

Matters raised concerning this section before the Commission were requests for validation of wills of Hira Mauhara and Watene Toroaruaru.

First, as to Hira Mauhara's will: Hira died August, 1893; left a will, dated 31st July, 1893, whereby this section was given to Temaima Kaipuke Paani ("my grandchild"). Letters of administration, with will annexed, were granted to Henare Mauhara and Teo Pita Tipa on 2nd October, 1894, and this was allowed to stand for more than fourteen years. Finally, on 12th December, 1908, a succession order was made. This order was varied on appeal, when land was awarded to the following persons: Teo Pita Tipa, half-share; Paora Kaipuke, one-sixth share; Porete Mumu, one-sixth share; Temima Kaipuke Poani, one-sixth share. This last is the devisee under the will. It therefore appears that the legal owners are now in possession, and, under the circumstances, I cannot recommend that will be validated.

As to will of Watene Toroaruaru: Fuller particulars are given in report on Section 136f. Succession order in this instance was made on 11th November, 1910, in favour of Timi Korehe, Teoti Wira, Hariata W. P. Morera, Teone Tapiha Pitini Morera, equally. Will was in favour of his wife, Riria Matene, now deceased. I do not think this will should be validated as regards this section.

SECTION 163.

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

Area: 4 acres 1 rood 12 perches.

Restrictions: Inalienable by sale or by mortgage or by lease for a longer period than twenty-one years.

Grantee: Riria te Kewene (Riria Koeke Kewene).

Succession order was made on 1st March, 1898, appointing Poihipi te Hua to succeed to the above grantee. Poihipi te Hua died 2nd September, 1904, leaving a will dated 22nd July, 1897, probate whereof was granted on 12th September, 1905. This will, however, makes no reference to this section, nor is there any residuary devise.

On 14th September, 1905, a succession order appointed Kuini Wi Rangipupu and eight others to succeed to Poihipi te Hua. This and a later order on the file seem to be correct, and no objections to them were raised before me. I have reported on this section, as I have heard since that it was intended to question this title.

APPENDIX E.

Christchurch Chambers, Hereford Street, Christchurch, N.Z., 22nd May, 1911.

Attorney-General ex relation Mere Te Aika and Others (Plaintiffs) and Ruiha Mono te Aika (Defendant).
SIR,—

At Mr. Hoban's request, who was solicitor for the defendants in this case, and for whom I acted as counsel, and who has never been paid the costs of this action by the relatives, I beg to forward the enclosed bill of costs to you.

I have taken the liberty of approaching you on the subject, as you are aware that the necessity for the recent Commission of inquiry held by you at Kaiapoi arose out of the settlement of law by the judgment of the Court of Appeal in this case.

Yours, &c.,

His Honour Judge Rawson, 14 Hawkstone Street, Wellington.

GEORGE HARPER.

In the Court of Appeal, New Zealand.—Between the Attorney-General, *ex relation* Mere te Aika and Others, plaintiffs, and Ruiha Mono te Aika and Others, defendants.

Cost of the Defendants on Judgment of the Court of Appeal herein.

1909.

April. Supreme Court costs—

	£	s.	d.	£	s.	d.
Preparing and filing statement of defence	..	..	..	8	8	0
Costs on motion for judgment	..	..	..	2	2	0

Oct. Court of Appeal costs—

Drawing and settling case	..	..	..	7	7	0
Arguing case to judgment as from a distance	..	..	..	90	0	0

Disbursements—

Filing warrant to defend	..	..	..	0	3	0
Filing statement of defence	..	..	..	0	3	0
Telegrams	..	..	..	0	2	0

0 8 0

£108 5 0

Chrg. Bill E. and O.E., 20/5/11.—WILLIAM HOBAN, solicitor for defendants.

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