#### April 13th 1889 Tahora No. 2 Survey costs

Saturday April 13th 1889 Court opened at 10 0'clock a.m.

#### - Present the same -

Judge

said under the Act the Assessor Had no voice in the decision as to matter of award for Survey costs.

Underparts 3.6 and 9 of Act of 1886. The Assessor has authority in part 6, in part 3 also, in part 9 he has authorised, in all other respects authority shall use in a Judge.

Wi Pere

I quite understand the position of the Court under the Act as to award for Survey costs. I submit the amount charged per acre is too much — considering also that the Land has been made inalienable I don't see how a mortgage can be made on it.

Court

said it is prepared to hear evidence.

Ngaiti

We see you have to comply with the law, but us think that the proposal of Wi Pere to reduce the amount to \$800 might be acted upon

Court

We cannot act on a suggestion but we are prepared to hear evidence on both sides.

### April 13th 1889 Tahora No. 2 Survey costs.

#### Tamaikoha

I object entirely to this award for Survey costs until we find out who this Act of appression emanated from.

I speak also in reference to Oamaru block only on which an a-mount for Survey costs has been cleared, that I decline to pay one penny.

I shall leave this confiscation of the land to be decided by some other authority as to whether it is right or wrong.

<u>Wi Peri</u> - In reference to amount of Survey being in excess to what it ought to be.

As regards Waipao block, Mr Baker didn't cut this line — on any of the surrounding blocks. The confiscated line was already done. And the only portion he claimed was from the Oamaru boundary up Waioeka river to confiscated line.

And he only took the bearings of the Western boundary - as far as Te Wana.

Yesterday I said I objected in total because I understood that the Court wouldn't go into the matter of nature of Survey. I merely show this matter as no matter what award the Court made, we object to the Survey.

\_\_\_\_\_ - We understood the Court to say it could not alter the certificate as to amount.

<u>Court</u> - said it was in the power of the Court to go into matter and take evidence as to the Survey

#### April 13th 1889 Tahora No. 2 Surveys

Ngaiti continued We object to the charge for Survey all together.

Court said it would be glad if the parties would apply for re-hear-

ing of this matter as to Survey costs.

Paora Te Pakihi said I object entirely to cost of Survey. We shall apply for

a re-hearing of the matter of Survey not the land.

Wi Pere No matter if we produced experts and went into how Survey had been conducted we object to any order and no matter how much

claim might be reduced we object intirely to claim as we in-

tend to apply for a rehearing of Survey costs.

#### Court proceeded to Orders

#### ORDERS

Court ordered that the sum of £1887-7-11 certified by the Ass-20/-pd isstant Surveyor General as owing to Mr C. A. Baker licensed Surveyor for survey and plan of Tahora No. 2 be charged on the

said block.

Court ordered that the sum of £1887-7-11 certified as owing to Mr Baker by the Assisstant Surveyor General for Survey and plan of Tahora No.2. and charged thereon shall be apportioned. According to acreage on the divisions thereof named below, when the respective acreage of said parcels of Land shall have been ascertained that the Native Owners of the said parcels of land shall pay to him their propotionate part of such costs of survey and plan when so ascertained

# April 13th 1889 Oamaru No. 7.

Paora Nikora

said No. 7 of Oamaru was awarded to Ngati Rakautahi and Ngati Rua and I wish this portion divided between these two hapus.

Court

said it can only make a dicision on own application being put in for same and gazelled for hearing.

Tamaikoha

said in regard to piece cut off from my block in Oamaru I make the same objections to this as I have done in Tahora No. 2. I was no party to this cutting off for the Crown and I should like no matter to stand over until I have communicated with Government. I took upon the survey as a murder and I look upon the result of the proceedings of this Court in the same light.

Paora te Pakihi

I agreed to matter of cutting off land for Crown for Oamaru No. 2A I consented if Government allowed us at the rate of 2/6 per acre. I was not here when matter was done and I don't agree.

Court

said nothing could be done, they must apply for a rehearing.

Tawhito

said in reference to No. 5 portion. I protest against the arrangement made amd acreage cut off for Government to defray the cost of survey. I protest also in reference to arrangement as to No. 6 portion

## April 13th 1889

Court proceeded to dismiss cases not disposed of in Gazette viz:

Cases No.1-2-3-4-5-6-7 pages 1-2 dismissed

Cases No.1 and 2 page 3 dismissed

Cases No. 1 Te Karaka No. 2 Hiwarau page 4 dismissed No. 3 Hokianga dismissed No 4 Opape No 1 dismissed

Monday April 15th 1889

Court adjourned

- sine die -

(8)15-

Madjish 1889. - Jahonah 2 Swampersts-Saturday april ish 1889 Lourt opened as 100 am

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Christishoog - Jahonahia Luncus-Agaili cons - Werbeer to The charge for Luney alloge ther Lourd said thered begladifithe parties would apply for re-hearing of this maller at 10 Paonase Parlihi Said Lobject entirely li cost of Lurient - We share apply for a reheaving of the matter of Suney not the Land -Willer ho materif netroducedescherts and juent into how Lurie, had been conducted we so object to any order and momaller how much claim might be pero reduced ne object introly to claim as we intend to apply for a reheaving of Luney costs-Lourprocuad to make Onders-- Onders-Courfordered that the sum of \$1887. 7.11 certified by the Ossissian Lunceyor General abowing 16 hvb. a Baker licented Luneror for Survey anablan of Jahora h: 2 be charge 1 on The Said Block Court ordered that the lum of \$1887. 7.11 certified as owing to InBaker by the asse Luneyor Leneral for Lunes oftplan of Jahona h 2 and chargea. Thereon shall be apportioned. according to acreage

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in lasts N.A. -2. 3- 4- 5-6.7 pages 1 +2 dismissed

" 1.3. +2. pages dismissed

bases 16.1. Terranka h.2 Stinaran pages 4

dismissed

h.3. Morrianga dismissed—

1.4. Opape n. 1 dismissed—

mondan april 15th, 1889.

bour adjourned.