

SECTION 141 (TE WHEKE).

Order under section 20 of the Native Land Court Act, 1886.

Area : 14 acres.

Restrictions admit of disposition by will.

Grantee : Makarini Mokomoko.

See report on Section 124. This title is exactly similar, except that there has been no sale.

Succession order dated 8th November, 1910, should be cancelled if Native Land Court decides to grant probate of Makarini Mokomoko's will. Application for probate was lodged 24th August, 1908, but has not yet been dealt with.

SECTION 142 (TE WHEKE).

Order under section 20 of the Native Land Court Act, 1886.

Area : 14 acres.

Restrictions admit of disposition by will.

Owner : Hemi Pukahu.

By succession order, dated 11th September, 1902, this land passed to Makarini Mokomoko. On 8th November, 1910, a succession order was made appointing Teone Maaka Mokomoko to succeed to Makarini. Thus this section is in same position as Section 141.

It was stated before the Commission that the original owner, Hemi Pukahu, left a will, but that it was never proved, and there was considerable dispute over this section.

It was agreed that no recommendation should be made, and that legal rights of parties interested should not be interfered with, but this was on the understanding that no order appointing successors to Makarini Mokomoko had been made. That order should therefore be cancelled.

SECTION 134G (KAIAPOI G).

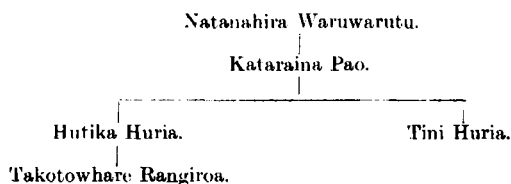
Certificate of title under the Native Land Acts, 1865 and 1867.

Area : 45 acres 1 rood 5.8 perches.

Restrictions : Absolutely inalienable for ever, except for the purposes of subdivision by lease for a period not exceeding fifteen years, or by settlement for the benefit of the grantees, their heirs or successors, appointed under the Native Land Act, 1865.

Owners : Aperahama te Ari, Poko Maru, Teotiwaha Pokohiwi, Kerei Korako, Rawiri te Maire, Heriaha te Koreke, Kaea te Kihi.

Natanahira Waruwarutu came into title as successor. Left a will dated 15th September, 1895, probate whereof was granted 9th June, 1899. *Whakapapa* shows next-of-kin :—



Will left land to Hutika, Tini, and Takotowhare. Tini consents to will being validated ; no objection by any one.

Will should be validated.

SECTION 135E.

Title under the Native Land Acts, 1865 and 1867.

Area : 50 acres 2 roods.

Restrictions : Same as 134G.

Owners : Reweti Hape and seven others.

Only question raised in regard to this section concerned the will of Tutu Tipao (one of the original owners), probate whereof was granted on 25th April, 1904. Will devised this land to testatrix's husband, in trust for adopted daughter, Ripeka Teoti Kahu ; in event of her death without issue before reaching twenty-one years, then to Horomona Matiu (her husband) for life, and then to next-of-kin to Ripeka Teoti Kahu.

Testatrix died 4th August, 1897. Adopted child would be the correct person to succeed.

A succession order was made in favour of Maaka Anaka and fifteen others for this interest on 25th October, 1904, but apparently no mention made to the Court of the adoption.

It was asked that this will should be validated, and succession order cancelled.

I suggest that the succession order be cancelled, so that the claims of Ripeka Teoti Kahu to succeed as the adopted child of the deceased may be considered ; but I do not consider that will should be validated.

SECTION 136F.

Certificate of title under the Native Land Acts, 1865 and 1867.

Area : 44 acres and 3 perches.

Restrictions : Absolutely inalienable for ever, except for the purposes of subdivision by lease for a period not exceeding fifteen years, or by settlement for the benefit of the grantees, their heirs or successors, appointed under the Native Land Act, 1865.

Original owners : Arama Karaka, Tuhau, Hakopa Wakanuku, Horomona Huriwai, Wakena Iki, Hohua Pokohiwi, Watene Toroaruaru.

Succession order for interest of Hakopa Wakanuku, made 20th April, 1887, in favour of Rawiri Manumanu Wakiwaki, grandson of deceased.