

SESSION II.
1923.
NEW ZEALAND.

NATIVE LAND AMENDMENT AND NATIVE LAND CLAIMS ADJUSTMENT ACT, 1922.

REPORT AND RECOMMENDATION ON PETITION No. 159 OF 1921 (SESSION II) RELATIVE TO SUCCESSORS APPOINTED TO THE INTERESTS OF HAORA TAKI (DECEASED) IN NATIVE LAND.

Presented to Parliament in pursuance of Section 55 of the Native Land Amendment and Native Land Claims Adjustment Act, 1922.

Native Department, Wellington, 31st July, 1923.

Petition 159 of 1921.—Haora Taki's Successor.

ENCLOSED herewith is report of Native Land Court under section 55 of the Native Land Amendment and Native Land Claims Adjustment Act, 1922.

In accordance with that report I recommend that legislation be introduced cancelling the orders in question, so that the matter may come before the Native Land Court again.

The Hon. Native Minister, Wellington.

R. N. JONES, Chief Judge.

In the Native Land Court of New Zealand, Ikaroa District.—In the matter of section 55 of the Native Land Amendment and Native Land Claims Adjustment Act, 1922, and in the matter of a reference by the Chief Judge for inquiry and report respecting the claims and allegations made by Maremare Taki in her petition, Number 159 of 1921 (Session II), praying for the cancellation of succession orders made to the interests of Haora Taki (deceased).

To the Chief Judge, Native Land Court.

I HAVE the honour to report that the Native Land Court sitting at Wellington on the 13th March, 1923, inquired into the merits of the above petition.

It appears that the petitioner, Maremare Taki, is the only child of Haora Taki, who died intestate on the 4th October, 1906. The Native Land Court sitting at Kaiapoi on the 24th October, 1913, heard an application for succession to the deceased in the Nelson Tenth, when one Manihera Ngatuere gave evidence and swore that Haora Taki left no issue, but left brothers and sisters, and these or their children were duly appointed successors. Petitioner states that she was then living in the Wairarapa, and was too young to look after her interests. However, on the 20th October, 1920, she appeared in Court at Wellington, gave evidence, and was appointed sole successor to Haora Taki in Kaiapoi No. 3 and another block. She alleges that Manihera Ngatuere, was then present in Court, and acquiesced in the orders being made, admitting that when he gave the evidence at Kaiapoi in 1913 he was not aware that the deceased left a daughter in the Wairarapa. As this seems to be a case of a *bona fide* mistake on the part of the witness Manihera, and as none of the persons who were appointed successors by the order of 1913 have contested Maremare's claim either before the Court or the Native Affairs Committee, I recommend that the orders made in favour of the Ngatuere family be cancelled, and fresh orders made in favour of Maremare Taki, f.a.

M. GILFEDDER, Judge.

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