

connection with whole of Tauhara Block. It covered other blocks in the Tauhara Middle. Crown contemplated buying 92,000 acres, balance of Tauhara Middle, but succeeded only as to a part, roughly 12,000 acres. Correspondence *re* reserves produced and shown in appendix, shows view which Government through its officers took regarding reserves under occupation by the Maoris and gave them back. Under fourth section of Government Native Land Purchases Amendment 1878, Court could give whole of purchased land to Crown including reserves but onus thereon Crown to *re* grant. Court could have given only area less reserves under Section 4. Crown didn't recognize any claim by Maoris to Wharewaka as in the other two cases. Nothing in titles to show any particular reason. But see what Sheridan said and actions of officers there at the time. Value then small and of little value to Crown. After deed signed C. O. Davies who interpreted deeds only wanted to give 5 acres at Waipahihi for fishing—dated 6/9/75. Deed 10/8/75. From Waipahihi to Wharewaka, about 2 miles, and from Waitahanui about 4 miles. The Crown cut up portion of Tauhara Middle—Sec. 55/6 near to Wharewaka—as act of ownership. One of sections included Wharewaka and advertised. No. 36 Block 6. Subdivisional scheme took in whole of Wharewaka—about 20 years ago. (To let me have particulars.) See p. 219. (Maoris say they did not know of it.) Latest valuation about £5 acre in 1931.

					A.	R.	P.
Area of chain reserve is approximately	..	..	..	..	3	2	22
Left of Wharewaka	..	..	..	..	2	2	38
					6	1	20

See Plan 4214. Greatest width at west end left about 3 chains. I think Crown has discharged the onus on it under the deed and arrangement at that date. Survey made April, 1878. Fourth section 78 came into force 2nd November, 1878. Might have influenced shape of land—if to be returned.

(NOTE.—Maoris present—say Ngamotu Wiremu, brother of Maniapoto (a grantee) showed the boundaries to Captain A. C. Turner.)

Mr. Darby.] Crown wishes in any event to retain land and if necessary to pay compensation. (Maoris say they don't want compensation but the land.)

Mr. Darby.] Crown is prepared to proclaim whole area. 6 acs. 1 rd. 20 pchs. a public landing reserve.

(Maoris—No but agree to proclamation as landing reserve (as in deed) for Maoris.)

Court.] Can Crown suggest why a public landing reserve required at Wharewaka in 1875.

Mr. Darby.] A military settlement at Taupo then and may have wanted to cross lake.

Court.] But there was whole of Tauhara Middle to land on. No roads there.

Maoris.] No boats.

Mr. Darby.] Action of Crown, if taken now, to proclaim a public landing reserve would not hurt Maoris over fishing.

Court.] But public could camp there.

Mr. Darby.] I submit any basis of consideration shows that Maoris would depend on Crown for access. That would affect value if compensation ordered.

Court.] Report will be prepared as directed by Native Purposes Act, 1936.

NOTE A.—Regarding question of payment of surveys, see file N.L.P. 1905/80—

- (1) Memo. by Mr. Gill dated 10th November, 1875, shows that of total purchase money in Deed, viz £1,150, the parties received only £231. Balance made up of:—

	£
	736 original money.
11,594 acres.	80 recent surveys (£1,875).
	100 to Mr. C. O. Davies for arranging business between Grantee and Mr. Mitchell.
	3 Court fees.
	21 held over (may have gone to Natives).
	940
	210 to grantees.
	<u>£1,150</u>

£231 to natives = 5d. per acre.

£916 to hands of Government purchase agents, shown by memo.

Matter that might bring serious charges against Native Office.

- (2) Also Mr. Davies memo. showing these figures.

NOTE B.—See page 216.

Mr. Darby wrote as per attached letter regarding the proposed sale by the Crown in 1911.