

1924.  
NEW ZEALAND.

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## NATIVE LAND AMENDMENT AND NATIVE LAND CLAIMS ADJUSTMENT ACT, 1920.

REPORT AND RECOMMENDATION ON PETITION No. 401 OF 1917, OF IWIAHIA (IWIAOHEA) TUAREA,  
RELATIVE TO THE SUCCESSION TO WAIKAURI (DECEASED) IN HAPOTIKI BLOCK, GRANT 3952.

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*Presented to Parliament in pursuance of Section 32 of the Native Land Amendment and Native Land  
Claims Adjustment Act, 1920.*

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Native Department, Wellington, 28th August, 1924.

*Petition No. 401 of 1917—Re Interests of Waikauri and Hapotiki Grant.*

PURSUANT to section 32 of the Native Land Amendment and Native Land Claims Adjustment Act, 1920, I forward the report of the Native Land Court herein.

In the original grant only one name—"Waikauri"—appears, and there it is in conjunction with a near relative of Waikauri Tuarea. In the adjoining block the name "Ngawikau" appears, but that of Waikauri does not, although the names of Waikauri Tuarea's husband and children do so.

I consider, however, that the Native Land Court has already jurisdiction under section 24 of the Native Land Act, 1909, to adjudicate upon the question of identity, and I therefore recommend that no legislative action is necessary.

The Hon. the Native Minister, Wellington.

R. N. JONES, Chief Judge.

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### *The Native Land Amendment and Native Land Claims Adjustment Act, 1920.*

In the Native Land Court of New Zealand, Aotea District.—In the matter of the petition, No. 401 of 1917, of Iwiaohea Tuarea, praying for inquiry into the alleged wrongful decision given by the Native Land Court *re* shares in Hapotiki Block, Grant 3952, referred to the Court under the provisions of section 32 of the above-mentioned Act.

At a sitting of the Court held at New Plymouth on the 5th day of August, 1924, the Court made inquiry into the above matter, and reports as follows :—

The facts are—

- (1.) That on the 20th November, 1914, when the decision in question was given, the following two names appeared in the title to the Hapotiki Block—viz., "Waikauri" and "Waikauri Tuarea."
- (2.) That the name "Waikauri" was included in the title as one of the original grantees, and that the name "Waikauri Tuarea" came in as successor to Ngaparetiti, also an original grantee. It was stated when the order of succession to Ngaparetiti was made that the deceased was the son of Waikauri Tuarea and derived his interest from her.
- (3.) That on the 20th November, 1914, the Court made a succession order to the interest of Waikauri. It was alleged in the evidence upon which this order was made that this deceased was not Waikauri Tuarea, but Waikauri Ngaiwikau; and Hore Raumati Toroa, the nearest of kin to the latter, was appointed successor without opposition. It was stated then that Waikauri Ngaiwikau had died about 1904.