

NEW ZEALAND POST OFFICE TELEGR.

C.

Code:

Handed in (Time):

Office of Origin and Instructions.

James Angus

Judge Eager

Apokai



Time finished:

Operator's initials:

Ackgd. by

Checked by

Time delivered: m.

Words: 111

I have posted minute book number fifteen to you - I am sure it is not with the magistrate court Apokai. I must have been returned to the register kindly return minute book to me when done with

J. M. Roberts *Sm*

No. 211A.]

HIWARAU

Bay of Plenty District.
(Opotiki)
239-30, 2/49.

Merihi Maoriri & ors.

Partition Order
22/3/04.

H. F. Edger-Judge
H. Erueti-Assr.

Lamanga 14/2/06
27

ROTORUA 3 2 09
64

269 30

Opotiki

2/49

March 23th 1904

278

Kia te.

Rehita

O te Kooti. Whenua Maori

Kai Karana.

E hoa he tono atu tena ~~mau~~

namatau kia hoi. Kia Whakarua.

Iuarua tia. ahiwarau poraka

ote mea. irunga ite whakatau

atenei Kooti wawahi kua whaka-

taua. atenei kua hee Katoa

kua matau mahinga kua. me nga taiepa

hoki. me hemea i haere te whakatau

o te Kooti irunga ita matau. i kua hiaxi.

Kua kore he raruraru kua mana-

mai ia koe. tenei tono amatau

Address of Appellants
Ghiaira

Merihi ^{her} X Haoriri
^{mark}

Mu te Kura ^{his} X
^{mark}

Hoeroa Horokai ^{his} X
^{mark} Teopira mataitahi

Rimahi te Pahau
Sivini ahuea

Witness to signatures
of Merihi Haoriri, Mu te Kura
Hoeroa Horokai, Teopira mataitahi
and Rimahi te Pahau

A. F. Puckey

Clerk. H. L. Burt.

Opotiki

23/3/04

Hiwarau

appeal ne 9

269

Appellant: Merihū Haoriri Opotiki

23rd March 1904

To the Registrar
of the Native Land Court
Auckland

Friend/

We hereby apply for a rehearing
in respect of the Hiwarau Block because in
consequence of the decision of the Partition
Court all our cultivations and fences are
all wrong. If the Court's decision coincided
with our wish, there would have been
no trouble. Kindly grant this our appli-
cation.

Address of Appellants
Ohiwa

(App) Merihū^{her} X Haoriri
mark

" Mui te Hura^{his} X
mark

" Haeroa Horokai^{his} X
mark

" Tiofua Matatohi

" Rimaha te Pahau

Witness to signatures
of Merihū Haoriri
Mui te Hura, Haeroa
Horokai, Tiofua
Matatohi and Rimaha
te Pahau

" Te Wini Akuhata

A. F. Puckey

Clerk N. L. Court

Opotiki

23/3/04

THE NATIVE LAND COURT ACT, 1894."

IN THE NATIVE APPELLATE COURT
OF NEW ZEALAND.

WHEREAS *Merihi Haoriri and others*
have ~~has~~ lodged notice of appeal from a decision of the Native Land
Court in the matter of *The partition of the*
Hiwarau block,

which decision was given at *Opotiki* on the
22nd day of *March*, 1904 I hereby,

under section 85 of "The Native Land Court Act, 1894," order

that the sum of *Fifteen pounds (£15)* be deposited

by the appellants with the Registrar of the Court for the

Auckland District as security for the

costs of such appeal, on or before the *31st* day of

July, 1904

As witness my hand, this *5th* day of *May*

1904

[Signature]

Chief Judge.

TIROHIA A TUA.

*£12 10s 0d
L5 q/c
1.8.1904
£3 10s 0d
L5 q/c
2.1905*

HIWARAU.

THE Chief Judge.

The statements in this appeal are absolute falsehoods. The Court took especial care that each party obtained its kaingas. I sent my Assessor (Honi Brueti) to see the land. He made a thorough inspection, and brought back full information as to position of houses, kaingas, and cultivations. There were two parties, and the Court made two orders, awarding, roughly speaking, the centre of the block to the appellants, and the two ends to the other side. The other side were satisfied, although the appellants obtained, on the whole, the larger share of the good land.

Recognising, as I have done for some time past, that it is important to avoid the sending in of appeals, if possible, the Court did not at once give a decision fixing the partition, but informed the parties what in its opinion would be fair to both sides, and stating at the same time that it would consider any suggested alterations of the boundary lines, if the parties could agree. They talked it over for a day or two: but were unable to suggest a line that would be more suitable. The obstructor all through was Rimaha te Pahu, whose wife is an ~~own~~ owner, though he himself is not. I have good reason to think that Rimaha is the only one of the party of the appellants who is really dissatisfied. Mu te Hura is the chief owner, and the principal resident on the land. He has obtained the whole of his houses and cultivations, and the very best part of the block.

Rimaha did make certain suggestions for the alteration of the boundary line: but what he wanted was so unreasonable that it could not be entertained. As it would have ^{been} utterly unjust to the other side.

I feel strongly with respect to the existing procedure regarding the sending in of appeals: and as this is a very glaring instance of injustice to respondents, I take the opportunity of drawing your especial attention to the matter.

It is within the power of any single obstructor to keep things unsettled, and prevent other owners from making proper arrangements for the fencing or cultivation of their lands, by the mere sending in of a bogus appeal, which he perhaps has no real intention of prosecuting. And he can do this without paying any deposit (as a guarantee of good faith). He gets a notice to pay a deposit: but this is usually ignored. It is a great injustice to the other owners, and especially to those who really wish to make use of their land and cultivate it.

This heaping up of appeals is really becoming almost a scandal in the Court, and to some extent it destroys the independence of the Court itself, and places it in the hands of the Natives. Because the Court must feel that its real business is to get disputes settled: and if its proceedings lead only to the heaping up of appeals, it appears to be open to the charge of failure.

It does seem to me that matters will not be satisfactory, until (1) the actual payment of deposits is insisted upon, and (2) the Registrar makes a regular practice of at once applying for the dismissal of all appeals on which deposits are not paid within the time fixed.

Lokann.

16-4-04.

A. F. L. dper

Suggest £20 deposit in this case.

£15. Payable by 31 July 1904

5-5-04

Ohiva hurae 27 1904

Aia hea paraone rene. Toti akarana
katukua atu te mori 212 -- pauna
etori pauna kaimuri 3
heoi ano mu te hura
te haurua hore kai
rimaka te pahau

£ 12 re 3/4
1. 8. 1904

£ 12 ledger to
2 5/4
1. 8. 1904

369

BP

Appeal



Whanganui

Pepuere 6

1/905

Kai Rehitā
Heemi, wī paraone
kei Auckland
E hoa he tōno atu tēna kia
Kia koe kia whakamarama
tia mai e koe tē wa etu ai
tē kooti mo hiwarau poraka
Kia marama ai mātau

Heoi ano

merihi Haoriri
Ripene Haoriri
Mu tehua
Hoeroa Horokai
Rimaha Tepahan

L

John and Mary White
 111 N. 1st St. St. Louis, Mo.

Merihī Haoriri mā,
Ohīwa, Bay of Plenty.

E loa mā,

Tena koutou. Mo tā koutou rēta tōno o te 23 o nga rā o
nga rā o te marama o Māhe kua pahureake nei, kia whakavakia
tuaruābia te whakataunga wehewehe a te Kōoti Whenua Māori, mo
Hiwarau Poraka.

Na, e loa mā, tenei ka tukua atu nei e ahau te tuarua o n
nga ota a te Tumuaki Kai-whakawa, whakaritenga i nga moni Tekau
mā rima pauna (£15) hai utunga mā koutou, hai puna mo nga moni
e pau a te whakawa tuaruatanga i taua tōno.

A, me tae mai aua moni ki ahau i mua mai o te 31 o nga rā
o Hurae, 1904, i taua rā tonu ranei.

Heoi ano,

Na tō koutou hoa,

Kai-Rehita.

NEW ZEALAND POST OFFICE TELEGRAPHS.

A. Code:..... Handed in (Time):..... No. of Message:.....

Office of Origin: Whakatane	Words.	Sent at.....m.	Office Stamp.
Instructions: O.P.S.O.		To.....	
A. G. Seth. Smith		By.....	
		Ackgt. recd. by.....	

CHARGES

For twelve words (including address and signature) ... 6d.
For every additional word ... 1d.

"Urgents" double above rates.

On Sundays double rates will be charged for "ordinary" and four rates for "urgent" telegrams, except for telegrams between the principal offices of which a list may be seen at any telegraph-office. At such principal offices no extra charge is made.

This Telegram is presented for transmission by the undersigned, subject to the authorised conditions.

Notice to Sender.

PLEASE AFFIX STAMPS IN THIS SPACE

26.4.1906

Checked by

TO

Hemi Kuri

Ohiwa

**Ka whakawakia te piira a Merihi Haoriri
ma ma Hivaraa paraka ki Whakatane a te
mane te 30 e nga ra o Aperira.**

A. G. Seth. Smith

Tiati Tumuaki

**Similar telegrams to Hemi mokomoko, Mahanga mokomoko,
and Paapu Kiipa, of Opotiki, also Rimaha te Pahau, of Ohiwa.**

Notes.—When it is not intended or desired that the sender's signature should be telegraphed it must be written on the back of the message.
No. 171.]

[5,000,000/1/1901-917

To ensure accuracy, cipher or preconcerted code messages should always be repeated.
Repetition fee, one-half rate extra.

All numbers should be written in words in full, and not in figures.