

New Zealand.

## ANALYSIS.

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| <p>Title.</p> <ol style="list-style-type: none"> <li>1. Short Title.</li> <li>2. Rangipo Waiu Block.</li> <li>3. Kuao and Timahanga Blocks.</li> <li>4. Native-school site declared to be Native land.</li> <li>5. Grants of land in consideration of Piako purchase.</li> <li>6. Omataroa Block.</li> <li>7. Petition to the House of Wairau Natives for rehearing to be deemed to be a formal application under Act.</li> </ol> | <ol style="list-style-type: none"> <li>8. Chief Judge to refer questions for decision of Court.</li> <li>9. Power of Court to determine proportionate shares in compensation.</li> <li>10. "Native Trusts and Claims Act, 1893," amended.</li> <li>11. Power to make further inquiry into ownership of the Ohuia No. 2 Block.</li> <li>12. Rehearing of Aorangi No. 8G Block.</li> <li>13. Registration of leases under "The Thermal Springs Districts Act, 1881," Schedules.</li> </ol> |
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## 1894, No. 45.

Title. AN ACT to define and adjust certain Native Land Boundaries and Titles. [24th October, 1894.]  
BE IT 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 Native Lands Claims and Boundaries Adjustment and Titles Empowering Act, 1894."

Rangipo Waiu Block. 2. The Native Land Court certificate of title issued for the Rangipo Waiu Block on the thirteenth day of April, one thousand eight hundred and eighty-two, is hereby declared void as to that portion of Motukawa Number Two Block, containing seven hundred and ninety acres, more or less, erroneously included therein as appears on the record map of the District Land and Survey Office, Wellington, and on the said certificate of title respectively: Provided always that the said area of seven hundred and ninety acres shall not vest in the owners of the Motukawa Number Two Block for any purpose whatsoever other than sale to Her Majesty or partition by the Native Land Court of the said Motukawa Number Two Block, subject to the provisions of this Act, before the expiration of the lease to John Studholme and Thomas Morrin of the said Rangipo Waiu Block, on the thirty-first day of May, one thousand nine hundred and two, and shall in the meantime for all other purposes be deemed to be a portion of and included in the title of the said Rangipo Waiu Block, and to be subject to the lease aforesaid. The Chief Judge of the said Court may amend the titles of both blocks subject to the provisions of this Act.

3. Pursuant to the report of a Royal Commission, dated the twenty-third day of August, one thousand eight hundred and ninety, the portions of the Kuao and Timahanga Blocks of land as described in the First Schedule hereto, and heretofore claimed as Crown lands, are hereby declared to be lands owned by Natives under their customs and usages the title whereto has not been ascertained by the Native Land Court.

Kuao and Timahanga Blocks.

The said Court is hereby empowered and directed to ascertain who were the former Native owners of the other portions of the said blocks described in the Second Schedule hereto, and what amount of compensation they are entitled to receive in consequence of the lands so described having been heretofore disposed of as Crown lands. Subject to payment on demand of the amount so ascertained, in the proportions set out in the order of the Court, the Native title shall be deemed to have been extinguished over the said lands from a date prior to the twelfth day of June, one thousand eight hundred and seventy-eight.

4. The land described in the Third Schedule hereto, formerly conveyed by Natives to Her Majesty as a Native-school site, having been found unsuitable for that purpose, is hereby declared to be land held by Natives under their customs and usages the title whereto has not been ascertained by the Native Land Court.

Native-school site declared to be Native land.

The Chief Judge of the Native Land Court and the District Land Registrar of the Auckland District respectively are hereby authorised and directed to cancel any existing certificates or other instruments of title in respect of the land so described in the Third Schedule as aforesaid.

5. To give effect to certain promises to and agreements with Natives in connection with the purchase of Native lands at Piako, the Governor may, subject to such restrictions as he may in each case deem fit, authorise Land Transfer titles as under :—

Grants of land in consideration of Piako purchase.

(1.) For Waikaka Reserve, containing three hundred acres, situated on the Piako River, to such persons as the Native Land Court may, on inquiry, determine to be included in the term "Tara-pipi and party," used in connection with the ownership in the record of the promise :

(2.) For Hapuakohe Reserve, containing three thousand seven hundred and thirty-six acres, to such members of the Ngatipaoa Tribe as the Native Land Court may determine are entitled under the original agreement or promise :

(3.) For Sections Three hundred and seventeen, Three hundred and eighteen, Three hundred and nineteen, and Three hundred and twenty, Parish of Taupiri, containing together one thousand six hundred and four acres, more or less, to such Natives as may be found by the Native Land Court to be entitled under the original agreement or promise :

(4.) For three hundred acres at Rataroa, Parish of Maramarua, to Hori Ngakapa Whanaunga, in lieu of three hundred acres promised to him at Otatau.

6. To give effect to the arrangement entered into on behalf of the Crown for the return to certain Natives of the Omataroa Block,

Omataroa Block.

otherwise Lot Sixty, Rangitaiki, and with a view to the issue of a Land Transfer title for the same, the said Court is hereby empowered and directed to inquire and determine who are the persons entitled under the original arrangement entered into with regard to the said block by John Alexander Wilson, Esquire, on behalf of the Crown, in January, one thousand eight hundred and sixty-seven, or under any modification of such arrangement by any person duly authorised in that behalf.

Petition to the House of Wairau Natives for rehearing to be deemed to be a formal application under Act.

7. The petition addressed to "the Honourable the Speaker of the House of Representatives and the members who legislate for the Maori people," by Te Oti Makitanara, on behalf of himself and others, praying for a rehearing of the decision of the Court which sat at Wairau in the matter of the claims of the petitioner and others to the Wairau Native Reserve, shall, subject to any rights acquired by lease or purchase since the date of such decision, be deemed to have been an application for rehearing of the said decision in due form and duly made in terms of section seventy-five of "The Native Land Court Act, 1886," and to have been made within the time prescribed by that section, and shall be dealt with accordingly.

Chief Judge to refer questions for decision of Court.

8. The Chief Judge is hereby empowered and directed, at the request of the Native Minister, to refer to the Native Land Court for inquiry and determination any question which it may be necessary to have determined for the purposes of this Act; and the Court shall, as to any question so referred, inquire and determine accordingly.

Power of Court to determine proportionate shares in compensation.

9. For the purposes of this Act, or any of them, the said Court is hereby empowered to ascertain and determine the relative proportion in which any person is entitled to any land, or to share in any compensation as aforesaid, and to appoint successors to any Natives deceased. The Governor is hereby empowered, by warrant under his hand, to authorise the issue, under the Land Transfer Act, of such certificates of title in lieu of grant as may be necessary to give effect to the provisions of this Act, according to the intent and meaning thereof, and subject to such restrictions as the Governor may in each case deem fit.

"Native Trusts and Claims Act, 1893," amended.

10. Section two of "The Native Trusts and Claims Definition and Registration Act, 1893," is hereby amended by the omission of the words "but who have been placed by such grants in the position of absolute owners of such lands," and the substitution thereof of the words "whether such trusts are expressed in the grants or not."

Power to make further inquiry into ownership of the Ohuia No. 2 Block.

11. And whereas the names of certain persons originally included in the list of owners of Ohuia Number Two Block on the investigation of the title to the said block were afterwards struck out of the said list, and omitted from the order of the Court: Now, therefore, the said Court is hereby empowered and directed to inquire and determine whether the persons so excluded from the title, or any of them, have any right or title in the said block, and, if so, in what portion or portions thereof, and in what relative proportions, and to amend any order of Court as may be necessary to include such persons, or any of them, as owners of the said land, according to their respective interests therein: Provided that no order to be made by virtue hereof shall prejudice the rights of the lessee under any existing lease of

the said land; but the Court may apportion the rent as it shall think fit.

12. To give effect to the recommendation of the Native Affairs Committee on the petition of Wi Mahuri Mataitaua, the said Court is hereby empowered and directed to rehear the decision of the Court on the partition of the Aorangi Number Three Block, so far as relates to the claim of Wi Mahuri Mataitaua and those claiming in the same right with him to that portion of the said block named by the Court "Aorangi No. 3G," hereinafter called "the said land"; and to amend or vary, confirm, or otherwise deal with the said decision, and any order made consequent thereon, or on the first rehearing thereof, as if no such rehearing had been already had. And the District Land Registrar is hereby empowered and directed to amend any certificate of title issued under the Land Transfer Act for the said land as may be necessary to give effect to the decision on such second rehearing, and, pending such rehearing, to enter a caveat against any dealing with the said land.

Rehearing of  
Aorangi No. 3G  
Block.

13. It shall be lawful for the Registrar of the Lands Registration District of Auckland to register under "The Land Transfer Act, 1885," in the same manner as nearly as may be as if the same were a lease from the Crown under the provisions of "The Land Act, 1892," any lease of or agreement to lease lands within the districts defined under "The Thermal-Springs Districts Act, 1881," made respectively by the Governor under the authority of section two hundred and fifty-one of "The Land Act, 1892."

Registration of  
leases under  
"The Thermal  
Springs Districts  
Act, 1881."

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## SCHEDULES.

Schedules.

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### FIRST SCHEDULE.

LANDS heretofore claimed to be Crown lands, now declared to be lands owned by Natives under their customs and usages the title whereto has not been ascertained by the Native Land Court, being portions of Kuao and Timahanga Blocks :—

All that area in the Hawke's Bay Land District containing by admeasurement 17,400 acres, more or less, bounded towards the north generally by the Taruarau and Ngaruroro Rivers; towards the east generally by the Waitutaki Stream to its source near Tikorangi, thence by a right line to Tikorangi aforesaid, and by the summit of the range to Trig. Station S1, Ohawai; thence towards the south-west by a right line drawn to Trig. Station 80 (Toimaru); thence again towards the south-east by a right line, in the direction of Trig. Station 79, as far as the Makirikiri Stream; and thence towards the north-west generally by that stream and the Ikawetea River to the Taruarau River aforesaid: as the same is delineated on map marked S.G. 7319, deposited in the Head Office, Department of Lands and Survey, at Wellington, in the Land District of Wellington, and thereon bordered red.

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### SECOND SCHEDULE.

LANDS heretofore disposed of as Crown lands, in respect of which the former Native owners are entitled to compensation :—

All that area in the Hawke's Bay Land District containing by admeasurement 7,100 acres, more or less, bounded towards the north-east generally by the Taruarau and Ngaruroro Rivers; towards the south-east generally by the Waitutaki Stream to its source near Tikorangi, and thence by a right line to Tikorangi aforesaid; thence towards the south-west generally by the summit of the range to a point near the place

known as Lessong's Monument; thence towards the north by a right line running due east to the south-western boundary-line of Block 78 (education reserve), leased to A. Harding; and thence again towards the south-west by that boundary-line to the Tararau River aforesaid: as the same is delineated on map marked S.G. 7319, deposited in the Head Office, Department of Lands and Survey, at Wellington, in the Land District of Wellington, and thereon bordered green.

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THIRD SCHEDULE.

LANDS heretofore conveyed by Natives as a Native-school site, and found unsuitable for that purpose :—

Whakapoungakau No. 18 Block, containing 3 acres, situated in the Rotoiti Survey District, being the whole of the land comprised in Land Transfer certificate of title, Volume 62, folio 209, of the Register-book of the Auckland District.