

1917.

NEW ZEALAND.

NATIVE LAND AMENDMENT AND NATIVE LAND CLAIMS ADJUSTMENT ACT, 1916.

REPORT AND RECOMMENDATION ON PETITION No. 342 OF 1915, FOR CANCELLATION OF AN ORDER APPOINTING A SUCCESSOR TO PETITIONER *RE* HER INTEREST IN RUNANGA 1B BLOCK.

Presented to both Houses of the General Assembly in pursuance of Section 24 of the Native Land Amendment and Native Land Claims Adjustment Act, 1916.

Office of the Chief Judge, Native Land Court, Wellington, 23rd May, 1917.

Memorandum for the Hon. the Native Minister, Wellington.

PURSUANT to the provisions of section 24 of the Native Land Amendment and Native Land Claims Adjustment Act, 1916, I have the honour to transmit herewith the report of Charles Edward MacCormick, Esq., a Judge of the Native Land Court, on petition No. 342 of 1915, of Rangimaharahara Rore and others, praying for cancellation of an order appointing a successor to her interest in Runanga No. 1B Block, and to recommend that the purchase-money (apparently £102) paid to Raihana Waipapa in error be placed on the supplementary estimates for payment to the petitioner, Rangimaharahara Rore.

JACKSON PALMER,
Chief Judge.

Native Land Court, Taupo, 14th April, 1917.

SIR,—

Runanga 1B Block.

Succession to Heni Rangimaharahara (deceased): I have the honour to report that, in terms of your direction to the Court under section 24/1916, to inquire and report as to petition No. 342 of 1915, by Rangimaharahara Rore and others, praying for cancellation of succession order to above person's interest, I held inquiry here to-day. Following is a copy of my minutes of what took place:—

“Taupo, Saturday, 14th April, 1917, 9.30 a.m.

“Present: C. E. MacCormick, Judge; A. P. Grace, clerk and interpreter.

“Taupo M.B. 28/347.

“RUNANGA 1B. Heni Rangimaharahara (deceased). Petition of Rangimaharahara Rore, No. 342 of 1915, praying for cancellation of succession order. Inquiry directed by C. Judge, in terms of section 24/1916.

“No appearance of petitioner. Raihana Waipapa, the successor appointed 20th July, 1912 (Rot. M.B. 57, p. 174), is present, and states that Heni Rangimaharahara was his grandmother (minutes say the successor was a child of deceased).

“*To Court:* My grandmother was not related to Whitimoa Rore. The latter was a *tungane* of Rangimaharahara Rore, the petitioner.

“*Court:* Then that appears to settle the matter. Taupo M.B. 4, p. 16, shows that Heni Rangimaharahara came into the title as successor to Whitimoa Rore, and it is therefore plain that a mistake has been made.

"*Ranginui Tahau*: I can give some information that will help to make things clear. I was at one time married to Rangimaharahara Rore, and it was my father who had her appointed successor to her brother Whitimoa Rore in 1884. She was a namesake of Heni Rangimaharahara the elder, Raihania's grandmother, and this accounts for her being put in under the same name.

"*Raihania Waipapa*: Well, it is this confusion of names that has led to the trouble. Rangimaharahara should have opposed the making of the order at the time.

"*Court*: She asserts in her petition that she was not in Court and knew nothing of it. I have no doubt whatever that she is identical with the Heni Rangimaharahara in the title and that the succession order was an error. I will report to Chief Judge accordingly. The Registrar, however, informs me that the land has been sold to the Crown, and the purchase-money paid over some years ago.

"*Raihania Waipapa*: That is so. I received the money, £102, and have spent it all long ago. I have no money in the bank or anywhere else.

"*Court*: It is needless to await the appearance of Rangimaharahara herself. I will report as indicated already.

"Report accordingly."

There is no doubt an error took place owing to confusion of names, and the petitioner has thereby been deprived of her land. But under the circumstances the only remedy open to her would appear to be an action for recovery of the purchase-money, which she would have a very forlorn hope of getting.

The Chief Judge, Native Land Court, Tokaanu.

I have, &c.,

CHAS. E. MACCORMICK, Judge.

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