

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES and having this day passed as now printed is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

*House of Representatives,
26th August, 1874.*

(Hon. Mr. McLean.)

Ahikouka Claims Rehearing.

ANALYSIS.

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| <p>Title.
Preamble.
1. Short Title.
2. Rehearing of claims to Ahikouka South provided for.</p> | <p>3. Certificate of Native Land Court granted to person named in Second Schedule cancelled. Schedules.</p> |
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A BILL INTITULED

AN ACT to provide for the Rehearing of a Claim made by certain Aboriginal Natives to a Block of Land in the Province of Wellington known as "Te Ahikouka South," and for other purposes.

WHEREAS a claim made to the block of land described in the First Schedule hereto was heard before the Native Land Court, sitting at Greytown, in the Province of Wellington, on the twenty-seventh day of April, one thousand eight hundred and seventy, and at such sitting a decision was given in favour of the persons named in the Second Schedule hereto: And whereas a rehearing was claimed by and on behalf of the persons named in the Third Schedule hereto, and the same was, by Order of the Governor in Council dated the twenty-sixth day of September, one thousand eight hundred and seventy, ordered to be reheard before one Judge and two Assessors before the twenty-fifth day of September, one thousand eight hundred and seventy-one: And whereas the said Order in Council was not given effect to, but the claim of the said persons named in the Third Schedule was, on the seventh day of February, one thousand eight hundred and seventy-two, heard before the Native Land Court sitting at Greytown, and a jury of four aboriginal natives as a new claim, and the decision given thereon was in favour of the said persons named in the Second Schedule, and a certificate of title was thereupon ordered to be issued to them, but such certificate has never yet been issued: And whereas the persons named in the Third Schedule having expressed great dissatisfaction with the decision of the Court, the Honorable Donald McLean, then being the Minister for Native Affairs, requested certain chiefs of the aboriginal native race to make an inquiry into the circumstances attending such claim; and such inquiry was accordingly made, and the said chiefs reported that the parties mentioned in the Third Schedule had clearly established their claim, and that if the same evidence they had taken had been taken at the last-mentioned hearing before the Native Land Court, that such Court would have been satisfied of the justice of the claim made by the persons named in the said Third Schedule: And whereas by reason of the premises disputes have arisen between the rival claim-

ants, and in order that such disputes may be finally settled and that justice may be done between the said parties, it is expedient that a rehearing should be provided for as hereinafter mentioned :

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, 5
as follows :—

Short Title.

1. The Short Title of this Act shall be "The Ahikouka Claims Rehearing Act, 1874."

Rehearing of claims to Ahikouka South provided for.

2. Notwithstanding anything contained in "The Native Land Act, 1873," the claim made by the persons mentioned in the said 10
Third Schedule to the block of land described in the First Schedule hereto shall and may be reheard by the Native Land Court before one Judge of such Court and at least one Assessor, at such date or time as may be fixed by such Judge, not later than the first day of July, one thousand eight hundred and seventy-five. 15

Subject to this Act, all the provisions of the said Act shall apply to such rehearing, and to the claims rights and interests of parties affected or that may be affected thereby, as effectually to all intents and purposes as if the rehearing authorized by this Act had been authorized by an Order of the Governor in Council as provided by the 20
said Act.

Certificate of Native Land Court granted person named in Second Schedule cancelled.

3. The certificate of title issued or ordered to be issued by the Native Land Court as hereinbefore mentioned to the persons named in the said Second Schedule is hereby cancelled and declared void ; and such certificate shall (except for the purpose of giving effect to the 25
lease herein mentioned) be and be deemed to have been of no force whatsoever from the day of the date when the same was so ordered to be issued : Provided that nothing in this Act contained shall prejudicially affect a lease of the land described in the said First Schedule, made and granted on the seventeenth day of February, one thousand eight 30
hundred and seventy-two, by one Matiaha Mokai and others to one John Tully, for the term of fourteen years as therein mentioned ; and for the purposes of this Act and of any proceedings thereunder, but not further or otherwise, the said lease shall be deemed to be valid to all intents and purposes ; and the said lease shall be valid and binding upon all persons who by the finding of the Court upon such rehearing shall be declared to be owners of the land comprised in such lease, notwithstanding that any of such persons may not have been parties to the said lease.

Schedules.

SCHEDULES.

FIRST SCHEDULE.

ALL that piece or parcel of land on the Waiohine River, in the district of Wairarapa, in the Province of Wellington, and called or known by the name of Te Ahikouka South, with the two adjacent islands, containing together by admeasurement 780 acres, be the same more or less. Bounded towards the North by Te Matia Block 873 links, 600 links, 298 links, 361 links, and 759 links, and by the Ahikouka North Block 1800 links, 2900 links, and 1740 links, and by the Waiohine River ; towards the East by the said river ; towards the South by the Muhunoa Creek ; and towards the North-west by Crown land, 4905 links, and by the Waiohine River, including the two islands in the north-easterly bend of the said river.

SECOND SCHEDULE.

Matiaha Mokai.	Kereopa Te Oka.
Wi Kingi.	Makere Te Waitoa.
Tare Turi.	Tiaki Turi.
Heni Turi.	Hakopa Kaingakiore.
Moihi Tarahanga.	

THIRD SCHEDULE.

Ngatuere.	Wi Tutere.
Rihari Tehi.	