

COMPLETED

388

5/814.

GISBORNE.

ALLOTMENT 276, WAIOTAHU PARISH - AREA: 25 ACRES.

Director-General,

, C. 1.

DEPARTED
18 DEC 1956
GISBORNE

7th December, 1956.

The Gisborne Allotment Book which was written up in Auckland, gives the name of Huriana as the name of selector or grantee, date of selection 21.4.1874, but there is no reference to any Crown Grant having issued nor a Certificate of Title yet issued.

There is no information at all in the Land Transfer Office. I should be glad to know if you have any evidence of a Certificate of Title having issued.

HRC
(H. R. Chrisp)
Commissioner of Crown Land
K

COMPLETED

RECEIVED 05 JAN 1956

393

RECEIVED
18 MAR 1957

GISBORNE

SENIOR CLERK

The Commissioner of Crown Lands,
GISBORNE.

Your memorandum of 17 December 1956.

I am unable to find a Crown grant for this land.

Enquiries made in Auckland, however, show that a Crown Grant was prepared in 1874. It is shown on a schedule No. 389 dated 21 April 1874 of draft grants to be forwarded to this office for completion. Most of the items on this schedule have been struck out and included in a later schedule but this land and two other areas remain on Schedule 389. No record can be found of Schedule 389 in this office.

The land was to be granted under the New Zealand Settlements Act 1863 and Amendments as "Compensation awards to returned rebels." Other similar cases to this are known and under investigation.

In order that this case might be further looked into please let me know if the land is being used at present, its value and if rates are being paid.

See file report

D. M. Greig
Director-General.

3/814.

394

GISBORNE
DESPATCHED
26 MAR 1957
LANDS AND SURVEY
GISBORNE

219,

21st March, 1957.

The District Field Officer,
OFFICE.

ALLOTMENT 276 WAIOTARI PARISH. AREA: 25 ACRES.

No title can be traced to cover the above area and Head Office are endeavouring to locate a Crown Grant covering the section. To help them in their search it will be necessary for them to know if the land is being used, and if so, by whom. They also wish to know who, if anybody, is paying rates and its present value.

Would you please have your Field Officer look into this and provide a report covering the above-mentioned points.

H. R. Chrisp
(H. R. Chrisp)
Commissioner of Crown Lands.

31814
399
3/814

GISBORNE

Department of Lands and Survey,
GISBORNE.

3 April, 1957.

Commissioner of Crown Lands
GISBORNE.

Allotment 276 Waiotahi Parish.
Area 25 acres

Re instructions dated 21st March.

(1) I made my inspection on the 29th March, and report as follows:-

Situation approximately in the centre of the Hiwarau Maori block, and 30 chains east of the Chedda Valley road. No legal access.

Description: approximately 12 acres terrace flat, to undulating, in mostly bracken fern and some rank paspalum grass, with much ragwort. 12 acres easy hill, broken by gully, all in light bush.

Fencing: Nil.

The land has very little grazing, but is open for stock from several adjoining Maori sections.

The Opotiki County Clerk informed me that the last County rates £7.16.3, for section 276 and adjoining section 275., total area 50 acres was paid by the owner, Mr James Edwards, whose present whereabouts are unknown.

Valuation:

Unimproved 25 acres at £3. £75.

R. C. Tuke

(R.C. Tuke)
Field Officer.

Take advised that from extensive enquiries he made he concludes that no one in the locality or no one known to his informants lay claim to this area. It is unfenced and undeveloped

403

3/814

In your reply please quote:

Waiotahi Correspondence.

GISBORNE

Office of the Wairariki District Maori Land Court,
Private Bag,
ROTORUA

15 May, 1957.

Chief Surveyor,
Department of Lands and Survey,
GISBORNE.

SENIOR CLERK

LOT 276 PARISH OF WAIOTAHU. 20/17.

From the Chief Surveyor, Auckland, I understand that the above land comprising of 25 acres located just east of the Nukuhou River adjoining the Hiwarau Reserve or Block in the vicinity of the Southern extremity of the Ohiwa Harbour and situated in Block 11, Whakatane Survey District, Opotiki County, has no registered title.

An application for succession concerning this area recently came before the Court, but the Court would make no orders, as it requires to be satisfied that it is in fact Maori land.

I should be pleased if you would supply a sketch plan of the of the land and give any information that would indicate whether or not this is a title for investigation or has passed from Maori land to European.

M.L. 2576.

[Signature]
REGISTRAR.

[Signature] Draughtsman

Photostat to Senior Registrar 29/5/57.

Sketch plan as requested in last paragraph please.

[Signature]
28/5/57



P.O. BOX 219,
GISBORNE.

6 June 1957.

The Registrar,
 Waiariki District Maori Land Court,
 Private Bag,
ROTORUA.

WAIOTAHU CORRESPONDENCE : ALLOTMENT 276, WAIOTAHU
 PARISH.

Your letter dated 15.5.57 refers:

The ownership of this section is at present under investigation by my Head Office and I will advise you of the results as soon as they come to hand.

My Field Officer recently inspected the area and reports as follows:-

"I made my inspection on the 29 March and report as follows:-

Situation: Approximately in the centre of the Hiwarau Maori block, and 30 chains east of the Chedda Valley road. No legal access.

Description: Approximately 12 acres terrace flat, to undulating, in mostly bracken fern and some rank paspalum grass, with much ragwort. 12 acres easy hill, broken by gully, all in light bush.

Fencing: Nil.

The land has very little grazing, but is open for stock from several adjoining Maori sections.

The Opotiki County Clerk informed me that the last County rates £7.16. 3. for section 276 and adjoining Section 275, total area 50 acres was paid in 1950 by the then owner, Mr James Edwards, whose present whereabouts are unknown.

Valuation:

Unimproved 25 acres @£ 3. £ 75. "

My Field Officer advised further that "from extensive enquiries he made he concludes that no one in the locality or no one known to his informants lay claim to this area. It is unfenced and undeveloped.

THE GOVERNMENT OF THE DISTRICT OF CANTON

PLENTY

April 1957.

THE COMMISSIONER OF WORKS,
WELLINGTON

ACCOUNTANT

B1B
19 0 20
B1C

B1B
19 0 20

B1A
19 0 20

MANGA
19 0 20

MANGA
19 0 20

ALLOTMENT 552, FORMERLY PT. 1, AREA 1 ROAD 25, PARISH, AREA 1 ROAD 25, PT. ALLOT T 259, BLOCK IV, ALL 1 ROAD 3, PERCHING: 7003

ALLOTMENT 256, CATOTAHI, AREA 2 ACRES, 52/46/3/2

PART A
328 00
I have not yet received a reply to my letter of 1 March 1957 concerning the book and whether Public Works Commission was involved.

In order that the inter-departmental can be effected, would you kindly forward

275

276

15 D on 10/3
13 20 3
records
required.

4B
20 0 00

AC
25 0 00

4D

FOR NOKUNA RIVER

TO AN INCH

434

LANDS AND SURVEY
DESPATCHED
20 MAY 1958
GISBORNE

JWC:KEN

3/814

23/42/24/4

Gisborne

20 May 1958

ALLOTMENT 276 WAIOTAHU PARISH

Director-General,

C.1

Your memorandum of 6.9.57 refers.

I should be pleased if you would advise whether any progress has been made in ascertaining the ownership of this section.

(H.R. Crisp)
Commissioner of Crown Lands.

H.O. FILE: 23/42/24/4

D.O. FILE: 3/814

DEPARTMENT OF LANDS AND SURVEY,

Office: WELLINGTON.

Date: 12 June 1958

276 WAIOTAHĪ PARISH

MEMORANDUM for

The Commissioner of Crown Lands,
GISBORNE.

Your memorandum of 20 May 1958.

The investigation regarding this allotment is not yet completed but I expect to be able to give you a reply in about a month's time.

[Handwritten signature]
Signed off: 16/6/58

[Handwritten signature]
Director-General

[Handwritten signature]
B1 of
15/7/58

[Handwritten signature]
CHIEF

D.O. FILE: 3/81A

H.O. FILE: 23/212/241/11

DEPARTMENT OF LANDS AND SURVEY,

Office: WELLINGTON.

Date: 8 July 1958

ALLOTMENTS 276, 292 WAIOTAHU PARISH

MEMORANDUM for

The Commissioner of Crown Lands,
GISBORNE

10 JUL 1958

Further information as under has been obtained from the old Auckland Parish register No. 4 which is Allotment book 30 in Hamilton.

Page 115. Allotment 276.

Grant due 10 January 1874. Grantee HURIANA. Draft grant prepared. Note: Section in centre of HIWIRAU reserve, no road access, see Gazette 1874 page 781. Also applies to section 275. The gazette quoted deals with Hiwirau block to be granted to Maoris. The plan of that block may have some notes.

Page 116 Allotment 292. (pencil entry only)

Grantee ANATIPA - Draft grant prepared. Note "Not yet granted - Native land".

NZ 99 1910 367?

It would appear from these entries and other information on the file that it was intended to grant these lands to Maoris and they should not be regarded as Crown Land.

The question of ownership is one to be decided by the Maori Land Court when the occasion arises.

D Webb
Director-General.

SENDER

3/814

FHC/LW

GISBORNE
11 JUL 1958
DISPATCHED
LANDS AND SURVEY

P.O. BOX 219,
GISBORNE
11 July 1958.

The Registrar,
Wairiki District Maori Land Court,
ROTORUA

ALLOTMENTS 276 & 276 WAIOTAHU PARISH

Reference to our previous correspondence relative to the ownership of the above allotments.

My Head Office has advised of records contained in the old Auckland Parish register in Hamilton as follows:-

" Grant due 10 January 1874. Grantee Hurians. Draft grant prepared. Note: Section in centre of Hiwira reserve, no road access, see Gazette 1874 page 781. Also applies to section 275. The gazette quoted deals with Hiwira block to be granted to Maoris.

It would appear from these entries and other information on the file that it was intended to grant these lands to Maoris, and they should not be regarded as Crown Lands.

The question of ownership is one to be decided by the Maori Land Court when the occasion arises."

F.W. Brown
COMMISSIONER OF CROWN LANDS

[Handwritten mark]

CHANGED

M.A. WAITOTAHU
in your reply Court
Corres:



DEPARTMENT OF MAORI AFFAIRS
(LANDS AND MAORI TRUST OFFICE)

21 JUL 1958

GISBORNE

PRIVATE BAG,
ROTORUA
17th July 1958.

ARAWA STREET
TELEGRAPHIC ADDRESS: WAIARIKI
TELEPHONE: 1831 - 1835

The Commissioner of Crown Lands,
Department of Lands and Survey,
P.O.Box 219,
GISBORNE.

1958. A. [Signature]
Office

Your Ref: 3/814 of 11.7.58

ALLOTMENTS 275 and 276 - Waiotahi Parish

I agree with your Memorandum in that the ownership to the above blocks is one to be decided by the Maori Land Court. As an interested party I would suggest that you file an application under Section 161 of the Maori Affairs Act, 1953 to put this matter before the Court. The application will, in due course, be circulated in the Panui and it is quite possible that it would come to the notice of some interested party. This is the best method I could suggest for bringing finality to the ownership of these blocks.

[Signature]
P.W.PATRICK
for Registrar.

*161 refers to customary land.
See 437 in the same.*

6 OCT 1958

GISEBORNE

6 October 1958.

BRING UP
6/7/58
A
K

The Registrar,
Department of Maori Affairs,
Private Bag,
ROTORUA.

ALLOTMENT 276 - WAIOTAHU PARISH, 25 ACRES.

Your memorandum of the 17 July under reference Waiotahu Court Corres. refers.

I do not think that Section 161 of the Maori Affairs Act 1953 would be an appropriate authority for dealing with this matter as I do not consider that the area is customary land. Allotment 276 was originally part of the Bay of Plenty confiscation block and any customary title would have been extinguished when the block was confiscated by the Crown.

We recently dealt with a similar case of land at Frasertown by applying to the Court under Section 437 of the Maori Affairs Act 1953. The Court in that case made an order that the area "shall vest as from the year 1893 in Mere Karaka, f.a. being the person beneficially entitled thereto." This order had the effect of validating succession orders made over the years by the Court.

I should be pleased to learn whether you agree that the authority of Section 437 would be appropriate in the present case. If you are in agreement, I will refer the matter to my Head Office for consideration.

It would of course be pointless to vest this land in Huriana if she is deceased and left no successors. The land would then still be without an owner. Before I refer this matter to my Head Office I would therefore like to know whether any succession orders have been made by the Court in respect of Allotment 276. In your memo of 15.5.57 you said that an application for succession had been lodged.

Huriana was also an original Grantee of the adjoining Hiwira Reserve. Is there a complete chain of succession in that Block from her to living Maoris?

The Gazette reference 1874 page 871 quoted in my letter to you of 11.7.58 which was supplied by my Head Office, refers to the adjoining Hiwira Reserve, but the same Gazette at page 779 refers to Allot. 276 (described there as Lot 2, Pitsairn's Survey, Hiwira Sections) stating it was to be granted to Huriana.

The Director-General of Lands,
WELLINGTON, C. 1.

(F.W. Brown)
COMMISSIONER OF CROWN LANDS

CHANGED

Copy for your information. Your file 23/42/24/4.
Your file for the precedent - Section 67 Town of Frasertown is 22/1365.

(F.W. Brown)
COMMISSIONER OF CROWN LANDS

LAND SURVEY
6 OCT 1958
GISEBORNE

439

3/814.

JWO/LW

LANDS AND SURVEY
 6 OCT 1958 P. BOX 219,
 GISBORNE

GISBORNE

6 October 1958.

BRING UP
 6/12/58
 27/12/58

The Registrar,
 Department of Maori Affairs,
 Private Bag,
ROTORUA.

ALLOTMENT 276 - WAIOTAHU PARISH, 25 ACRES.

Your memorandum of the 17 July under reference Waiotahi Court Corres. refers.

I do not think that Section 161 of the Maori Affairs Act 1953 would be an appropriate authority for dealing with this matter as I do not consider that the area is customary land. Allotment 276 was originally part of the Bay of Plenty confiscation block and any customary title would have been extinguished when the block was confiscated by the Crown.

We recently dealt with a similar case of land at Frasertown by applying to the Court under Section 437 of the Maori Affairs Act 1953. The Court in that case made an order that the area "shall vest as from the year 1893 in Mere Karaka, f.a. being the person beneficially entitled thereto." This order had the effect of validating succession orders made over the years by the Court.

I should be pleased to learn whether you agree that the authority of Section 437 would be appropriate in the present case. If you are in agreement, I will refer the matter to my Head Office for consideration.

It would of course be pointless to vest this land in Huriana if she is deceased and left no successors. The land would then still be without an owner. Before I refer this matter to my Head Office I would therefore like to know whether any succession orders have been made by the Court in respect of Allotment 276. In your memo of 15.5.57 you said that an application for succession had been lodged.

Huriana was also an original Grantee of the adjoining Hiwirau Reserve. Is there a complete chain of succession in that Block from her to living Maoris?

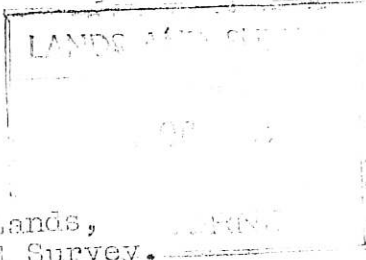
The Gazette reference 1874 page 871 quoted in my letter to you of 7.5.58 which was supplied by my Head Office, refers to the same Gazette at page 779 but the same Gazette at page 779

LANDS AND SURVEY
 6 OCT 1958
 GISBORNE



3 440
In your reply please quote:
L&S. Waiotahi Court

Office of the Waiariki District Maori Land Court,
Private Bag,
ROTORUA



9 October, 1958.

Commissioner of Crown Lands,
Department of Lands and Survey,
P.O. Box 219,
GISBORNE.

Dist. Affairs Unit
13/10

Allotments 275 and 276 Waiotahi Parish
Your reference 3/814 of 6.10.58

A

1. I thank you for your memorandum bringing my attention to the fact that Section 161 of the Maori Affairs Act 1953 would not be an appropriate section for dealing with the above matter. The section 437 quoted by you would cover the requirements in this case and accordingly I expect to receive from you, in due course, an application under this section in respect of these lands.

2. Huriana who was the original grantee, I find from my records, has been succeeded to in the Hiwarau block. The succession order was made on the 15th March 1898 and the one successor appointed was named Te Hapua Tapae. By a further order of the Court dated 30th May 1950 (Opotiki Minute Book 32/190) Te Hapua Tapae was succeeded by 5 successors. When the application is filed I can arrange for these latest successors to attend the Court to prosecute and to give evidence.

B

P. W. Patrick
for Registrar

L&S Series
Sub No. 23/42/24/4
3/814. 441

JWC/LW LEW

LANDS AND SURVEY
DESPATCHED
14 OCT 1958
GISBORNE

P. O. BOX 219,
GISBORNE.
14 October 1958.

The Director-General of Lands,
WELLINGTON, C. 1.

ALLOTMENT 276 - WAIOTAHU PARISH

My minute of the 6 October on a copy of a memo to the Registrar of the Maori Land Court at Rotorua refers.

The Registrar has replied as follows:-

" I thank you for your memorandum bringing my attention to the fact that Section 161 of the Maori Affairs Act 1953 would not be an appropriate section for dealing with the above matter. The section 437 quoted by you would cover the requirements in this case and accordingly I expect to receive from you, in due course, an application under this section in respect of these lands.

Huriana who was the original grantee, I find from my records, has been succeeded to in the Hiwarau block. The succession order was made on the 15th March, 1898 and the one successor appointed was named Te Hapua Tapae. By a further order of the Court dated 30th May 1950 (Opotiki Minute Book 32/190) Te Hapua Tapae was succeeded by 5 successors. When the application is filed I can arrange for these latest successors to attend the Court to prosecute and to give evidence."

As Huriana has successors living today, it is felt that it will be reasonable to apply to the Maori Land Court for an order under Section 437 anti-vesting this land in her.

I should be pleased if you would therefore arrange for the necessary application which I take it will follow that prepared by you in the case of Section 67 Town of Frasertown. Would you please forward the application to this Office in due course.

(F. W. Brown) 

H.O. FILE: 22/42/24/4

D.O. FILE: 3/814

DEPARTMENT OF LANDS AND SURVEY,

Head Office: WELLINGTON.

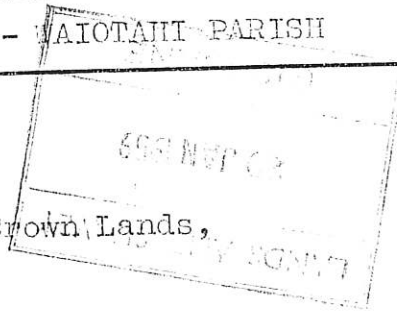
Date: 23 January, 1959.

448

ALLOTMENT 276 - MAIOTAHU PARISH

MEMORANDUM for

The Commissioner of Crown Lands,
GISBORNE.



Dist. Agent Officer

Your memorandum of 14 October, 1958:

The question of applying to the Maori Land Court for an order under Section 437 ante-vesting the above land in Huriana was referred to Maori Affairs Department, Head Office. The Secretary advised that no objection could be seen to an application being made in terms of Section 437 but that any vesting would have to be in the successors of Huriana as there is no provision in Section 437 for ante-vesting.

On referring the Secretary to the case in respect of Section 67 Town of Frasertown, he replied as follows:-

"I am in considerable doubt as to whether the Section 67 Town of Frasertown case is a desirable precedent to follow. In that case the Court expressed some doubts as to the validity of the succession order to Mere Karaka made in August 1922, and it seems that the Court's attention was not drawn to Section 35 of the Maori Affairs Act 1935 which indicates that the ownership should be determined in accordance with the facts of the case as existing at the date of the order."

You may wish to comment but if there are no objections would you please advise me accordingly and the necessary application will be submitted to the Minister of Lands for signature.

D. Webb
Director-General

RECEIVED

L&S. Series 1
 5
 814 7449



H.O. 23/42/24/4

P.O. Box 219,

GISBORNE

29 January 1959

The Director-General of Lands,
WELLINGTON, C.1.

ALLOTMENT 276 - WAIOTAHU PARISH

Your memorandum of 23 January 1959 refers.

It is noted that the Secretary for Maori Affairs states that any vesting would have to be in the successors of Huriana as there is no provision under Section 437 Maori Affairs Act 1953 for ante-vesting. I do not agree with this as Section 35 of the Act states that "no order of the Court shall be invalid because made in favour or otherwise in respect of a person who is dead at the time of the making, sealing, or date of the order." However I agree that the Court has no authority to ante-vest the land even though the Court purported to do this in the Frasertown case.

In that case the Court ordered that the land vest in Mere Karaka as from 1893 with the objective of validating the 1922 order. The Secretary for Maori Affairs refers to the Court's doubts as to the validity of the 1922 succession order in the Frasertown case, and infers that the ownership should, in 1956 when the application under 437 was prosecuted have been determined according to the facts of the case. The 1922 order was, to my mind, invalid as the land at the time was not Maori land. The Maori customary title was extinguished by the acquisition of the Wairoa block by the Crown and the section was ordinary Crown land in 1922 subject only to the fact that it had been promised to Mere Karaka. I think it would have been more correct for the Court in 1956 to have made an order vesting the land in Mere Karaka without mentioning any vesting date and then to subsequently have amended that order "so as to conform to the facts of the case as existing on the date of the order" under the authority of Section 35 of the Act. In the connection please see the second sentence of Section 35 which merely permits the Court to amend the order already made in favour of a person deceased at the time of the order etc. As far as this Department was concerned our obligation was fulfilled by the Court making the order in favour of Mere Karaka. The question of succession orders is not our concern but the responsibility of the successors.

In the present case our obligation is to have Allotment 276 Waiotahi Parish vested in Huriana leaving the way clear for the successors to apply for succession orders in the normal way or by

Department would not be able to prosecute on these lines as we are not competent to say who the successors are or what their relative shares should be. Proceeding in this way it would be necessary for one of the successors to give evidence. While the Registrar has stated that he could arrange for the successors to prosecute the application, I think it desirable that the application be worded as applying to vest the land in Huriana or better still, simply in the persons beneficially entitled thereto, thus leaving the way clear for this Department, if necessary, to prosecute the application by seeking an order in favour of Huriana. If the application was worded as applying to vest the land in the successors of Huriana this Department would be unable to prosecute it without further evidence.

(F.W. Brown)
Commissioner of Crown Lands.

H.O. FILE: 23/42/24/4

D.O. FILE: 3/814

DEPARTMENT OF LANDS AND SURVEY,

Head Office: WELLINGTON.

Date: 19 May 1959

L.S. Sub-100
492

ALLOTMENT 276 - WAIOTAHU PARISH

MEMORANDUM for

The Commissioner of Crown Lands,
GISBORNE

[Handwritten signature and scribbles]

Your memorandum of 29 January 1959:

Attached is an application to the Maori Land Court in terms of Section 437 of the Maori Affairs Act 1953 to determine the persons who are beneficially entitled to the above land and their interests therein.

Following discussion with the Department of Maori Affairs it was considered that this Department could give evidence leading to the vesting of Allotment 276 in Huriana and possibly the Registrar of the Court could arrange for evidence to be given as to the successors entitled. The Secretary of Maori Affairs advise that the application is in order for filing with the Court.

Would you please arrange accordingly.

[Handwritten signature]
Director-General.

Encl:

Signed M.
Chief Clerk
Would you please
take over this case
Please advise when
action completed.
19.5.59

451A

IN THE MAORI LAND COURT
OF NEW ZEALAND - TAIRAWHITI
DISTRICT
WAIARAKI, 1959.

IN THE MATTER of Allotment 276
Waiotahi Parish, Gisborne
Land District

AND

IN THE MATTER of Section 437 of
Maori Affairs Act 1953

WHEREAS there is good reason to believe that all that area in the Gisborne Land District containing by admeasurement 25 acres more or less being Allotment 276 Waiotahi Parish was intended to be granted to one named Huriana under the New Zealand Settlements Act 1863 and Amendments AND WHEREAS there is no trace of the issue of a Crown Grant for this land although a search discloses that a Crown Grant was prepared in 1874 but no record is available as to its completion. NOW THEREFORE application is made to the Court in terms of Section 437 of the Maori Affairs Act 1953 to determine the persons who are beneficially entitled to the land above described and their interests therein.

Dated At Wellington this 19th day of MAY 1959.

B. F. SKINNER,
Minister of Lands.

753

LANDS AND SURVEY
23 JUN 1959
GISBORNE

3/814

589,

GISBORNE.

24 June 1959

The Registrar,
 Waiariki Dist. Maori Land Court,
 Private Bag,
ROTORUA.

ALLOT. 276 WAIOTAHU PARISH
REFERENCE: Your Waiotahi Court Corres. of 9.10.58.

... Herewith is an application to the Court in terms of Section 437 of the Maori Affairs Act, 1953, to determine the persons who are beneficially entitled to the above land and their interests therein.

The Secretary of Maori Affairs advises that the application is in order for filing with the Court.

Would you please therefore arrange the advertisement for the first available Court sitting, and notify me accordingly so that I may attend to give any necessary evidence.

Keegan

RECEIVED

J.A. Henderson
 (J.A. Henderson)
 CHIEF SURVEYOR.

HIWARAU

1898-1899
1899-1900

EXTRACT FROM OPOTIKI MINUTE BOOK VOLUME 36 FOLIO 11

EXTRACT FROM OPOTIKI MINUTE BOOK VOLUME 36 FOLIO 11

DATED 17 NOVEMBER 1959

PRESENT: Ivor Prichard - Judge.
I. Kingi - Clerk and Interpreter.

60

LOT 276 WAIOTAHU PARISH

Section 437

Mr HENDERSON

Chief Surveyor. It was intended to grant this land to one Huriana but grant not issued. Grant was made to her of another area.

It is now intended to vest this land in Huriana.

Ro.
Waiotahi
Ct. Corres.
file

See Hiwarau Block succession to Huriana 15.3.1898 to Te Hepua Tapae alias Apanui.

His succession Opotiki 32/190.

I ask for an order under section 437 vesting above Lot 276 in Huriana f.

Court: Order accordingly.

EXTRACT FROM OPOTIKI MINUTE BOOK VOLUME 36 FOLIO 11

DATED 17 NOVEMBER 1959

PRESENT: Ivor Prichard - Judge.
I. Kingi - Clerk and Interpreter.

60

LOT 276 WAIOTAHU PARISH

Section 437

Mr HENDERSON

Chief Surveyor. It was intended to grant this land to one Huriana but grant not issued. Grant was made to her of another area.

It is now intended to vest this land in Huriana.

Ro.
Waiotahi
Ct. Corres.
file

See Hiwarau Block succession to Huriana
to Te Hapua Tapae alias Apanui.
His succession Opotiki 32/190.
I ask for an order under section 437 vesting above Lot 276
in Huriana f.

15.3.1898

Court:

Order accordingly.

PH

L. B. V. 540-1-10

455

C.C.L.
Gidborne

Allot. 276 Waitahi Parish
situated in Block 1 Whakatane S.D.

To have been granted to Mariana F. Maori, Opotiki
see Folios. of 17/12/58
Folio 436 of 8/7/58

- 437
- 438
- 439
- 440
- 441
- 448
- 449
- 452

Item No. 60 Lanni. M.L. Court Opotiki on 17/11/59.

appeared on behalf of Dept
Explained position.

Court made vesting order in successors to Mariana
after evidence re successors.
Mariana was Mariana as received grant in Mariana Des.
whose successors are known.

notes in register
17/11/59

J. Henderson
Chief Surveyor.
18/11/59.

~~Handwritten signature~~

Handwritten signature

Handwritten signature

NAME
NO. OF COPIES
JEBLE/SINGLE SPACING
TE
RMS:

456

3/814

589,

GISBORNE.

1 March 1960.

The Registrar,
Waiariki District Maori Land Court,
Private Bag,
ROTORUA.

ALLOTMENT 276 WAIOTAHU PARISH

I refer to the sitting of the Maori Land Court held at Opotiki on 17 November 1959 and in particular to Item No. 60 in the Panui for that meeting.

Would you please advise whether Court made a vesting order as a result of this application.

What is the present position please.

(F. W. Brown)
Commissioner of Crown Lands.

BA.O.

[Handwritten signature]

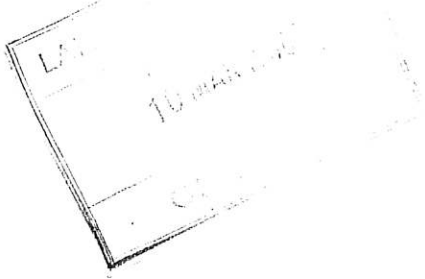
Maorifairs.
1835.



3/814
In your reply please quote:
Waiotahi Corresp.

Office of the Waiariki District Maori Land Court,
Private Bag,
ROTORUA

8 March 1960



[Handwritten signature]
S. J. [unclear]

The Chief Surveyor,
Department of Lands & Survey,
P.O. Box 589,
GISBORNE.

ALLOTMENT 276 WAIOTAHU PARISH
Your Reference: 3/814

- ... 1. As requested in your letter of the 1st March, I enclose copies of Court Minutes on the prosecution of an application under Section 437 before Court at Opotiki on the 17th November 1959.
- 2. I am sorry that these Minutes were not forwarded to you at the completion of the Court Sitting.

Encl.

[Handwritten signature]
(P. W. Patrick)
for Registrar

FCM:CM:KEN

LES
D. J. S.
D. J. S.

458

LANDS AND SURVEY
22 MAR 1960
GISBORNE

3/814

589,

GISBORNE

22 March 1960

The Registrar,
Waiariki District Maori Land Court,
Private Bag,
ROTORUA

ALLOTMENT 276 WAIOTAHU PARISH
YOUR REF: WAIOTAHU CORRESPONDENCE

Your memorandum of 8 March 1960. Presumably in due course an order in terms under s.437 Maori Affairs Act 1953 will be issued by the Court and forwarded to the District Land Registrar.

For the time being I take it that no further action is required on the part of this Department.

(F.W. *Brown*)
Commissioner of Crown Lands.

[Handwritten signature]



1000 276
14
Arawa Street.
Telegraphic address: Maorifairs.
Telephone: 1831-1835.

3
514
459

In your reply please quote:
Waiotahi Corresp.

Office of the Waiariki District Maori Land Court,
Private Bag,
ROTORUA

28 March 1960

Commissioner of Crown Lands,
Department of Lands & Survey,
P.O. Box 589,
GISBORNE.

Allotment 276 - Waiotahi Parish

1. I have received your memorandum of the 22nd of March 1960.
2. We will forward this order to the District Land Registrar for registration.

(M. A. Worthington)
for Registrar

Mr. [Signature] for recording Registrar that

IRISH WAIOTAHĀ CORRES.

460

31 March 1960

Re. ALLOTMENT 276 WAIOTAHĀ PARISH Block

Please note that the documents as per schedule hereunder have today been forwarded for registration:

By

The Registrar, Maori Land Court,

The District Land Registrar,

Lands & Deeds Registry Office

ROTORUA

GISBORNE

[Signature]
Registrar.

SCHEDULE OF DOCUMENTS FORWARDED

1. Order under section 437 of the Maori Affairs Act 1953

Order is in the hands of D.L.R.'s hands. It has been registered upon the books of Registrar for £2 0-0 new c.t. fees

will be assumed for completion of this section pt. Yes if land was ct. otherwise No - & no action by this Dept is required.

To Department Lands & Survey
P.O. Box 589
GISBORNE

[Handwritten notes at bottom of page]

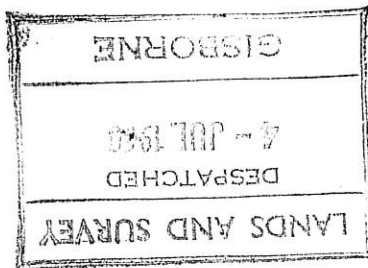
KH:KEN

L.A. 222

4/4

KEN

3/814



589,

GISBORNE

4 July 1960

The Director-General of Lands,
WELLINGTON.

ALLOTMENT 276 WAIOTAHU PARISH

Your memorandum dated 19.5.59.

Application to the Maori Land Court in terms of s.437 of the Maori Affairs Act 1953 to determine the persons beneficially entitled to the above land was duly made on 24.6.59. The Court considered the application on 17.11.59 and I enclose a copy of the Court Minutes for your records. The appropriate order has now issued and has been lodged with the District Land Registrar.

Commissioner ~~of~~ Crown Lands.

Encl.

A handwritten signature in dark ink, appearing to be "J. H. [unclear]". Below the signature is a circular stamp, partially obscured by the ink, which likely contains the name of the Commissioner of Crown Lands.

ALTERATION TO BE NOTED

FILE: $\frac{3}{8147}$

452

Licence No. _____ C.T. _____
Licensee: _____

Description of Land: *Allot 276, Waiotaki Parish situated in Block XI, Wakatane SP.*
Area: *25-0-00*

Rating Authorities: *Orotiki County*

Full Details of Alteration	Reason and Authority for Alteration
<p><i>No Crown Grant having issued the above land was treated as Crown Land.</i></p> <p><i>The Maori Land Court has now made an order under Sec. 437 of the Maori Affairs Act 1953 vesting the land in a Maori owner.</i></p>	<p><i>[Signature]</i></p>

Prepared by: *[Signature]* Checked by: _____
Date: *23.6.60.* Date: _____

Details of Action

[Signature]