

SESSION II.  
1921.  
NEW ZEALAND.

---

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

REPORT AND RECOMMENDATION ON PETITION No. 307/19, RELATIVE TO SUCCESSION TO HAARE  
POTAKA (DECEASED) IN TAWHITI No. 1 BLOCK.

*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 Chief Judge, Native Land Court, Wellington, 31st October, 1921.

*Re Tawhiti 1E 4 (Haare Potaka, deceased).—Petition 307 of 1919.*

ENCLOSED herewith please find report of Native Land Court pursuant to section 32 of the Native Land Amendment and Native Land Claims Adjustment Act, 1920.

I recommend that no further action be taken by the Legislature.

This seems to me a matter that could be rectified by the Court itself under its ordinary powers of amendment. The Court minutes leave no doubt as to what the Court's real intention was, and the order should accordingly be amended to conform to that intention. Unless there is some special reason of which I am not at present aware I will take steps to have this done.

The Hon. Native Minister, Wellington.

R. N. JONES, Chief Judge.

Maori Land Board Office, Wairoa, 18th October, 1921.

*Re Petition 307 of 1919, of Hoera Potaka, praying for Readjustment of Shares re Tawhiti 1E 4 Block (really for a Readjustment of the Shares in the Order appointing Successors to Haare Potaka in Tawhiti No. 1).*

I HAVE the honour to report that, in accordance with your reference of the 9th November, 1920, I held the inquiry directed therein at a sitting of the Native Land Court at Tokomaru Bay on the 5th September, 1921.

Hoera Potaka, the petitioner, appeared in person, but none of the other persons appointed successors to the interest of Haare Potaka were present at the inquiry, although Kercopa Potaka, one of them, was at the Court on the previous day and was aware that the inquiry was coming on. It appeared from Hoera Potaka's evidence that Haare Potaka, whose interest in Tawhiti No. 1 (subsequently on partition located in 1E 4) was the subject of the inquiry, died in 1903 without leaving any will or children. His parents were both dead at the time. He had one brother living, Hoera Potaka, and the issue of another—viz., Kercopa Potaka, Hone Potaka, Hare Tipua Potaka, and Hirim Potaka. Hoera Potaka rightly claims he is entitled to half the interest, and his brother's children to the other half between them equally. He alleges, however, that by the order of the Court the whole five of them have been appointed equally to the interest, and that he has in consequence suffered a loss.