

SECTION 44.

Grant under the Crown Grants Act, 1862 (No. 2).

Area : 11 acres 1 rood 20 perches.

Restrictions prevent disposition by will.

Grantees : Kahaki and Heni Hinewahia.

Grant is unto Kahaki and Heni Hinewahia jointly—to hold unto the said Kahaki and Heni Hinewahia, their heirs and assigns, for ever.

Kahaki, deceased : No will. Succession order, dated 13th September, 1883, in favour of Ani Pi Manahi, Tare Tikao, Te Harete Toko.

Heni Naitura, *alias* Heni Hinewahia, deceased : Succession order, dated 19th August, 1890, in favour of Marakaia Uru. No will.

Both these orders are protected by section 432 of the Native Land Act, 1909.

Ani Pi Manahi, deceased : Probate of will was granted, but succession order made to devisee subsequently 19th January, 1909, as next-of-kin apparently. No question raised before Commission as to this order.

Harete Toko Hohaia, deceased : This deceased left a will, probate whereof has been granted. Particulars of this will are set out in this report dealing with Section 16.

I do not think this will should be validated so far as it affects this section. The Native Land Court made a succession order on 15th November, 1910, in favour of Epiha Maaka, holding that will did not pass this section by reason of the restrictions.

SECTION 47.

Grant under the Crown Grants Act, 1862 (No. 2).

Area : 14 acres and 8 perches.

Restrictions prevent disposition by will.

Grantee : Reihana Tuohu.

On 17th October, 1885, successors appointed to Reihana Tuohu, deceased, as follows : Rakera Taunua, one-quarter ; Rupene te Muru, one-quarter ; Hohepa Henare, one-quarter ; Paratene te Uki, one-eighth ; Rupapera te Uki, one-eighth.

Rakera Purua, *alias* Rakera Taunua, died 11th September, 1898, leaving a will, executed two days previous to her death, devising all her real and personal property to Reone Timoti, and directing him to make provision for others named in the will. Letters of administration, with will annexed, were granted to Reone Timoti on 12th June, 1899.

On 12th September, 1902, a succession order was made appointing the following to succeed to Rakera Purua : Hamuera Reupene, one-sixth ; Mokopuaroa, one-twelfth ; Wi o Rurea, one-twelfth ; Rupapera te Uki, one-third ; Hohepa Mapu, one-third. Reone Timoti had asked for an order in favour of himself, on ground of adoption by Rakera, but failed to convince the Court apparently.

The land is leased, and rents paid to successors.

As will made as recently as 1898, and probate obtained in 1899, when question of restrictions had been raised amongst people, I do not think this will should be validated so far as it affects this section.

SECTION 49.

Grant under the Crown Grants Act, 1862 (No. 2).

Area : 14 acres and 5 perches.

Restrictions prevent disposition by will.

Grantee : Te Meihana Tawha.

Succession order, dated 8th January, 1887, in favour of Ruta Meihana, the widow of deceased, was made in pursuance of a will, but there were no objections to this title raised before the Commission, and the order is protected by section 432 of the Native Land Act, 1909.

SECTION 50.

Grant under the Crown Grants Act, 1862 (No. 2).

Area : 14 acres and 5 perches.

Restrictions prevent disposition by will.

Grantee : Harawira Tarakou.

Succession order made 15th October, 1885, in favour of Meretini Harawira and Riria Tuini, is objected to by children of deceased, who say order should have been as follows : Riria Watene (Tuini), Haimona Harawira, Kereopa Harawira, Roka Maka (the children of grantee, in equal shares).

The order was made by the Court in favour of the above two, in accordance with grantee's will. They are the widow and child of grantee.

Order is within protection of section 432 of the Native Land Act, 1909, and should not be interfered with after this lapse of time.

SECTION 51.

Grant under the Crown Grants Act, 1862 (No. 2).

Area : 14 acres and 5 perches.

Restrictions prevent disposition by will.

Grantee : Te Muru.