

COMPLETED

MLC-0651-24

550

POTTS & HODGSON
BARRISTERS & SOLICITORS

JAMES JOMAS HODGSON
NORMAN FRANCIS SMITH, LL.B.

P.O. BOX 18
TELEPHONES 375 & 497

IF CALLING OR TELEPHONING WITH REFERENCE TO THIS LETTER PLEASE ASK FOR
Mr Smith

24 JUL 1972 21st July 1972

CLERK
ROTORUA

KING STREET.
OPOTIKI,
NEW ZEALAND

The Registrar,
Maori Land Court,
Private Bag,
ROTORUA

Dear Sir,

We acknowledge receipt of your letter of the 19th July and note your comments concerning the release from Part XXIV. We have a search of Certificate of Title 2D/784 in respect of allotment 474 Parish of Waiohaki, which on the face of it appears to be European land. This Title is in the name of Wiremu Haunui of Ohiwa. If the land is European, it would be appreciated if you would arrange registration of the various succession orders, as it is desired to effect a transfer of the interests of Elizabeth Ropatini to the abovenamed. If the land is not European, then we presume that we can merely lodge an application under Section 213 of the Maori Affairs Act 1953.

It would be appreciated if you would advise us the whereabouts of Certificate of Title 2C/1187 as it will be necessary for us to register a Transfer in respect of the interests of Elizabeth Ropatini in that Block.

Yours faithfully,
POTTS & HODGSON

Per: 

Waratahi comes to me please DR
NFS:RE



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COMPLETED

27 July 1972

Messrs Potts & Hodgson,
Barristers & Solicitors,
P.O. Box 18,
OPOTIKI.

Attention: Mr Smith

Dear Sirs,

ALLOTMENT 474 - PARISH OF WAIOTAHU

In reply to your letter of 21 July, I will transmit the succession orders for registration as requested. I am not certain about the status of the land and I have therefore written to the District Land Registrar to ascertain whether he considers that this is European land.

Referring to the last paragraph of your letter I am enquiring as to the whereabouts of Certificate of Title 2C/1187.

Yours faithfully,

H
(H. P. Martin)
Deputy Registrar

ms melgareni

Please see f 547 & proceed accordingly

Actioned 1558

28/7/72

BBK.G

28/7/72

554

Waiotahi C.C.


HPM:ZA

27 July 1972

Assistant Land Registrar,
Land & Deeds Office,
Private Bag,
GISBORNE.

ALLOTMENT 474 PARISH OF WAIOTAHU
C.T. 2D/784

Could you please say whether you regard
this as being European land or Maori freehold
land?


(H. P. Martin)
Deputy Registrar

Address all correspondence to:
THE DEPUTY LAND REGISTRAR,
PRIVATE BAG.



DEPARTMENT OF JUSTICE
7 AUG 1972

Telephone 4810

562
L. & D. 20
In reply, please quote :
LAND AND DEEDS OFFICE
GISBORNE,
3 August 1972.

The Deputy Registrar,
Maori Land Court,
Private Bag,
ROTORUA.

MLC-0651-24
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ALLOTMENT 474 PARISH OF WAIOTAHU - C.T. 2D/784.

With reference to your memorandum dated 27 July 1972: I wish to advise that I regard the above-mentioned land as European land owned by a Maori.

I have come to this conclusion by this process of reasoning:-

The land was originally Crown granted to Wiremu Kotu and Another on 22 April 1892 as tenants in common under the Land Transfer Act 1887. At that stage I regard the land as Maori freehold land. Subsequently the registered proprietors transferred the land to Robert Black of Ohiwa, Settler, which was registered on 25.9.1907. This was followed by Transfer 50517 to J.H. Black of Ohiwa, Farmer. Following this the land was transferred to Maoris in 1913. The present registered proprietor acquired his interest by Transmission 21034.

It is clear from the definition of "European" land and "Native freehold" land under the Native Land Act 1909 that this land was "European" land owned by a Maori. By virtue of paragraph (a) the status of that land would remain unchanged. Although the 1909 Act came into force on 24 December, 1909, the transfer to the first European was in 1907. It would appear that the alienation as defined under that Act would have altered the status of the land.

Wairua come to

me, please

(N.N.Nawalowalo)

Assistant Land Registrar.

per: *M. Williams*

563

Waiotahi C.C.


HPM:ZA

9 August 1972

Assistant Land Registrar,
Land & Deeds Office,
Private Bag,
GISBORNE.

ALLOTMENT 474 PARISH OF WAIOTAHU
C.T. 2D/784

Thank you for your memorandum of 3 August.
I agree with your conclusions that the land
is European land owned by Maoris.


(H. P. Martin)
Deputy Registrar

9 August 1972

Messrs Potts & Hodgson,
Barristers & Solicitors,
P.O. Box 18,
OPOTIKI.


Attention: Mr Smith

Dear Sirs,

ALLOTMENT 474 PARISH OF WAIOTAHU - C.T. 2D/784

Further to my letter of 27 July, the Assistant Land Registrar regards this as being European land owned by Maoris and I agree with his conclusions.

Yours faithfully,



 (H. P. Martin)
 Deputy Registrar

Mr Reeman

Transfer to appropriate bundles

9/17/72