

SESSION II.
1921.
NEW ZEALAND.

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

REPORT AND RECOMMENDATION ON PETITION No. 151/1920, RELATIVE TO APPOINTMENT OF
SUCCESSORS TO INTEREST OF MATIRIA RUKA IN TUTAEKURI Nos. 1c 6, 1c 15, AND 1c 17.

*Presented to both Houses of the General Assembly in pursuance of Section 32 of the Native Land
Amendment and Native Land Claims Adjustment Act, 1920.*

Office of the Chief Judge, Native Land Court, Te Kuiti, 24th September, 1921.

Re *Succession to Matiria Ruawai in Tutaeakuri Block*.—Petition No. 151 of 1920.

ENCLOSED herewith is the Court's report on the above petition.

I recommend that no further action be taken.

R. N. JONES, Chief Judge.

The Hon. Native Minister, Wellington.

In the Native Land Court of New Zealand, Tairāwhiti District.—In the matter of section 32 of the Native Land Amendment and Native Land Claims Adjustment Act, 1920, and of the Tutaeakuri 1c 6, 1c 15, and 1c 17 Blocks; and of a reference to the Court for inquiry and report regarding the succession to Matiria Ruka (deceased) in the original Tutaeakuri Block (Petition No. 151 of 1920).

THIS matter came before the Court at Wairoa on the 27th May, 1921, before Robert Noble Jones, Chief Judge, and report is made as follows:—

1. The petition refers to certain grandchildren of Matiria Ruka being left out of a succession order dated the 28th March, 1906.

2. Upon inquiry it was found that Matiria Ruka was one and the same person as Waihuka Ruawai and Matiria Ruawai, and that a prior order has been made on the 17th July, 1899, under her name of Waihuka Ruawai.

3. Curiously enough, this has the same mistake as the latter order in that it omits the names of certain grandchildren of deceased, whose parents had predeceased her.

4. There was no dispute before the Court that these were grandchildren of deceased, and that they were entitled to be admitted and would have been so admitted had they been disclosed to the Court.

5. It is quite clear that the Court on each occasion intended to give the interest of deceased to her direct descendants, and that they were inadvertently omitted, as is now acknowledged by the present successors, who agreed that the mistake should be rectified.

6. This being the case, the Court came to the conclusion that it could exercise its ordinary powers and amend to carry out the manifest intention of the Court, to give the interest to the children and orphan grandchildren of deceased. The Court directed amendments accordingly.

7. Under the circumstances there appears no necessity for the Legislature to intervene in the matter.

Dated the 24th September, 1921.

For the Court.

R. N. JONES, Chief Judge.

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