21-5-90

REHEARING CASES

Wednesday 21st May 1890
place Theatre Royal Gisborne
Present

His Honor George Elliot Barton presiding Judge
His Honor Spencer Von Sturmer Judge
Tuta Tamati Assessor
Fred Jones - Interpreter
H. C. Jackson - Clerk

The Court opened at 10 a.m.

Case No. 15 on panui Oamaru Survey Charges

charges at £1306.

R. S. Bush. I appear on behalf of the Crown.

N. G. Day Solicitor for for applicants for rehearing £1.0.0

I appear for the applicants for rehearing: who have not reach -ed Gisborne from Opotiki oweing to the bad weather.

The Oamaru plan was put into the survey Office at Auckland on 2 August 1887 and in July 1887 the Surveyor General sent a notice of lien for £625 and on 15th October 1888 the Surveyor General sent a letter to the Native office putting down the

I do not contest the Natives liability for each of survey but I say the charge is too high

21-5-90

OAMARU REHEARING CASE

V. G. Day Solicitor according to the regulations for surveys when a block exceeds for Natives 25,000 an agreement must be made between the Natives and the

Surveyor: no such agreement is with the papers: and such an

agreement is required by the regulations.

I contend that an arrangement must be made either the price of land ought to be raised or else the survey charges must be reduced. I say that the regulations have not all been complied with but I should only make use of these discrepancies to press for a fair settlement of the cash.

for a fair settlement of the cash.

Judge Barton Here suggested that the parties should meet and try and effect

a settlement between themselves.

Memo Here ensued a long discussion Mr Bush explaining to the Court the action taken by the Natives before the previous Courts.

V. G. Day

To stop all discussion for my clients, it would be prepared to accept the Survey charge, if the land is priced at 1/6 per acre

Continued

21-5-90

Mr Bush

If time is allowed I will communicate with the Government.

The Court adjourned at 10.45 a.m. until 10 a.m. tomorrow.

Thursday 22nd May 1890

present place the same
The Court opened at 10 a.m.

O A M A R U C A S E R E S U M E D

(No arrangement arrived at)

S. Bush

The block was surveyed as one block, but when the block was heard, the Court divided it into 7 divisions.

A rehearing of the block was applied for and refused by the Chief Judge.

About 1 month after that dismissed

Robert Smith Bush Agent for Crown 2/- (sworn) I was directed by the Government to apply to the Court at Opotiki to have land awarded to the Crown in each division in proportion to area, and to offer for the Crown to undertake the subdivision survey, if land at 1/- per acre was then awarded to the Crown for each of such subdivision surveys -

In April 1886 I

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" " Spencer Von. Sturmer" "
Jula Lamati assession Fred: Jones Interpréter Ab. Jackson Clerk The bourk opened at 10 ans lare 16'15 on panui, Camaire Suiver charges. R. S. Bush. d'appear en behalf of the brown. reheaving who have not reached the bad weather in the comain plan was V. H. Day. Solvetir / for appleants le relicating. fr. 0 /6 put into the Survey office, at auchland on the 2 august 1889, and in fully 1889 The Durveyor Lenerals
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