

1914.
NEW ZEALAND.

NATIVE LAND CLAIMS ADJUSTMENT ACT, 1913:

REPORT AND RECOMMENDATION ON PETITION No. 413/13, OF MERE WADE,
RELATIVE TO LOT 451, PARISH OF TAUPIRI.

Laid on the Table of the House of Representatives pursuant to Act.

Native Land Court (Chief Judge's Office), 23rd June, 1914.

The Hon. the Native Minister, Wellington.

SIR,—

Section 2 of the Native Land Claims Adjustment Act, 1913, provides—

- (1.) That the Chief Judge is authorized to refer to the Court for inquiry and report the petitions set out in the schedule to that Act.
- (2.) Upon such report, the Chief Judge is to make such recommendations to the Minister as appear to accord with the equities of such case.

I have the honour to enclose the Court's report upon one of such petitions so referred to the Court by me pursuant to the above-named Act—namely, the petition of Mere Wade (No. 413/13; No. 14 in the schedule to the Act).

In this matter I have the honour to make the following recommendation to you, namely: That, as petitioner has not made out any case for relief, none be granted to her.

JACKSON PALMER,
Chief Judge.

In the matter of Lot 451, Parish of Taupiri, and in the matter of a reference under section 2 of the Native Land Claims Adjustment Act, 1913, for inquiry and report upon the petition of Mere Wade, praying for relief *re* succession order to the interest of Pirihiara Tarawhiti (deceased).

SIR,—

Upon the above reference I have to report as follows:—

The inquiry was held at Ngaruawahia on the 8th June instant. No copy of the petition was supplied to the Court.

Evidence was given by the petitioner, her brother and sister, and by Hone Pera, the present successor to Pirihiara Tarawhiti.

The evidence of Hone Pera was to the effect that he was the adopted child of the deceased, who was his aunt; that she left a will in his favour; that the order sought to be upset was made in pursuance of that will; that such will could not now be produced as it was burnt when his house at Coromandel was destroyed by fire.

The evidence of Karaka Tarawhiti was to the effect that at the time when the succession order to the deceased was made he was away from the district; that his sister, Roka Hopere, who prosecuted the succession application before the Court, wrote him that a will from the deceased to Hone Pera was in existence, and it was proposed that order should be made to him; he then acquiesced in the making of such order.

The evidence of Roka Hopere was to the effect that she had heard of the will to Hone Pera, but had never seen it; that by a family arrangement the succession was to go to Hone Pera.

Both these two witnesses stated that petitioner was not consulted on the arrangement, as they were not then on speaking terms with her.

The evidence of Mere Wade was to the effect that at the time of the making of the order she was not on good terms with the other members of her family; that she was not aware of the making of the order until many years afterwards; that she was unaware of any will, and was not a party to any arrangement as to the disposal of deceased's interest; that she never consented to such order; that she endeavoured to upset such order, but by law was debarred from doing so.

Both Tarawhiti and Roka Hopere state that they have no claim on the interest of the deceased, and that they have no wish to alter, so far as their own interests are concerned, the existing order. Tamati Tarawhiti (deceased), another son of Pirihiara Tarawhiti, was a party to the said arrangement.

There being four children at the time of the making of the order, the petitioner in the event of any alteration would be entitled to one-fourth of the deceased's interest.