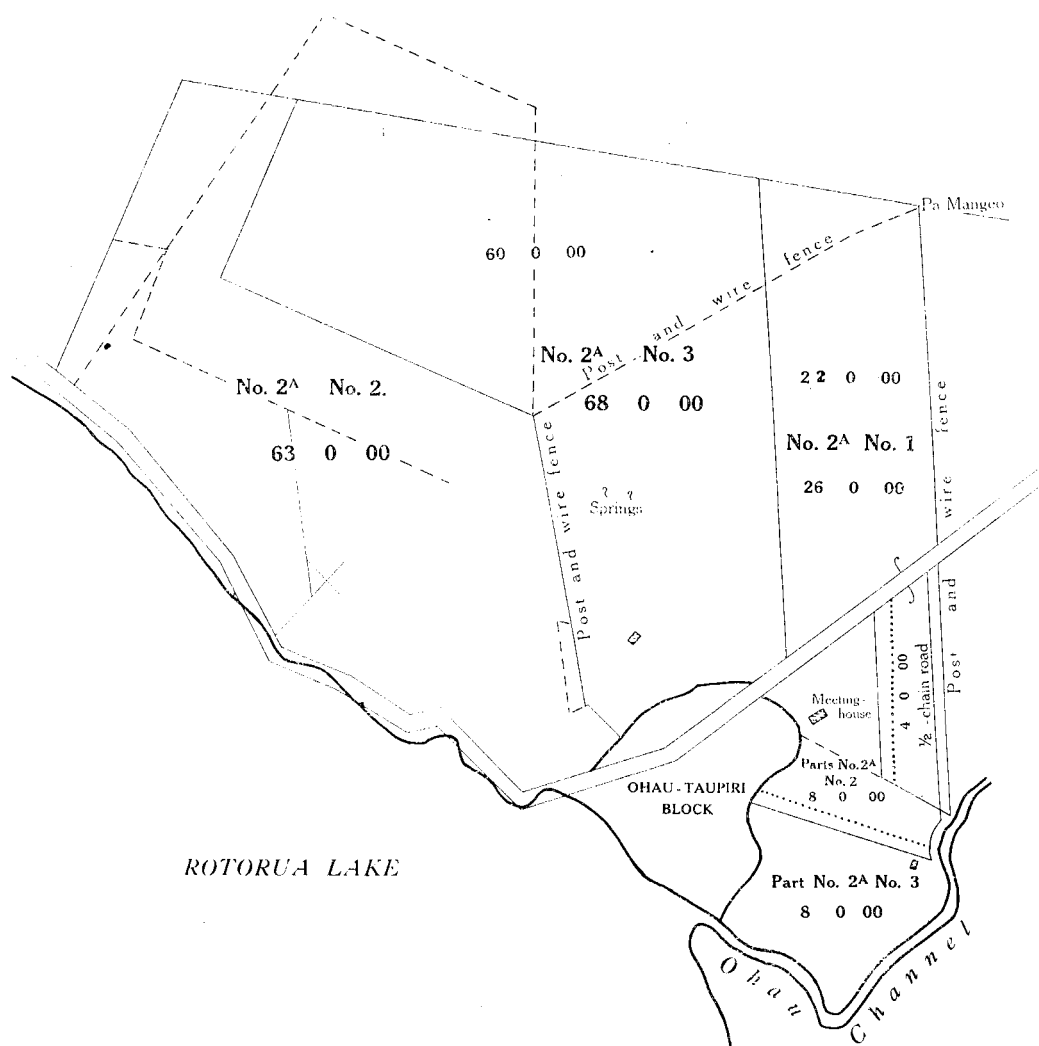


The attached sketch will indicate the awards of both Courts. The dotted lines (thus) show the variation made by the Appellate Court and the location of the further area of 3 roods which it awarded to the petitioner's party.

WAERANGA EAST No. 2^A, Nos. 1-3

Scale

[illegible]

It is quite clear that the lower Court has, and I think rightly, departed from the share basis in allocating the area awarded to each section of owners. In this it probably took into consideration the fact that one section contained the whole of the lake frontage.

The point at issue is a simple one. The land in dispute is a small piece of about 3 acres in the extreme southern end of No. 2A No. 3, and bounded on the north by the fence shown on the sketch. It is not disputed that this fence was erected by the petitioners, and they claim the land up to it. There are no buildings on this piece, and no cultivations apart from the fact that the land is in grass.

A comparison of the shares with the areas of the sections shows that one share in Ratema's section was calculated as 2 acres, one share in Tiakiawa's at 1 acre, and one share in the petitioner's at about $2\frac{1}{2}$ acres.

The position is that the petitioners fenced in more land than they were entitled to.

I consider that they have been generously treated by the earlier Courts, and recommend that no further action be taken in regard to the petition.

Head Office file N. 1920/427 is returned herewith.

W. H. BOWLER, Commissioner.

The Chief Judge, Native Land Court, Wellington.

Approximate Cost of Paper.—Preparation, not given; printing (475 copies), £3.

By Authority: W. A. G. SKINNER, Government Printer, Wellington.—1924.

Price 3d.]