

13987

IN THE MATTER of Section 38 of The Native Land Act, 1931

AND

IN THE MATTER of the interest of Maria Watene deceased in the Hiwarau Block.

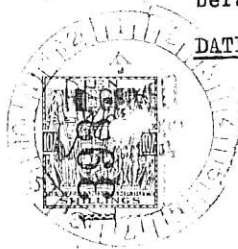


I the undersigned hereby apply for an amendment to succession order made on the 15th. day of March 1904 granting the interest of Maria Watene deceased in the Hiwarau Block to Horomena Tipa UPON THE GROUND that the said Horomena Tipa is not the proper person to succeed to such interest.

8th

62144

DATED at Waiotahi this 26th. day of October 1939.



Mohirangi Kotu

Applicant

Waiotahi

*Referred to court
that Macosmick
in chief and
5/11/40*

OPOTIKI - 28 NOV 1939 - 24.

30/11

*Application dismissed
that Macosmick
in chief and
20/8/40*

THE REGISTRAR, ROTORUA

RE: MARIA WATENE, DECEASED AND MERE KATENE, DECEASED

25/1/40

The Registrar,
Native Land Court,
AUCKLAND.

I forward you herewith
submissions by Mr. Hislop together with Whakapapa
for the information of the Deputy Chief Judge.

C. V. FORDHAM
REGISTRAR.

Extract from Opotiki Minute Book No. 15 Page 258.

Dated 8/3/1904.

MARIA WATENE:
(Deceased)

No children. , Parents dead. No brothers.

Whakaputa
├───┬───┐
of Tuhourangi = Takeke Karewarewa
 | |
 Maria Tikikini
 |
 Hiromena Tipa f.

Order to Hiromena Tipa f.

In the Native Land Court }
of New Zealand }
Waikariki District }

IN THE MATTER of Section 387 of the Native
Land Act, 1931, and its amend-
ments

AND

IN THE MATTER of an Order made on the 2nd
day of September, 1881, appoint-
ing a successor to the interest
of Mere Katene in the Hiwarau
Block

AND

IN THE MATTER of an Order made on the 8th day
of March, 1904, appointing a
successor to the interest of
Maria Watene in the Hiwarau
Block.

AT a sitting of the Court held at Opotiki on the 7th day of March
1940 before John Harvey, Esquire, Judge.

UPON reference by His Honour the Chief Judge of application for
amendment of the said orders and upon hearing all evidence adduced
the following report is submitted :

1. It was claimed by the conductor for the applicants that Mere
Katene and Maria Watene were twin sisters. This was admitted
by Counsel for the opposing side.
2. The evidence on succession to Mere Katene was that she was
Tikikini's sister. The evidence on succession to Maria Watene
was that she was Tikikini's cousin. Obviously one story at least
is incorrect.
3. Both witnesses at the enquiry were very old and although there
are lapses in their evidence, the Court feels that it is more
reliable than the evidence at the original hearings. The res-
pondents could bring no evidence to show that the Orders complained
of were correctly founded.
4. As the Orders were made on evidence of next of kin one can hard-
ly entertain the submission of Counsel for the respondents that
the successions were by arrangement with the knowledge of all parties.

For the Court,

John Harvey
JUDGE.