

Auckland

22 Oct 1888

Remarks on an application by
Rewita Kiwa to rehear No 5
portion of Oamaru block.

The Court awarded No 5 to the
Ngatingahere natives -
No 4 was awarded to the Ngaitama
of whom the applicant Rewita
Kiwa is the representative.

Rewita's complaint is that No 5
overlaps Ngaitama land,
and a rehearing is asked for
in order that Ngaitama may
have another chance to get the
alleged overlap removed
from No 5, and added to
No 4 -

I may say that Ngatingahere
claimed the whole of No 4 as well
as No 5 - However we saw from
the evidence that the watershed
of the Waiti stream and its
branches

J E Macdonald Esq
Chief Judge
Native Land Court
Auckland

belonged to Ngaitama, and as
the case proceeded Ngatingahere
admitted this; but we could not
see that Ngaitama (the petitioners)
were entitled to push their claim
beyond the mountain chain that
bounds that watershed on its
eastern side. Hence we drew
the line between 4 and 5
along the summit of that range
Again - Had the overlap in dispute
been awarded to Ngaitama, then
the Ngaitama land would have
passed right through the land
of Ngatingahere (C's) cutting it
in two. This did not recommend
itself as a proper adjustment of
the claims, nor one to which the
applicants were entitled -

An inspection of the sketch plan
attached will assist this explanation

W. J. King
Judge

PS

In any case the question of an overlap
between portions Nos 4 and 5
should not be sufficient to reopen the
whole Oamaru case - There being
7 subdivisions of the block -

W. J. King

