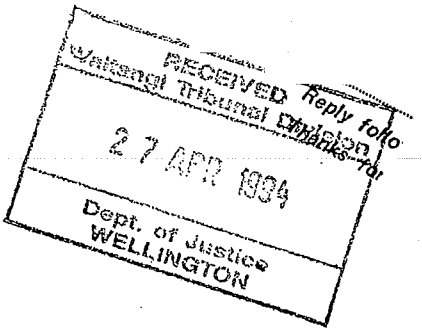
OFFICIAL

Wai 898, #1.1.15
Wai 457, # 1.1



The Registrar
Waitangi Tribunal
Tribunal's Division
Justice Department
P. O. Box 5022
Postal Centre
WELLINGTON

Dear Sir,

I, Meihana Uenuku Tuwhatu Tuhoro II of 55 Swaffield Road Papatoetoe being currently retired and of the Maniapoto Tribe (Upakura and Urunumia Hapu)

FOR myself and my family being direct descendants of Meihana Tuwhainoa Tuhoro I (my father) and Parekaihine (Tuake) Tuhoro (my aunt).

CLAIM to be prejudicially affected or likely to be prejudicially affected by an act undertaken by the Crown to initially confiscate, then latterly pay a token amount for (ie. pay compensation under Section 91 of the Public Works Act , 1908), land originally owned by my father. This land (Hauturu East No. 3B2 - 600 acres, Hauturu East 3A - 6000 acres) was acquired by the Crown under the Public Works Act 1908 to supposedly be used for "scenic purposes" by an Order in Council (dated 17 December 1908). However after a period of time it was not used in this manner and we understand may have been later subdivided and sold to private interests as freehold land.

AT the time the land was taken, my father and aunt who were not fluent in the English spoken or written language, were not in a position to dispute any claims against their land and may have been mislead by local interpreters at the time the transaction was made (/formalised by the courts of the day).

IT is understood they were also not fully informed of the extent of the seizure and remained in a state of confusion over the whole affair. We understand the courts of the day did try but may not have been fully geared towards ensuring the landowner fully comprehended the extent and purpose of the proceedings due to the volume of activities in land dealings occurring during this time. This is painfully evident with a large number of landowners at the time being unable to speak, read or write in English therefore having to have the information interpreted by a third party who, in themselves may not have been fully conversant with legal proceedings, and were possibly unaware of any right to challenge these actions via another avenue. It should also be noted that any signatures written by my father and aunt were drafted by another's hand then latterly "marked" with an "X". We understand this practice of signing with a cross (ie. "X") was a common occurrence during this time.

AND CLAIM those matters to be inconsistent with the principles of the Treaty of Waitangi.

THE TRIBUNAL is asked to recommend that:

1. that the said land in question (Hauturu East No 3B2 and Hauturu East 3A) be returned to my family and I, or;
2. an appropriate monetary consideration be approved or any other form of compensation that the Tribunal may deem appropriate for compensation purposes due to the spiritual and financial loss suffered by my father and aunt in losing his land (ie. part of his identity) to the Crown.

THE TRIBUNAL is asked to commission a researcher to report on this claim before any hearing.

THE TRIBUNAL is asked to appoint a lawyer to assist me in conducting this investigation and we request legal aid be granted in this instance.

THE TRIBUNAL is asked to hear the claim at Auckland where I now reside in an effort to reduce my travel and accommodation costs.

PERSONS affected by this claim and who should have notice of it are:

- the existing owner(s) of the said land;
- owners of any neighbouring properties;
- local territorial authorities (Eg. borough/county councils);
- any Government departments that may have a vested interest in the land (Eg. Dept of Conservation, Dept of Survey and Land Information etc);

and any others that are currently unknown to me at this time.

DATE: 19 April 1994

SIGNATURE:

M Tuhoro