NATIVE LAND COURT SITTING-OPOTIKI
TAHORA No.2. SURVEY COSTS CONTINUED
OAMARU SURVEY COSTS

Native Land Court Sitting At Opotiki Friday April 12th 1889

Present

L. G. Brien 6 squire Judge
Nikonina Poutotara Afsefsor
H. T. Kemp: Esquire Interpreter
Arthur H. H. Lyon: Clerk

Continued from folio 354 Vol 5 Tahora No.2. Survey costs continued Mr C. A. Baker continued -

I never had an Inspector to inspect my work. I think all the inspections were discharged at a reduction.

I never took any the Ngaitai from here to Auckland. I work some boys who had left School in Auckland down with me to Gisborne. Wi Kingi asking that they might go with me to get an insight into Surveying.

This map was made for Hautakuru and Tauha and was made on lines given in application - that is Boundaries.

This is all I have to say in reference to matter.

I continued Tauha and Hautakuru had a perfect right to have the land Surveyed as regards Rakuraku and Te Urewera they all were determined to oppose any and every Survey being followers of Te Kooti.

<u>Wi Pere</u> - The maps I admit was made for Tauha and Hautakuru and he should call upon those people to pay for it.

Think unjust because Rakuraku is a Te Kooti-ite that that should be used as

April 12th 1889 - Tahora No.2. Survey costs

A reason for surveying his land against his wish.

We have'nt raised the question of price - had it been an open Survey it could have been done in less time.

If Oamaru block was only survey being made I could understand his going to Waimana to get into Oamru block. But Tahora was being surveyed at that time.

I know an Inspector was always sent to inspect blocks — and I can't believe they have been done away with.

Court

said it had listened to the parties and it was evidently a sore point with the people but we have only one course to pursue, we can't go behind the certificate if a wrong has been done, it has not been done by us, and they must seek their remedy elsewhere. We can only confine ourselves to our own duties only. If a Surveyed plan is produced the law requires us to proceed with case and give decision outside that, we should go outside our province to comment upon, another thing we must award Surveyor costs of Survey on such survey and plan being duly approved — but the amout is another thing if parties are prepared to dispute the amount claimed we are prepared to take then evidence but it will be very strong evidence that will cause

April 12th 1889 - Tahora No.2. Survey costs

Court continued -

us to act in contravention of Assistant Surveyors certificate, his special duty is to tax and others these costs -

Wi Peri - If the remarks had been made before list of names were handed in, I should have not handed in my list of names. The only course for Mr Baker to pursue is to have recourse to the law to obtain his money requires not pay a single penny. We object on principal to the whole Survey.

Wi Peri and Tamaikoha - said they object to the principle under which this Court makes a decision.

Court - said it was open to them to apply for a rehearing as
to these proceedings of the Survey costs.

Ngaiti - said if this Court proceeded to make awards under the Act of Course that was the Courts only course but I on the part of all the people distinctly state that we will not pay the costs of this Survey.

Sefsor

- said in my opinion the matter of Survey should be left to Mr Baker and the Natives, and that the Court don't make award now.

Mr Baker - said he objected to this, I claim the award he made under Section: 81 of Native Land Court Act

Fsefsor - I form my opinion that this Survey was undertaken without reference to Native committee. I also take into consideration that the Government decided matters should be referred to the Native committee.

April 12th 1889 - Oamaru Survey costs

Mr Baker - said he was informed in Native Office that the Surveys were referred to Native committee as mere by a matter of form - and I contend Survey has been done in accordance with all the regulations in force.

Tahora No.2. Survey costs adjourned until 10 O'clock a.m. Saturday 13th Inst:

Oamaru No's. 1, 2, 3, 4, 5, 6, and 7. Survey charges

Mr Bush I ask for seven orders in favor of the Crown for cost of survey of this block, and ask that an area out of each parcel of or block consisting of **96.920** acres in agregate a proportionate share to be taken out of each portion — as under —

0amaru	No.	1	1815	acres
Oamaru	No.	2	7235	acres
Oamaru	No.	3	1118	acres
Oamaru	No.	4	4130	acres
Oamaru	No.	5	5935	acres
Oamaru	No.	6	900	acres
0amaru	No.	7	1592	acres

Rewita Niwa - We don't dispute what we have to pay but object to the charges for Surveying. At what rate per acre is charge for Survey and I want to know how subdivisional, 130 lines will cost less than the outside boundary when work is greater.

April 12th 1889 - Oamaru Survey charges -

Court informed Rewita Niwa that the amount charged was assessed by the Surveyor General and was certified to as being a fair and just charge.

<u>Rewita</u> - I am speaking on behalf of all the people and we think the land taken for Survey should be paid for at the rate of 2/6 an acre. I speak in reference to whole Survey including sub-division.

Hau Tamihana - I speak re: No. 3 - 4450 acres - I also propose and wish Government should pay us at the rate of 2/6 per acre. I also speak in reference to block survey and division survey.

<u>Te Pakihi</u> - I speak in reference to No. 2 portion and I ask 2/6 be given per acre including outside and divisional Survey.

<u>Herimia Hoera</u> - Spoke in the same way in reference to No. 7 portion.

<u>Hautakuru</u> I spoke in reference to No. 3 and concurs in what previous people say.

<u>Paora Pakihi</u> - I speak in reference to No. 5 on behalf of Ngati Ngahere, they will concur in the arangement it 2/6 an acre is given.

Apanui Aporo - said in reference to No. 6, he concurred with the others that if 2/6 an acre is given he will agree to Gover ment having land for payment of Survey.

Rewita Niwa said the Government gave more that 2/6 an acre for the land in Whakapaupakihi and returned them 2000 acres — which made it rather more —

April 12th 1889 Oamaru Survey charges

Natives afters some discussion agreed with Mr Bush to take 1/3 per acre for Land amount of Land to be taken for payment of outside Survey only - Paora Te Pakihi and Tamaikoha absent

Oamaru No. 7 A

Mr Bush applied an Order be made for No. 7 in favor of the Crown for 2426 acres — commencing at Onukuroa trig station turning in a N.W. direction along Whitikau No. 3 boundary thence running at a bearing of 380910 till it meets the Boundaries of No. 6 and No. 7 and thence along that Boundary till it meets the Boundary of Whakapaupakihi until it meets the starting point at Onukuroa including divisional Survey block to be called No. 7A.

<u>Oamaru Block No. 6A.</u> - consisting of 720 acres to be cut off for Crown for Survey costs as roughly shown on plan not including divisional Survey.

Oamaru Block No. 5A.

A portion to be cut off and awarded to the Crown for payment of Survey costs consisting of 10784 acres as roughly shown upon plan - this portion includes cost of division Survey.

Oamaru No. 4A.

A portion to be cut off consisting of 5099 acres to be cut off for the Crown for Survey costs as roughly shown upon plan - this includes sub-division Survey -

April 12th 1889 Oamaru Survey Charges

Oamaru No. 3A.

A portion to be cut off consisting of .1980 acres to be cut off the Crown and for Survey costs including divisional Survey

Oamaru No. 2A.

Aportion to be cut off consisting of 7816 acres to be cut off for the Crown for Survey costs including divisional Survey costs.

Oamaru No. 1A.

A portion to be cut off consisting of 1532 acres as shown on the map to be cut off for the Crown to pay for cost of Survey.

No objections orders made by consent.

2A, 3A, 4A, 5A, were made in one adjourning block.

Court ordered the above mentioned blocks _____ rest in her Majesty in a state of Freehold.

ORDERS

Court ordered Oamaru No. 1A 1532 acres, Oamaru No. 2A 7816 acres, Oamaru No. 3A 1980 acres, No 5A 10.784, Oamaru No. 4A 5099 acres, Oamaru No.6A 720 acres, Oamaru No 7A 2426 acres shall rest in her Majesty.

Court further ordered the Owners in Oamaru No. 1, No. 2, No. 3 No. 4, No. 5, No. 6, No. 7, whose names appear in lists handed in for these blocks be registered as Owners for residue of land in each block.

Court adjourned until 10 O'clock a.m. Saturday April 13th 1889

haliplanalour Siting at Oboliki Inday ab 1991880 Landroum mungen.

Prisent.

G.Brients sque Luage. Nidonina Pour Jara afrefsor St. J. Remb Esgre Inversely arhuftst Lyonov Eling contraction folio 354 Dol. 5= Jahorahia Surrey costs, como -In la Barber como -Inerecha an Insperior to insperior to Inerecha an Insperior to insperior to Mink authernoperos un discharge ar anduction. In the hyaitai hom hu 15. Quereaug/9. 6-11. Some horie ulles hadlefi Schoolin Audland dour uthne to Gisbonia Wirkingi asling & The might go with me's ger an intig! mis Suneing-This make was made for Stantal ana Jawha and was made on lives gi maphication - Thatist Boundaries -In This is all Thanks San in reference romanter - Manha analdanakun. Ac fuker reflecto haverhe Land Survey asteganas Rakuraku I Je Inemerathen use iddenmined to those any and cres Surrendeing Loverners of Te Willer - the map I amil was made for Jawl mBale 181 au admin the should on up on Fl

preliz 2689 - Jahonah 2 Duney costous to all in routions word as Sunumed tertificali, his apreial distriffert da da de Philippelis-I theteremarks had leen made before list of hames were honored in Ishourd have not handedin my list of hames -The only count of on In Baller To hundre is to have recours to the law to obtain his money will not pay a single penny-Hotjeson principle to the whole Suney -Pere 1 Tamaikohai sand Their objected to the principle under which this bout makes a dicision sim said it was open it to them to apply for a who aring as to these proceedings of the Lurry costs godf Said if there's bout prosected to make awards under the act of course that was the bours my cours but I on the bart of all the peobledistinctly state that us will not frag the cost of this Survey selson said in my opinion the matter of tuney should belefile huBailer the for hativers - and that The Lour done make award nout-Baker sa a he objected 10 This of Iclam The award under Sec: 81 of Fratis Land bourt au Sellor I down my obsinion that the luvery wal under laken without reference to Matrie committee - I also table into contideration That the Low: decided maties should be relevant the habie committee

april 192 1009 - Jahonati? 2 Luney costs grisson for surreying his Land against his wish. We havent railed the grunton of fricehaaisten on open Sure 1 cons have len am inlesstand If Camou BROW was only Survey ling made Level understand his granig-to Waimanato gétimo Gaman Block. Lu Jahranias leng Sunared as That 2 Kme. 2 Com Englan was always seul Loinsper Blocks-faire & confliction They handen done away puith-bour baid l'hadis en aro Phipanies anan wal endently about our with the neighte but me hanoner on esursité passe, ne can volahund Mar entipiede of a wrong harlan done it has not been done by us. anashy musikaling umed, en the une can only confine sinselverto our our duties only if a Sunera plan is produced the law réquière la bourd monthe easi Lana grin dienson outerde That me should so out 8 our prominer l'o comment from amortur Philip ne mud awara Lunerar costs of Luner-on uch Suner enablan leng, duly appined - butthe amount is another

ikniper 1869 - Gamane Lung evsts = WBaller Said he was informed in Inotice Office that The surveys were referred to hatre committees as muely a matter of form - and I contena surre, has bein done in accordance mith outhe regulations in force-Jahorahi 2 Luney costé a aj unil 1 ort ann. Saturday 13th Inst. Daman hos 2345617. Luney changes -MrBush Jaskfor Leven Brains in Javor of The brown for Lan cost of Sine of This Block, and asterhasion area out of each barel of mour considéré q 6 920 aus magnéte aproportionali Sharto le la Kew out of leach bortion. as under-6 aman h? 1 95 1815 acus! " h.2 - 1135 acres: h3 1118 acus h= 4 largo anis h: 6 Sq35 acus 1 h: b 1502 acus hot Menula hima He dont ouspure what we have to ban burne object of the changes for Survey ingauhai note per acre is change for luneit and Ewant to Krisis how Sout awitimal Bolinis milevelles Than The outside Bounday, when mostie greater -

y who 1559 - amound wines changes stinformed Ruita thing that The amount charged as assessed low the Survey denial anawal cutified to as long afair and just charge -Madamakeaking on tehall of all the people and we think the Land taken for Survey Should be paid for at the rate of 2/6 an sup airision are. Is makin reference to whole burney including Idan Jamihana Psheatt ne h. 3 - 4450 acres-I also propose twish I ov. Should-bay us at the rate of 216 her and I also speak in reference to Block Survey and Dustim Survey or Pakihi Destrakin reference to his portion and Jask 21 Londy Le given per au including imichtoria spoke in the Same was in reference to ho4 portion-Makun & Sholle un reference to ho 3 troncinsin what howous heaple says = ne it Pakihi Said in reference to h \$ 5 on that of h. hyahar they will concer in the anangement if all an acre is given id mili aporo Saidina Jeune to his 6 he concurred with the others that if 216 an aous is guen he will ague to Tow. having hand for bayment of Luner sta hiva said the Low: gave monthan 316 an acu for the Land in Whatapaw. bakihi tulumed them 2000 acreswhich made it nother more

May 12 1869. Camara Larry charges haties after some discussion agreed with Mr. Bush 10 take 1/3 her acu for Land, amount of land to betallen for payment of outside Surrey only - Raviale Pallity I Jamai Hoha alken! Samare hoy. A MBush applied an Grante made for his in favor of the brown for 2426 acres - commencing at Omekurog Trig station trumming in a In lo duction along WhiteHauh " 3 Boundary thence running at a learning of 3809,0 hel il meds the Boundaries of his and hay anothence along that Boundary tell it mult the Boundary of Whallahaupaking until it moets the starting froint at Omethuro a including duritional Survey -Block to be called ho y.A Camaru Block h! b? consisting of 420 acus to be cut off fort roun fortunien costs as roughly Thounon blan not including divisional Survey Bamary Block ha 5A aportion to be cut off and awarded to the consisting of 1948, acres as roughly shown upon blan - This portion included cost of airision Luney Baman h. LA aportion to be out off consisting of 5099 acres li le cut off for the brown for huner costs as roughly Shown whom plan- this includes but duid son Suney -

manih 1854 - amaru tuneycharges.

Uportion to Lecut off consisting of 1980 acres to be anoth to for the brown A for Suncy costs including divisional Suncy -

maru h 2 A

a portion to be cut off conserting of 7816 acres. to be cut of for the brown for luvery costs including divitional Surrey costs -

maru hos A

aportion to be cut off consisting of 1532 acus as shown on the map to heart off for the brown to hay torcost of Suney.

2 43" 4" 5" were made in one adjoining Block.

out ordered the aline mentioned Blocks 10 10 vest inher majesty in a state of Tuchold.

- Udos un ordered Camaruh. 1 1532 acres, Camaruh 20 A 1816 acres, Camaru h. 3 1980 acres, h: 510.484 Camaru ho 4 5099 acres, Gamaru hoby 20 aores Damanu h. 71 2426 acres Shallyest in her majesty-

in further ordered the Guners in Gamaru h. 1. h. 2 n°3. h°4. h°5. h°6 + h°7. berefor whose named appear in lists handed in for these Blocks to registered as Guners for residue of Land in each Block-