under Pt. XVIII/1909 dated 29/6/22.

Ref. Binder 89 BOF 420.

123 MIMI SECTION 64 BLK. X

Grant No. 4006
Area: 500 acres.
Awarded to NOPERA.
Section 64A 49 acres 3 r. 00 p. Europeanised CT B2/949
Section 64B 447 acres 2 r. 28 p. General Land sold 1924.
Ref. Binder 74 BOF Tar. 424.

124 MIMI SECTION 67 BLK. X

Grant No. 3999
Area: 250 acres.
Awarded to MATA RUA AHUROA.
Crown Land N.Z.G. page 3 12.1.1911.
Note: 250 pounds purchase money distributed in 1910.
Ref. BOF Tar. 427

125 MIMI SECTION 63 BLK. X

Grant No. 3997
Area: 250 acres
General Land : Date of Sale unknown. Restriction on alienation removed 1892.
Ref. BOF Tar. 423

126 MIMI SECTION 66 BLK. X

Grant No. 3996
Awarded to WAIMAPUNA
Area: 250 acres.

126 (continued)

General Land. Date of sale unknown. Restriction on alienation removed 1898. Ref. BOF Tar. 426.

127 MIMI SECTION 68 BLK. X

Grant No. 4003.

Awarded to HERA HINERAE.

Area: 250 acres

General Land. Restriction on alienation removed 1884.

Ref. BOF Tar. 428

128 WAI-ITI 54

Grant No. 5233 dated 26 Jan. 1885

Area: 156 acres

It would appear Sections 41 and 47 were part of the same grant.

Awarded to RANGIPUAHOAHO & Others.

Wai-Iti Sec. 41 18 acres 3 r. 00 p. **Maori**

Wai-Iti Sec. 47 18 acres 1 r. 06 p. General Land sold 1958

Wai-Iti 54A1 41 acres 1 r. 03 p. General Land sold 1919

Wai-Iti 54A2 36 acres 0 r. 37 p. General Land sold 1921

Wai-Iti 54B1 8 acres 1 r. 15.5 p. General Land sold 1930

Wai-Iti Pt. 54B2 16 acres 1 r. 11 p. General Land sold 1932 & 1934

Wai-Iti Pt. 54B2 2 roods. **Maori** (Urupa)

Wai-Iti 54B3 17 acres 0 r. 09 p. General Land Sold 1930

Wai-Iti 54C 44 acres 2 r. 20 p. General Land sold 1922

Ref. Binder 244 BOF Tar. 314

SCHEDULE (continued)

GRANTS NOT LOCATED IN FORD REPORTS

PUKEARUHE SECTION 8

Crown Grant 5291 dated 28 Oct. 1884

Awarded to TUPOKI & 20 Others

Area: 47 acres 3 r. 00 p.

Pukearuhe 8A:

Area: 19 acres 1 r. 13 p. Europeanised. CT A1/1320

Pukearuhe 8B1 1 acre 0 r. 33 perches Maori

Pukearuhe 8B2 15 acres 2 r. 33 p. Maori

Pukearuhe 8C 9 acres 3 r. 25 p. Maori

Ref. Binder 41 BOF Tar. 311

PUKEARUHE SECTIONS 6 & 7

Crown Grant 5290 dated 28 Oct. 1884

Area: 10 acres 3 r. 16 p. & 12 acres 1 r. 22 p.

Pukearuhe 6A 2 acres 0 r. 06 p. Maori

Pukearuhe 6B 2 roods (Urupa) Maori

Pukearuhe 7A 5 acres 1 r. 02.6 p. General Land sold 1956

Pukearuhe 7B 14 acres 3 r. 11.5 p. Maori

Ref. Binder 41 BOF Tar. 310

MIMI SECTIONS 2, 25 & 26 BLK. XI

Grant No. 5299

Areas: 200 a.; 200 a.; 195 a.; 2 r. 00 p.

Now Part Parininihi Ki Waitotara

Ref. Binder 60 BOF Tar. 901

MIMI SECTION 62 BLK. X

Area: 4 acres 1 r. 00 p.

File Missing. Temporary file in place. Land Transfer search shows General Land.

Ref.

SCHEDULE B : EXHIBITS

EXHIBIT 1: Memorandum dated 21 April 1947 : Registrar,
Wanganui to Native Trustee, Wellington.

Source: Maori Land Court Correspondence File
27/3.

EXHIBIT 2(a): Letter dated 26 October 1908 : J.B. Jack,
Reserves Agent, Public Trust Office, New
Plymouth to Registrar, Wanganui.

EXHIBIT 2(b): List of beneficiaries in Puketotara
Compensation forwarded with 2(a).

EXHIBIT 2(c): List of Sections sold from which interests in
Compensation was derived, forwarded with 2(a)
and 2(b).

Source: Block Order File TAR 3A (Note:
Originals later located in Correspondence File
27/3A).

EXHIBIT 3: Memorandum dated 15.10.1897 : Public Trustee,
New Plymouth to Chief Judge, Native Land Court.

Source:

EXHIBIT 4: Letter dated 7 February 1931 : Native Trustee,
Wellington to Registrar, Native Land Court,
Wanganui.

Source: Maori Land Court Correspondence File
27/3

EXHIBIT 5: Photocopy of first three pages of West Coast Settlement Reserves Amendment Act 1902.

Source: New Zealand Statutes.

EXHIBIT 6: File note on Puketotara Compensation Account - largely repeats information in Exhibit 1.

Source: Block Order File TAR 3A.

EXHIBIT 7(a) & (b): Minute and Order dated 9/10 JUNE 1887 made under jurisdiction of Section 51 of "Native Land Court Act 1886" and Order made thereunder by the Governor in Council on 4 March 1887 in respect of the interest of MEI RUA KERE in Puketotara No. 3 Sub. 7 (Note: Sub 7 listed at top of Exhibit 2(c)).

Source: Block Order File TAR 3 and 3 Taranaki MB 311.

EXHIBIT 8: Succession Order dated 26 November 1904 in respect of Puketotara Compensation.

Source: Block Order File TAR 3A.

EXHIBIT 9: Beneficiaries in Puketotara Compensation Account. This would appear to predate Exhibit 2(b). For example, No. 15, NGATOKA HAERA, is replaced by No. 15 TE RINA HOHUA in list supplied by J.B. Jack.

Source: Block Order File TAR 3A.

The Registrar, Native Dept.,
Private Bag, Wanganui.

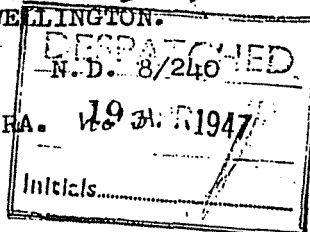
The Native Trustee,
Native Department,
P.O. Box 3006,
WELLINGTON.

Exhibit (1)

27/3

SUB. 2 SEC. 29 PUKETOTARA. 19 MAR 1947

21/4/47



GS/18

According to my records the position with regard to this Block is as follows:

- ✓ 1. On 10/6/1887 the Court acting under the authority of an Order in Council made pursuant to Section 51 of the Native Land Court Act, 1886 ordered that a certificate of Title issue in respect of Pukekohatu No. 3 Section 29 to Ramari Paraone as to one half part, to Heta te Kauri as to one fourth part, and to Hara te Kauri as to the balance.
- ✓ 2. On 25th June, 1894 the Court partitioned Section 29 into two portions of 6 acres 1 rood 24 perches each - sub-division No. 1 was awarded to one William Humphreys and Sub No. 2 to Ramari Paraone.
- ✓ 3. By Succession Orders dated 19/3/96 and 4/3/1902 the share of Ramari became vested in Te Kauri Ramari and Kararaina Ramari in equal shares.
4. It would appear that sometime prior to 1899 certain of the sub-divisions of Pukekohatu No. 3 were sold by the Natives, Section 29 being one of them.
5. In 1899 proceedings were taken by the Public Trustee for the recovery of damages from the Assurance Fund under the Land Transfer Act and a sum of £7000 was recovered. The disposal of this compensation money is dealt with in "The West Coast Settlements Reserves Act Amendment Act, 1902 Sections 3 and 6".
6. On 26/10/1908 this office received from J.B. Jack the then Reserves Agent for the Public Trustee, firstly a list of the beneficiaries in the Puketotara Compensation Award together with their respective interests and secondly a list of the Sections sold from which the interests in the Compensation was derived. Section 29 appears in the later list.
7. In list of beneficiaries appear the names, Heta te Kauri and Here te Kauri the latter name being a possible mutilation of the name Hara te Kauri.

From the above it would appear that the whole of Section 29 has now passed out of the ownership of the Natives. The amount recovered as compensation is now held in an account known as the Puketotara Compensation Account, and the interest thereon is distributed annually amongst the beneficiaries.

To me with
27/3. please

REGISTRAR

File

"Reserves Agent,
New Plymouth".

Exhibit (2A)

PUBLIC TRUST OFFICE.

West Coast Settlement Reserves Agency,
New Plymouth, N.Z.

26th October, 1908.

The Registrar,
Native Land Court,
Wanganui.

Dear Sir,

Puketotara Compensation

I forward you herewith list of beneficiaries in the Puketotara Compensation award together with their respective interests, and the numbers of the sections sold from which the interests in the Compensation was derived.

Yours faithfully,

(Sgd) J.B. Jack

Reserves Agent.

No.	Name of beneficiary	Share			
1	Mere Ngamai Te Amo Taniora Tana Harrison Job Harrison Mere Harrison Elizabeth Lind	1/6 1/6 1/6 1/6 1/6	£31- 5-0	7500	as successors to More Rukere
2	Hikitia Taukoi Te Ahua Taukoi Te Karoa Rawiri		£11-17-6	2850	as successors to Manutaipua Haereterangi
3	Rina te Ahititi		3-15-0	900	
4	<u>Reta Waati</u> <i>9/0 29.11.211</i>		40- 0-0	9600	as successor to Renata Waati
5	Ariha te Huahua		4- 7-6	1050	
5a	Marino Rahuruhe		4- 7-6	1050	✓
5b	Ihaka Rahuruhe d.		4- 7-6	1050	✓
6	Here te Kauru		148-15-0	35700	
7	Tamati Paora		43-15-0	10500	✓
8	Heta te Kauri		99- 7-6	23850	✓
9	<u>Reupene Wekipiri</u> <i>9/0 4/35</i>		26- 5-0	6300	
10	Rawiri Tokoiwa		5- 0-0	1200	
11	Arapeta Rihi		5- 0-0	1200	
12	Kau Eruini		29- 4-2	7010	✓
13	<u>Miri Tatana</u>		29- 4-2	7010	as successor to Metiria Eruini
14	<u>Takarangi</u>		29- 4-2	7010	
15	<u>Te Rina Hōhua</u> <i>9/0 16.1.11</i>		29- 4-2	7010	as successor to Ngatoka Haera
16	Te Pohe Pakitaura		29- 4-2	7010	✓
17	Ngongo Pakitaura		29- 4-2	7010	✓
18	Karena te Ha		174- 5-0	41820	✓
19	Te Pohe Mokoare		75- 0-0	18000	✓
20	<u>Karira Heta</u>		46-18-4	11260	
21	Te Ahurei Paki		18-15-10	4510	✓
22	Mohi te Paki		18-15-10	4510	
23	Peka Ramari		18-15-10	4510	
24	Ngahiraka		18-15-10	4510	
25	Haeretu		18-15-10	4510	
26	Te Wekipera Kipa		18-15-10	4510	
27	<u>Rona Waiukawa decd.</u>		18-15-10	4510	
28	Manihira		18-15-10	4510	
29	Ngahapara (Toheroa)		18-15-10	4510	
30	Karana te Kihī		18-15-10	4510	
31	Hikitia Rawhi (Same as 2/1)		18-15-10	4510	

Numbers of sections sold from which the interests in the compensation was derived.

Section 7

Section 8

Section 11 3/10 sold.

Section 12

Section 13

Section 19 Raupene Wikipira sold his interest.

Section 23 6/10 sold. because 23A (George Ford's) Section 23 land

Can. M.B. 3444-47

Section 24

Section 27

Section 28

Section 29 *only half interest sold section 27/3 & letter of 24/5/47.*

Section 30 Half interest sold

Section 33

Section 34

Section 35 Karena te Ha sold his interest

Section 37

Section 39

Section 44

Section 46

Section 47

23A
23B 1
23B 2+3
23B 4

46A 8.0.0614 known land
46B 27A.3A.00P
S/A



87/6234

Exhibit (3)

W. Kennell

Whanganui District.

All communications on the subject of this Memo. to be addressed to the West Coast Settlement Reserves Trustee, Hawera

The Public Trust Office, N.Z.
(WEST COAST SETTLEMENT RESERVES BRANCH)

HAWERA, New Plymouth
15-10-1887

Motoros - re Railway Compensation
& relative shares of owing,
To The Chief Judge
Native Land Co.
Auckland

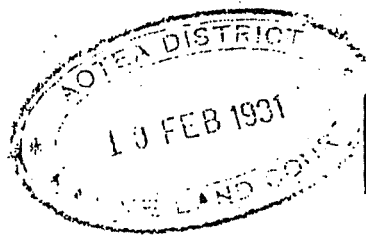
Re. Motoros Railway Compensation
& applying to your Honor's award of
30 wt. I would suggest that as the
three pieces awarded, marked C.D.T.
are the only portions affected by the
Railway, the owners of said
C.D. & T. only should participate
I make this suggestion with
due deference to your Honor
and only because I am certain
no other parties will respect
to participate
W. Kennell

Exhibit (74)

Native Trust

COMMUNICATIONS TO BE
FORWARDED TO
"THE NATIVE TRUSTEE,
WELLINGTON, N.Z."

TELEGRAPHIC ADDRESS:
"PAPATU, WELLINGTON."



PLEASE QUOTE THIS
8-231
REFERENCE IN REPLY.

NATIVE TRUST OFFICE,

WELLINGTON, N.Z.. 7th February, 1931.

MEMORANDUM

for:-

The Registrar,
Aotea District
Native Land Court,
WANGANUI.

Moturoa Compensation Account.

With reference to your memorandum of the 3rd instant I have to advise that the letters L A and R & R mentioned in the Parliamentary Papers quoted by you refer to Land Assurance and Roads and Railways.

The Compensation called L.A. (Land Assurance) was received in connection with an old sale of part Moturoa Reserve by the Native owners after vesting in the Public Trustee. It is one of the sales concerned in the action Public Trustee v. The Registrar-General of Land (17 L.R.577)

The letters R and R refer to part of the land taken under the Public Works Act for the Foxton-New Plymouth Railway in 1886.

Interest is credited to the Native Beneficiaries proportion to the shares held by them in the land out of which the compensation arose.

for Registrar

W. E. Rawson
Native Trust

New Zealand.



ANALYSIS.

- | | |
|---|--|
| <p>Title.
Preamble.
1. Short Title.
2. Interpretation.
3. Lands in Schedule vested in Public Trustee.
4. Public Trustee may grant new lease of certain lands now leased.
5. Provisions to apply to every such new lease.
6. Public Trustee may purchase land for Natives.</p> | <p>7. Native Land Court may partition lands.
8. Native interests in lands may be exchanged.
9. Definition of "reserves" amended.
10. District Land Registrar to enter memorial of Public Trustee's title.
11. Leases validated.
12. Public Trustee may grant leases for dairy-factories sites and schools, &c.
Schedule.</p> |
|---|--|

1902, No. 36.

Title. AN ACT to amend "The West Coast Settlement Reserves Act, 1892." [2nd October, 1902.]

Preamble. WHEREAS certain lands described in the Schedule hereto were, *inter alia*, set apart as Native reserves, and became subject to "The Native Reserves Act, 1856," and its amendments, and are now vested in the Public Trustee under "The Native Reserves Act, 1882": And whereas it is expedient, for the better administration of the said lands, to bring them under the operation of "The West Coast Settlement Reserves Act, 1892," thus making the administration of all Native reserves and West Coast Settlement Reserves within the confiscated territory uniform: And whereas it is expedient to more specifically enact what lands were by "The West Coast Settlement Reserves Act, 1892," vested in the Public Trustee in fee-simple:

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Short Title. 1. The Short Title of this Act is "The West Coast Settlement Reserves Act Amendment Act, 1902."

Interpretation. 2. In this Act, "the principal Act" means "The West Coast Settlement Reserves Act, 1892," and includes any amendments to that Act.

Lands in Schedule vested in Public Trustee. 3. All the lands described in the Schedule hereto shall, on the passing of this Act, cease to be subject to the provisions of "The Native Reserves Act, 1882," and become vested in the Public Trustee in fee-simple, subject to all valid leases and contracts affecting the same, in trust for the Natives who were determined by the Native Land Court, acting under the assumed authority of an Order in

Council dated the fourth day of March, one thousand eight hundred and eighty-seven, to be the owners of such land, but to be managed, dealt with, and disposed of under and subject to the provisions of the principal Act and not otherwise: Provided that no Native who has disposed of the land or the interest therein to which he was so determined to be entitled as aforesaid, and which land formed part of the land vested in the Public Trustee by this section, shall be considered as having any beneficial interest in the land vested by this section; but such Native shall be deemed to be beneficially interested in any money received by the Public Trustee as compensation for land of which he was deprived by the title thereto having been acquired by some other person under "The Land Transfer Act, 1885," but such Native's interest shall be no greater in such money than it was in respect of the land from which the money arose.

4. Where any of such lands are subject to a lease granted by the Public Trustee, or are subject to a lease made by the Native owners of the land, but only if such lease by the Native owners is registered under "The Land Transfer Act, 1885" (hereinafter called "the original lease"), the Public Trustee, at his discretion and subject to such conditions as he thinks fit, may grant a new lease of such land or any part thereof to the lessee, his executors, administrators, or assigns.

Public Trustee may grant new lease of certain lands now leased.

5. With respect to any such new lease the following provisions shall apply:—

Provisions to apply to every such new lease.

(1.) The new lease shall commence from the first day of January or July following the date of its execution by the Public Trustee.

(2.) The lessee (which term includes his executors, administrators, or assigns) shall not be entitled to such new lease unless,—

(a.) In the case of an original lease granted by the Public Trustee, the lessee makes and delivers to the Public Trustee an application for a new lease not less than six months before the original lease expires, and surrenders the original lease:

(b.) In the case of an original lease granted by the Native owners of the land, the lessee makes and delivers to the Public Trustee an application for a new lease within one year from the date of the passing of this Act and surrenders the original lease:

(c.) The lessee duly pays to the Public Trustee all rent under his original lease and otherwise fulfils all the covenants and provisions thereof up to the date of the commencement of the new lease: Provided that any rent already paid to the Native owners as lessor shall not again be payable to the Public Trustee, and the Public Trustee may, in his discretion, waive the fulfilment of any of such covenants and provisions, or accept a composition in lieu thereof, upon such terms and conditions as he thinks fit:

(d.) Before any lease shall be granted under this section the lessee shall pay to the Public Trustee the value

of all improvements on the land. Such valuation of improvements shall be made in such manner as the Public Trustee thinks fit, and, howsoever arrived at, shall be conclusive. If the lessee is unable to pay in cash for the improvements, then the Public Trustee may take a mortgage by way of security over the new lease, with or without any other property, for the whole or any part of their value, with interest thereon at not less than five pounds per centum per annum, on such terms and conditions as the Public Trustee thinks fit.

- (3.) The rent under the new lease shall be five per centum per annum on the value of the land without the improvements thereon; such value to be ascertained by the Public Trustee in such manner as he thinks fit, and his valuation, however arrived at, shall be final and conclusive.
- (4.) "Improvements," for the purposes of this section, shall have the same meaning as is given to that word in the principal Act.
- (5.) The costs of and incidental to the issue of the new lease shall be borne by the lessee.
- (6.) The new lease shall be for twenty-one years, and shall contain such covenants and provisions as the Public Trustee thinks fit, and shall be subject to all the provisions of the principal Act which apply to leases granted under section eight of "The West Coast Settlement Reserves Act, 1892."

Public Trustee may purchase land for Natives.

6. The Public Trustee may, out of any compensation or capital moneys now or hereafter in his hands, purchase any land that he may think beneficial to the Natives interested in such moneys, and such land shall be held on the same trusts as such moneys were held, but subject to the provisions of the principal Act and this Act.

Native Land Court may partition lands.

7. When the Public Trustee is entitled to an undivided interest in any land, he, or any of the persons entitled to an undivided interest in such land, may apply to the Native Land Court for a partition of such land, and the Court shall have like jurisdiction to make such partition as is given by "The Native Land Court Act, 1894," in cases of land held by Natives.

Native interests in lands may be exchanged.

8. If a Native beneficially interested in any land vested in the Public Trustee by the principal Act or this Act desires to exchange his interest in such land for the interest of another Native in another piece of land so vested as aforesaid, and such last-mentioned Native is willing to make such exchange, then, if the Public Trustee thinks such exchange advisable, he may apply to the Native Land Court or a Judge thereof for an order to give effect to such exchange, and the Court or Judge shall make an order declaring that such exchange has been made; and the effect of such order shall be to vest in the respective Natives the exchanged interests to all intents and purposes as if they had been originally entitled thereto. In cases of infants, lunatics, or idiots, an order making such exchange may be made upon the application of the Public Trustee, and a certificate in writing by him that he considers that such exchange would be beneficial to the infant, lunatic, or idiot shall be accepted by the

116

Honomoana
Kerai said

Meloria is dead she left no
children. she was my elder sister
she left a sister also called Meloria
she had ~~two~~ ^{four} brothers named
P. Patavino dead no issue
Yanga d. P. d. no issue
Tulerangi Kura dead no issue
Te Kahia was her sister she is dead.
she had a child named Wikitoria she
is alive. I am a brother of Meloria
my name is Honomoana Kerai
Meloria te Whetiki is my sister
that is all.

117

P. Wikitaka
said

Mateaka is dead he left children
Rora & Rora dead with issue named
Hone who is dead without issue.
I do not know the name of the other
child he has been away many years &
I do not know whether he is dead or
not.

Mateaka had no brothers or sisters
he left relations Muri Ruakere is
a niece according to Maori custom

118
P. Wikitaka
said

"I am an old man I have a daughter a child of my first
wife she will be a widow by 1888. All
she will leave this property to Rawiri
Watiro. Rawiro is dead he died after
the testator. He left a will which was
produced before the court at N.P.
on 16th Dec at hearing of I was claim
for 1 Suburban Waitara Waiongona"

IN THE NATIVE LAND COURT OF NEW ZEALAND,
SITTING AT NEW PLYMOUTH.

In the matter of the fifty-first section of "The Native Land Court Act, 1886," and of an Order made thereunder by the Governor in Council on the fourth day of March, one thousand eight hundred and eighty-seven; and in the matter of a certain Native reserve mentioned in the Schedule to the said Order as No. 3 Puketotara, and as containing five hundred and sixty acres.

At a sitting held at New Plymouth, this tenth day of June, one thousand eight hundred and eighty-seven, before John Edwin Macdonald, Esquire, Chief Judge, and Hamuera Mahupuku, Assessor, it is, in exercise of the jurisdiction conferred by the said Order, and of every other power and authority in that behalf, adjudged, ordered, and determined—

Her

1. That a parcel of land, being part of the said Native reserve, and containing _____ *Two* _____ acres _____ rods and *thirty six* _____ perches, and hereby named Puketotara No. 7 (as the same is more particularly set out in the plan hereon indorsed), is now owned in fee-simple by _____ *Meri Ruakere* _____, an aboriginal native of New Zealand.

2. That a grant be made by the Crown for an estate in fee-simple of the said parcel of land to the person adjudged owner thereof as aforesaid.

Sold - see now Puketotara comparison

As witness the hand of John Edwin Macdonald, Esquire, Chief Judge, and the seal of the Court, this tenth day of June, one thousand eight hundred and eighty-seven.



H. J. Smith

[1281]

Chief Judge
For and on behalf of John Edwin Macdonald
a Retired Judge

Entered in Partition Register
Taranaki, Vol. II, fol. 13

Block Order file Tar. 3 Puketotara No 3 Sub 7

“The Native Land Court Act, 1894.”

IN THE NATIVE LAND COURT,
NEW ZEALAND,

Wellington DISTRICT

In the matter of the land known as

Puketotara Compensation

situate at or near _____, and of the estate,

share, or interest of

Manutaiquia Haeretuterangi

deceased, therein.

AT a sitting of the Court held at *New Plymouth*
on the *17th* day of *December*, 1904
before *Albert Hair*, Esquire, Judge,
and *Wi Heera te Karae*, Assessor:

It is hereby determined that⁽¹⁾

Hekeha Taukoi, f
Te Atua Taukoi, m.
Te Raraa Rewiri, m.

(1) State names, sexes, and places of abode.

in proportion

aboriginal natives, are the persons who are entitled to succeed to the estate, share, or interest of and in the said land whereto the deceased died entitled, and it is hereby ordered that the said share or interest shall vest in the above-named successors equally ~~or in the proportions set out after the name of each~~ *respectively* as from the *26th* day of *November* one thousand *nine hundred and four*.

As witness the hand of

Albert Hair

Esquire, Judge, and the seal of the Court.

Fees charged:

Order 3/- paid

Wihiri

Judge



No. 24—Order determining Succession to

18,000/1904—1907

Block Order File Tar. 3A Puketotara Compensation Account

MONETARY COMPENSATION ACCOUNT

Name of Beneficiary Shares

1	(See end)	7,500
2	(See end)	2,850
3	Richard Stewart	9,900
4	Richard Stewart	9,600
5	Archie McMurran	1,050
5A	Leo McMurran	1,050
5B	John McMurran	1,050
6	Hester Kanu	35,700
7	Mama Pona	10,500
8	Hester Kanu	23,850
9	Richard Stewart	6,300
10	Richard Stewart	1,200
11	Archie McMurran	1,200
12	Kau Kanu	7,010
	Mama Pona	7,010
	Sakana	7,010
	Richard Stewart	7,010
16	Richard Stewart	7,010
17	Richard Stewart	7,010
18	Richard Stewart	41,820
19	Richard Stewart	18,000
20	Richard Stewart	11,260
21	Richard Stewart	4,510
22	Richard Stewart	4,510
23	Richard Stewart	4,510
24	Richard Stewart	4,510
25	Richard Stewart	4,510
26	Richard Stewart	4,510
27	Richard Stewart	4,510
28	Richard Stewart	4,510
29	Richard Stewart	4,510
30	Richard Stewart	4,510
31	Richard Stewart	4,510

7	5.00	✓
2	8.50	✓
9	6.00	✓
4	0.50	✓
1	0.50	✓
1	0.50	✓
3	5.70	✓
1	0.50	✓
2	3.85	✓
6	3.00	✓
1	2.00	✓
4	2.00	✓
7	0.10	✓
7	0.10	✓
7	0.10	✓
7	0.10	✓
7	0.10	✓
4	1.82	✓
1	8.00	✓
1	1.26	✓
4	5.10	✓
4	5.10	✓
4	5.10	✓
4	5.10	✓
4	5.10	✓
4	5.10	✓
4	5.10	✓
4	5.10	✓
4	5.10	✓
4	5.10	✓
4	5.10	✓
2	6.50	✓

Richard Stewart 1, 26
 Mrs. Anne Stewart
 Mrs. Harrison
 Mrs. Harrison
 Mrs. Harrison
 Mrs. Harrison
 Mrs. Anna Taylor
 Mrs. Baroa Daviri

Total

26,265.50

APU