

SECTION 121.

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

Area : 11 acres.

Restrictions prevent disposition by will.

Grantee : Watarauhi Kohiti.

Succession order dated 27th October, 1885, appoints Makarini Mokomoko successor to grantee.

The title to this section is similar to that of Section 120, except that there is no sale in this instance, and no successors to Makarini Mokomoko have been appointed.

As Makarini Mokomoko's will was made as late as 1907, and it was not till 1908 that she died, I do not think it should be validated as regards this section, particularly as application for probate has not been pressed.

SECTION 124.

Title under the Native Reserves Titles Grant Empowering Act, 1886.

Area : 6 acres 2 roods 24 perches.

Restrictions admit of disposition by will.

Grantee : Makarini Mokomoko.

The grantee died in May, 1908, leaving a will dated 4th September, 1907, by which this section was devised to Teone Aperira Mokomoko, her grandson.

Application for probate was lodged by Hoani Maaka on 24th August, 1908, and a copy of such application is attached to the title-file. The application has not yet been dealt with by the Court, apparently being adjourned on account of the restrictions, question being still before the Court.

On 6th January, 1911, a succession order was made in favour of Teone Maaka Mokomoko, the son of the grantee, who is the father of Teone Aperira Mokomoko, the devisee. (See also under Sections 120 and 121 *re* this will.)

Teone Maaka Mokomoko stated that he had sold this section to Robert McQuillan, and that he had not informed Court will affected this section.

Application has been lodged for confirmation of this transfer, which was signed this year. Application has not yet been heard by Court.

As will would operate over this land, it was pointed out to Teone Maaka that land should have gone to his son Teone Aperira. He said, "Let my son take Section 33, which I own, in satisfaction of his interest that I sold in Section 124 or Section 135. I freely offer that."

A proper search of the title would have put the purchaser on his guard, and surely the Kaiapoi Reserve Act, 1910, was warning enough that titles were insecure. As Teone Maaka Mokomoko has other lands, no doubt purchaser can arrive at some settlement of any claim he may have against him.

I think that if Native Land Court decides to grant probate of the will the succession order should be cancelled.

SECTION 130.

Certificate of title under the Native Reserves Titles Grant Empowering Act, 1886.

Area : 10 acres 1 rood.

Restrictions admit of disposition by will.

Grantee : Makarini Mokomoko.

This title is exactly the same as that of Section 124, except that there has been no sale.

Succession order dated 6th January, 1911, should be cancelled if Native Land Court decides to grant probate of Makarini Mokomoko's will.

SECTION 147.

Certificate of title under the Native Reserves Titles Grant Empowering Act, 1886.

Area : 7 acres and 34 perches.

Restrictions admit of disposition by will.

Grantee : Hohaia Tautakihuia.

The Native Appellate Court, on 28th March, 1898, appointed Tiaki Horomona (*alias* Horomona Tahuna) as successor to the grantee.

Tiaki Horomona left a will dated 28th September, 1898, and codicil thereto dated 7th October, 1902; he died 9th October, 1903. Probate was granted on 25th April, 1904, to Aperahama Horomona and Ripeka Horomona, the executor and executrix named in the will.

For further information see Section 1.

As will would operate over this section, there is no occasion for any recommendation concerning it.

VILLAGE SECTION 15.

Grant under the Native Reserves Titles Grant Empowering Act, 1886.

Area : 1 rood 23 perches.

Restrictions admit of disposition by will.

Grantee : John Horomona.

This grantee was same person as Tiaki Horomona, whose will has been referred to under Section 1.

As will would operate over this land, there is no occasion for any special recommendation concerning it. Claimants to be left to their legal rights.