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Wai 143

Ngati Tama Ancillary Claims

by Dr Giselle Byrnes, November 1995



**A Report Commissioned by the Waitangi Tribunal
for the Taranaki claim (Wai 143)
concerning
Section 94, Pukearuhe Town Belt**

by Dr Giselle M. Byrnes

**Any conclusions drawn or opinions expressed
are those of the author**

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1. Introduction

This report will investigate the alienation of Section 94, Pukearuhe Town Belt (Maraerotuhia) and the means by which this was effected.

This report has been researched and written by Dr Giselle Byrnes, a historian commissioned by the Waitangi Tribunal in March 1995 to investigate this and other Ngati Tama ancillary, or discrete claims in Taranaki.¹ I have a Doctor of Philosophy in History from the University of Auckland, and prior to my appointment at the Waitangi Tribunal Division I was employed as a Tutor and Lecturer in New Zealand history at the University of Auckland.

2. The Claim

Ngati Tama claim that the land referred to as Maraerotuhia is part of their traditional estate and should be returned to them.

3. The Location

Maraerotuhia is defined as Section 94, Mimi Survey District, and is located on Pukearuhe Road towards Parininihi (White Cliffs). It contains 1 acre and is bounded by Clifton, Stirling and Fookes Streets.²

4. Block History

Up until the 1880s Ngati Tama lived in and around Maraerotuhia, a traditional settlement for resident Maori.³ The original Maraerotuhia meeting house was built on the banks of the Mohakatino River by the people of the Tokomaru canoe, and the mauri of Rotuhia had been removed from Mohakatino to Pukearuhe some time in the early 1800s. A house of this name was later built at Pukearuhe in memory of the original Maraerotuhia, also known as Maraerotuhia.⁴ This house was low-sided and constructed of pongas and raupo. A separate cooking house was located nearby and a long building used as a sleeping house. This meeting house was located on a side road off Pukearuhe Road.⁵ In their submission presented before the Waitangi Tribunal, the Ngati Tama claimants cite the whakatauki

¹ See Appendix 1 (A1) for a copy of this commission.

² See Figure 8(a).

³ For a fuller account of the history of Maori occupation of the area, see the *Pukearuhe Historic Reserve Report*.

⁴ F19, Wai 143, p. 36.

⁵ According to the Ngati Tama claimants, the house was burnt down around 1939. F19, Wai 143, p. 36.

*E iri e te hoa i runga o Tokomaru
Te waka o Whata na Rakeiora na Tamaariki
i hoe mai ki uta
huaina to whāre ko Maraerotuhia
i tu ki Mohakatino*

*Recline o friend on Tokomaru
The canoe of Whata by Rakeiora and Tamaariki
It was paddled to land
The house was named Maraerotuhia
It stood by the Mohakatino⁶*

When the West Coast Commissioners granted land to Maori in 1880, the resident Maori were living in and around Maraerotuhia.⁷ The Maori settlement at Maraerotuhia accommodated a large number of people. Messenger recounts a hui held there [circa 1880s] where huge quantities of food were prepared, much of it taken from the local cultivations. 'On the Open Ground in front of the whares and the Big Meeting House', wrote Messenger,

a number of trestles supporting long poles were hung, ready for cooking, literally hundreds of pigeons, kaka, tui, and blue-wattled crows; and from others, suspended by flat thongs, were bundles of snapper, kahawai, shark, and stingray. Even as we gazed at this great pile of provisions, more supplies were being brought in from forest and seashore, while potatoes, kumara, and mussels were being dumped beside them in great heaps'.⁸

Messenger also recorded 'gathering peaches from trees which had been planted by the Maoris some years before'.⁹

Section 94 was initially granted to Pirihiira Kokoti as a Crown Grant from the Compensation Court in 1866. Pirihiira Kokoti was a niece of Paiura Te Rangikatu.¹⁰ On 7 October 1884 the grant to Pirihiira Kokoti was confirmed under the West Coast Settlement (North Island) Act 1880.¹¹ In 1887 the Native Land Court ordered that Te

⁶ F19, Wai 143, p. 10.

⁷ Ibid., p. 29.

⁸ H. Messenger, *Children of the Forest*, p. 50, cited in F19, Wai 143, p. 29.

⁹ H. Messenger, *Children of the Forest*, p. 17, cited in F19, Wai 143, p. 30.

¹⁰ As noted by the West Coast Commission, 'Proceedings and Evidence', *AJHR*, 1880, p. 28. I have been unable to identify if this vesting in an individual group affected group occupation.

¹¹ Vol. G14/178. No. 16763, Deeds Index 7/931, Department of Survey and Land Information, New Plymouth.

Waretkohati succeed Pirihiira Kokoti in the title to Section 94, Pukearuhe Town.¹²

On 31 December 1909 a Mr Arthur Robert Davis, farmer of Pukearuhe, purchased Section 94, together with the adjoining sections, from the occupiers George Thomas Bayly, grazier of Auckland, and Fred Bayly, farmer of New Plymouth.¹³ According to Davis, he and the previous occupants had been in 'undisputed and undisturbed possession and occupation' of Section 94 since 1889.¹⁴ In the Closed Application File C2644, Mr Davis stated that 'Pirikera [sic] Kokoti, the original grantee of Section 94, died many years previously and that during his lifetime he never took possession of the section'.¹⁵ According to Mr Davis, soon after he purchased Section 94 from Messrs. G. and F. Bayly in 1909, he

gave permission to Jack Patu to build a small whare thereon and reside therein, which he did until the date of his death in 1915 or thereabouts. The whare was never occupied after his death and shortly afterwards was destroyed by fire.¹⁶

The crucial points for the purposes of this investigation involve the events of 1889, when the land passed out of Maori ownership, and 1909, when the land was transferred to another Pakeha. There exists no documentary evidence of how the Bayleys came to be in occupation of the land in 1889.¹⁷ In the absence of a legal transaction, it would appear that the first Pakeha 'owners', the Bayleys, simply occupied the property without legal jurisdiction in 1889. Nor does there exist any information which may indicate their right they had to subsequently sell the land to Mr Davis in 1909. From the documents that have been made available for the purposes of this research, it must therefore be concluded that they had no legal right at all.

In 1911 Section 94 was surveyed for Mr Davis by the surveyor C. F. Dowsett.¹⁸ It is significant to note that on the surveyed plan of Section 94, made in 1911, Mr Dowsett shows native huts situated in the south-west corner of the Section by Fookes Street.¹⁹ In 1919 Mr Davis sold the adjoining land to the Crown and leased Section 94 to Claude

¹² Minutes of Native Land Court, 1887, cited in F19, Wai 143, p. 64.

¹³ Deed of conveyance No. 34745; No. 34745 and No. 34746, Deeds Index 7/931, CT130/232, CT140/16, CT140/15, CT248/65, Department of Survey and Land Information, New Plymouth.

¹⁴ See Doc #1.

¹⁵ See Doc #1.

¹⁶ See Doc #1. See also F19, Wai 143, p. 62.

¹⁷ I have only had access to selected documents in the Closed Application File C2644 held at the Land Titles Office in New Plymouth.

¹⁸ DP2938, Department of Survey and Land Information, New Plymouth.

¹⁹ 'Plan of Pukearuhe Township', DP2938, Department of Survey and Land Information, New Plymouth.

Lambert of Pukearuhe.²⁰

On 9 September 1930 Mr Davis requested that a Land Transfer Title to Section 94 be issued in his name under the Land Transfer Act 1915.²¹ On 30 September 1930 Section 94 was brought under the Land Transfer (Compulsory Registration of Titles) Act 1924.²² In 1936 Section 94 was surveyed and subdivided by the surveyor H. G. Holcombe.²³ On 10 July 1936, Lot 1, an area of two roods was subdivided from Section 94 for Alfred Leonard Herbert, farmer of Pukearuhe.²⁴ On 10 July 1936 a further two roods of Section 94 were subdivided out for Claude Raymond Lambert, farmer of Pukearuhe.²⁵ On 4 September 1941 that part of Fookes Street passing through Lot 1 of Section 94 (DP 5591, DP 2938) was declared closed under section 12 of the Land Act 1924.²⁶ Mr Lambert transferred title to this part of Section 94 to Lawrence Alfred Ellis, farmer of Pukearuhe, on 12 April 1954.²⁷ On 16 November 1955 a Proclamation declared that portion of Clifton Street, containing 12 perches fronting part of Section 94 to be closed.²⁸

5. Current Status

On 18 March 1960 title to Lot 1 of Section 94, containing two roods, was transferred to John Henry Lester Garlick, farmer of Pukearuhe.²⁹ Title was transferred to Catherine Beulah Ellis on 18 July 1967.³⁰ On 14 August 1972 Lot 1 was transferred to John William Yandle, farmer of Pukearuhe.³¹ On 29 August 1980 Lot 1 was transferred to Robert

²⁰ In 1930 it was occupied by Claude Lambert of Pukearuhe. See Doc #1.

²¹ See Doc #1, Closed Application File C2644, Land Titles Office, New Plymouth. Due to the confidential nature of this file (C2644) I have only had access to the documents appended. A more detailed investigation into this section would require access to the entire contents of the file. Permission may have to be obtained through the Registrar General of Lands. See Doc #7.

²² CT130/232, Department of Survey and Land Information, New Plymouth.

²³ CT140/15, CT140/16, DP5591, 'Plan of Part Section 94' DP2938, Department of Survey and Land Information, New Plymouth. See Figure 14(a).

²⁴ DP5591, CT140/15, Department of Survey and Land Information, New Plymouth.

²⁵ DP2938, CT140/16, Department of Survey and Land Information, New Plymouth.

²⁶ *New Zealand Gazette*, Vol. 2, 1941, p. 2685. Proclamation No. 1485, CT140/16, Department of Survey and Land Information, New Plymouth. This confirmed its status as a paper road.

²⁷ CT140/16, Department of Survey and Land Information, New Plymouth.

²⁸ CT140/15, CT140/16, Department of Survey and Land Information, New Plymouth.

²⁹ CT248/65, Department of Survey and Land Information, New Plymouth.

³⁰ CT140/16, Department of Survey and Land Information, New Plymouth.

³¹ CT248/65, Department of Survey and Land Information, New Plymouth.

Geoffrey O'Halloran, welder of Urenui, and his wife Mary O'Halloran.³²

6. Conclusions

The history of Section 94 is a clear example of the less than legitimate manner in which Maori land was alienated from Maori ownership. The evidence that is available suggests that the land was granted to Pirihiira Kokoti in 1884, claimed by virtue of adverse occupation by G. and F. Bayley in 1889 and subsequently 'sold' to Mr Davis in 1909, who later brought the title under the Land Transfer Act 1924 in 1930. Despite still being Maori land, Section 94 was occupied and farmed by the Pakeha occupiers until such time as title to the property was legally confirmed. In his application for title under the Land Transfer Act, Mr Davis stated that there had been no Maori occupation of the site. Survey records, however, indicate that as late as 1911 'native huts' existed on a part of the section. In this way, Section 94 passed out of Maori ownership. In considering the alienation of Section 94, attention needs to be given to the responsibility of the Crown and its obligation as a Treaty partner to protect the rights and interests of Maori.

³² CT248/65, Department of Survey and Land Information, New Plymouth.

Bibliography

Primary Sources

Certificates of Title 130/232, 140/16, 140/15, 248/65, Department of Survey and Land Information, New Plymouth

Closed Application File C2644, Land Titles Office, New Plymouth

Deeds Index 7/931, Department of Survey and Land Information, New Plymouth

Secondary Sources

Unpublished secondary sources

White, Greg, 'Evidence of Ngati Tama presented before the Waitangi Tribunal, October 1991', F19, Wai 143

Published secondary sources

Messenger, H., *Children of the Forest*

Appendices to the Journals of the House of Representatives (AJHR), 1880

New Zealand Gazette, 1931, 1941

Inss

WAI 143

26.10.95

ME

WAITANGI TRIBUNAL

CONCERNING

the Treaty of Waitangi Act 1975

AND

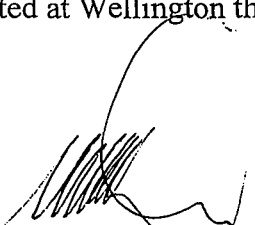
Taranaki claims

EXTENSION TO DIRECTION COMMISSIONING RESEARCH

- 1 Pursuant to clause 5A(1) of the 2nd schedule of the Treaty of Waitangi Act 1975, Dr Giselle Byrnes a member of staff was commissioned in May to prepare a research report for Wai 143 the deadline for which was 31 October 1995.
- 2 An extension to the deadline has been agreed to and the new completion date is 30 November 1995.
- 3 The Registrar is to send copies of this direction to:

Commissionee
 Claimants
 Claimant Counsel
 Solicitor General, Crown Law Office
 Director, Office of Treaty Settlements
 Secretary, Crown Forestry Rental Trust

Dated at Wellington this 26th day of October 1995.


 Chief Judge E T Durie
 Chairperson
 Waitangi Tribunal

IN THE MATTER of The Land Transfer Act 1915.
AND IN THE MATTER of Section 94 Town of
Pukearuhe.

I, ARTHUR ROBERT DAVIS of Pukearuhe in the Dominion of New Zealand Farmer do solemnly and sincerely declare as follows:-

1. That I am the owner and occupier of 1 acre more or less being Section 94 on the Public Map of the Township of Pukearuhe (Block VI Mimi Survey District) the said section being more particularly shewn on Deposited Plan Number 2938.

2. That I purchased the said section on the 12th. December 1909 together with other adjoining sections from the then occupiers George Thomas Bayly of Auckland Grazier and Fred Bayly of New Plymouth Farmer and the said sections were duly conveyed to me by Deed of Conveyance No. 34745.

3. That since the year 1889 I and my predecessors in title and my tenants have been in undisputed and undisturbed possession and occupation of the said section 94 and that the said possession and occupation has at all times been continuous actual open and manifest.

4. That Pirikera Kokoti the original grantee of the said section died many years ago and during his lifetime he never resided on the said section and to the best of my knowledge information and belief he never took possession of same in any manner whatsoever.

5. Shortly after I bought the said section I gave permission to Jack Patu to build a small whare thereon and reside therein, which he did until the date of his death in 1915 or thereabouts. The whare was never occupied after his death and shortly afterwards was destroyed by fire.

Handwritten initials: ARD

6. In 1919 I sold the adjoining land to the Government and it is now occupied by Claude Lambert of Pukearuhe, Farmer.

7. The said Section 94 is at present let by me to the said Claude Lambert for a monthly tenancy at a nominal rental.

8. That no person other than myself this declarant has acquired a title to the said section by adverse occupation or in any other manner howsoever.

9. That in view of the circumstances as above set forth I request that a Land Transfer title to the said section be issued in my name subject only to limitation as to title.

AND I make this solemn declaration conscientiously believing the same to be true and by virtue of "The Justices of The Peace Act 1927".

DECLARED at New Plymouth)
this 9th day of ..)
September 1930) *A. R. Davis*
BEFORE ME:-



A. Hookes

A Solicitor of the Supreme Court of New Zealand.

Handwritten notes and signatures on the right margin.

IN THE MATTER of " The Land Transfer
(Compulsory Registration of Titles)
Act 1924".

AND IN THE MATTER of Certificate of Tit.
Volume 130 Folio 232 (Taranaki
Land Registry).

I, ARTHUR ROBERT DAVIS of Pukearuhe in the Provincial
District of Taranaki and Dominion of New Zealand Farmer
do solemnly and sincerely declare as follows:-

1. THAT I am the registered proprietor of ALL THAT
piece of land containing one acre more or less being
Section 94 on the Public Map of the Township of
Pukearuhe (Block VI Mimi Survey District) the said
Section being more particularly shown on Deposited Plan
2938 AND BEING ALL the land comprised and described in
Certificate of Title Volume 130 Folio 232 (Taranaki
Land Registry).

2. THAT the said piece of land or any part or parts
thereof is not held in possession by any person or
persons adverse to my title thereto.

3. THAT the said piece of land is not subject to
any unregistered lease or agreement to lease or other
unregistered document or any lien or charge imposed
by any statute.

AND I make this solemn declaration conscientiously
believing the same to be true and by virtue of " The
Justices of the Peace Act 1927".

DECLARED at New Plymouth)
this ^{24th} day of)
October 1930...)
BEFORE ME:-)

A R Davis

HR

Allygoher.

A Solicitor of the Supreme Court of New Zealand.



29 November 1995

STAMP REGISTER

OFFICE. NEW ZEALAND.

Reference: Land Transfer (Compulsory Registration of Titles) Act, 1924.
Deeds Index. 7/931
Application No. C.2644



LIMITED.
Register-book,
Vol. 130, folio 232

FLY
14/10/30
SHILLINGS
14/10/30

Vol. 130/232

CERTIFICATE OF TITLE UNDER LAND TRANSFER ACT. LIMITED AS TO TITLE

This Certificate, dated the Thirtieth day of September, one thousand nine hundred and thirty under the hand and seal of the District Land Registrar of the Land Registration District of Taranaki Witnesseth that ARTHUR ROBERT DAVIS of Pukearuru, Farmer

is seized of an estate in fee-simple (subject to such reservations, restrictions, encumbrances, liens, and interests as are notified by memorial under written or endorsed hereon, subject also to any existing right of the Crown to take and lay off roads under the provisions of any Act of the General Assembly of New Zealand) in the land hereinafter described, as the same is delineated by the plan hereon bordered green, be the several admeasurements a little more or less, that is to say: All that parcel of land containing One acre more or less being Section Ninety four (94) on the public map of the Township of Pukearuru more particularly shown on Deposited Plan No. 2938.



Kearney
District Land Registrar.

Township of Pukearuru

Satisfactory evidence as to title having been produced the 21st day of October, 1930 and filed with O. 2644 this title is now limited as to parcels only no longer limited.

Transfers to 2938 Arthur Robert Davis & Claude Raymond Lambert of Pukearuru Farmer produced 21st October 1930 at 2.5c. Phillips a.k.

Transfer to 61195 of Lot 1 D.R. 5591 Claude Raymond Lambert to Alfred Leonard Herbert produced 10th July 1936 at 10.54 0/c. Kearney D.L.R.

Cancelled as to balance and new C/T issued. See Order 16 2212

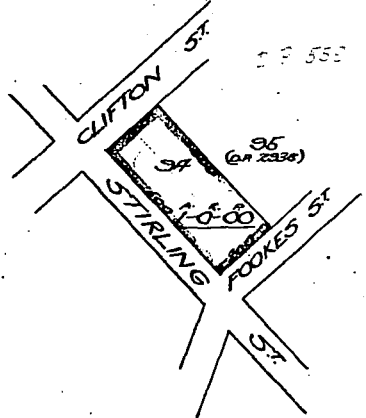
Vol 140 Dec 16.

Kearney D.L.R.



THIS REPRODUCTION (ON A REDUCED SCALE) CERTIFIED TO BE A TRUE COPY OF THE ORIGINAL REGISTER FOR THE PURPOSES OF SECTION 215A LAND TRANSFER ACT 1952.

Kearney D.L.R.



Scale: 3 chains to an inch
D.P. 2938

Vol. 130/232

STAMPED COPY



NEW ZEALAND.



Reference: Vol. 130, Folio 232
Transfer No. 61495.
Application No.
Order for N/C No.

Register-book
Vol. 140, folio 15

CERTIFICATE OF TITLE UNDER LAND TRANSFER ACT.

This Certificate, dated the _____ Tenth _____ day of _____ July _____, one thousand nine hundred and _____ thirty six _____ under the hand and seal of the District Land Registrar of the Land Registration District of _____ Tararaki _____ Witnesseth that _____ ALFRED LEONARD HERBERT of Pukearuru, Farmer _____

is seized of an estate in fee-simple (subject to such reservations, restrictions, encumbrances, liens, and interests as are notified by memorial under written or endorsed hereon, subject also to any existing right of the Crown to take and lay off roads under the provisions of any Act of the General Assembly of New Zealand) in the land hereinafter described; as the same is delineated by the plan hereon bordered green, be the several admeasurements a little more or less, that is to say: All that parcel of land containing Two roods, more or less situated in Block VI (Six) Kilm Survey District being Lot 1 (one) on a plan deposited in the Land Registry Office at New Plymouth as No. 5591 and being part of Section 94 (ninety four) on the public map of the Pukearuru Township.



Harad
District Land Registrar.

TOWNSHIP OF PUKEARUHE

Mortgage No. 68306 - Alfred Leonard Herbert to the President for the time being of the New Plymouth Savings Bank produced 10th. July 1936 at 10.55 o'clock.

Harad
D.L.R.

Increase of principal sum of mortgage 68306 produced 14th June 1937 at 2.31 p.m.

Charge No. 2169 by Newton King Limited, produced 23rd May 1938 at 11 o'clock.

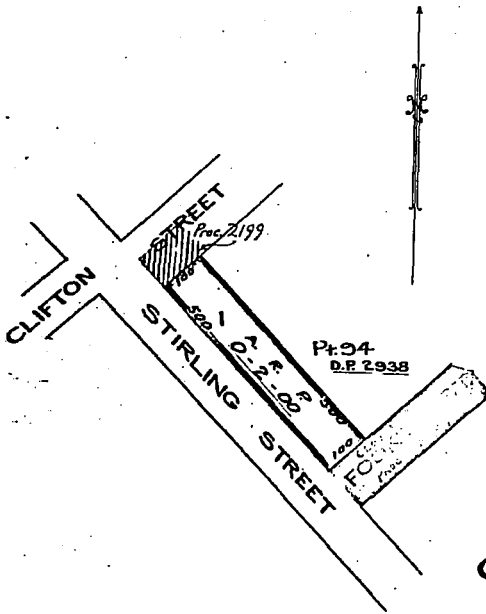
Increase of Principal Sum in mortgage No. 68306 produced 13th October 1939 at 11.20 o'clock (with consent of borrower in hand 2169)

Mortgage No. 72610 Alfred Leonard Herbert to the President for the time being of the New Plymouth Savings Bank produced 27th October 1940 at 11.55 o'clock.

No. 1495 Proclamation proclaiming as closed that portion of Fookes Street to which the above described land has been laid - produced 4th September 1941 at 9.30 o'clock.

OVER

W. J. Gamm
D.L.R.



SCALE 2 CHAINS TO AN INCH.
D.F. 5591.
570 20/1/36.

140/15

140/15

SEARCHED COPY

140/15

Certificate of Title issued for the road
closed by Proclamation No 1485 now
called Section 118 Town of Pukekohe under
Vol. 150 fol 33 J.S. Allan

Mortgage No. 79232 of Fred Leonard
Herbert to the benefit of the New
Plymouth Savings Bank produced
20th October, 1949 at noon
J.S. Allan

Transmission 11986 under and by virtue of the Trustee Savings
Banks Act 1925 Mortgage 79232 has become vested in the New
Plymouth Savings Bank
J.S. Allan

Charge 59300 of Fred Leonard Herbert
to John Henry Lester Garlick of
Pukekohe Farmer produced 16th
July 1953 at 11.15 a.m.
J.S. Allan

DISCHARGED
Mortgage 58486 John Henry Lester
Garlick to The Commercial Bank
of New Zealand produced 16th
July 1953 at 11.25 a.m.
J.S. Allan

Mortgage 91331 John Henry Lester
Garlick to The New Plymouth Savings
Bank produced 16th December 1954
at 12.40 p.m.
J.S. Allan

Proclamation 2199 proclaiming as
closed the portion of Clifton Street
containing 12 perches fronting the above
described land and shown hatched
green on the plan hereon produced
16/11/55 at 2 p.m. J. J. Allan
(P.N. 191645 issued for John Henry)

The portion of Clifton Street closed by Proclamation
2199 is now shown 125 Town of Pukekohe in
new application of 6938 J. J. Allan

Cancelled and Certificate of
Title Volume 215 folio 65 issued
(vide No. 106510)
(Proclamation 2199)
J.S. Allan
23/3/60



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ORIGINAL REGISTER FOR THE PURPOSES OF
SECTION 215A LAND TRANSFER ACT 1952.
D.L.R.

SEARCHED COPY

REGISTER

(Land and Deeds—A.
Form B.

NEW ZEALAND.

Reference: Vol. 130, Folio 232
Transfer No.
Application No.
Order for N/C No. 2212.



Register-book,
Vol. 140, folio 16

CERTIFICATE OF TITLE UNDER LAND TRANSFER ACT.

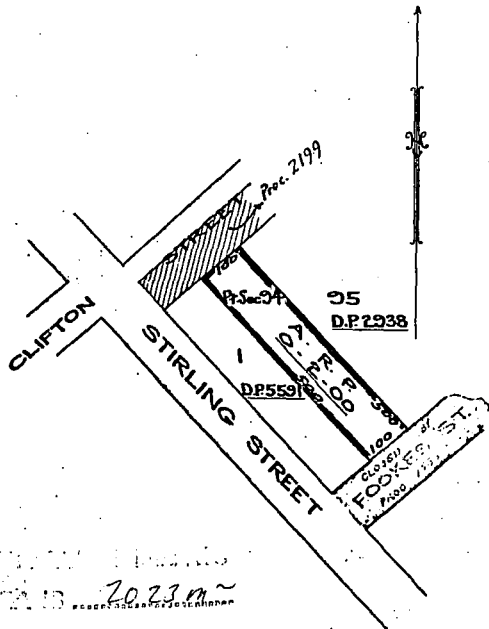
This Certificate, dated the Tenth day of July one thousand nine hundred and thirty six under the hand and seal of the District Land Registrar of the Land Registration District of Taranaki Witnesseth that CLAUDE RAYMOND LAUBERT of Pukearuru, Farmer

is seized of an estate in fee-simple (subject to such reservations, restrictions, encumbrances, liens, and interests as are notified by memorial under written or endorsed hereon, subject also to any existing right of the Crown to take and lay off roads under the provisions of any Act of the General Assembly of New Zealand) in the land hereinafter described, as the same is delineated by the plan hereon bordered green, be the several admeasurements a little more or less, that is to say: All that parcel of land containing Two roods more or less situated in Block VI (six) of the Nimi Survey District being part of the land on a plan deposited in the Land Registry Office at New Plymouth as No. 2938 and being part of Section 94 (ninety four) on the public map of the Pukearuru Township.



Kearney
District Land Registrar.

TOWNSHIP OF PUKEARURU



No. 1485 Proclamation proclaiming as closed that portion of Fookes Street to which the above-described land has frontage—produced 4th September 1941 at 9.30 a.m. *John D.L.R.*

Certificate of Title issued for the roads closed by Proclamation No. 1485 now called Section 118 Town of Pukearuru, vide: Vol 150 Fol 33 *Green*

Transfer 90905 Claude Raymond Lambert to Lawrence Alfred Ellis of Pukearuru farmer produced 12th April, 1954 at 11.53 a.m. *Green*

Mortgage 89910 Lawrence Alfred Ellis to Claude Raymond Lambert produced 12th April 1954 at 11.57 a.m. *Green*

Proclamation 2199 proclaiming as closed the portion of Clifton Street containing 120 perches fronting the above-described land and shown hatched green on the plan hereon produced 16/11/55 at 2 p.m. *J. Allan*

SCALE 2 CHAINS TO AN INCH
D.P. 2938

N. Robinson
27/1/56

140/16

out

SEAL COPY

REGISTER

140/16.

The portion of a certain...
issued by...
20 Tom of...
F. J. Allan

P.R. 19/279 issued 28/11/36 for Section 124.
F. J. Allan A.L.R.
Transmission 139670 of balance to Catherine
Anah Ellis of Pukearua widow as executrix
- entered 23.65 at 11.13 o/c

Variation of Mortgage 89910 - produced
33.65 at 11.14 o/c.
F. J. Allan A.L.R.

Variation of Mortgage 89910 - produced
5-7-67 at 10.45 o/c.
A.L.R.

Transfer 155815 to Catherine Anah Ellis of Pukearua
widow - produced 13.7.67 at 11.32 o/c.
A.L.R.

Variation of Mortgage 89910 - produced
7-8-68 at 11.25 o/c.
A.L.R.

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ORIGINAL REGISTERED FOR THE...
SECTION 215A LAND TRANSFER ACT 1952.

Transmission 200454 of Mortgage
89910 to Ivan Graham Parker and
Robert Alfred Ellis as executors
entered 23.2.1973 at 1.55 o/c
A.L.R.

29 November 1995

SEARCHED COPY

REGISTER
Land and Deeds-4
FORM No. 2

Vol 248

Vol. 140, Folio. 15

Reference: Declaration of Loss
Transfer No. 106510
Order for N/C No.



NEW ZEALAND

REGISTER

Register-book,
Vol. 248, folio 65

248/65

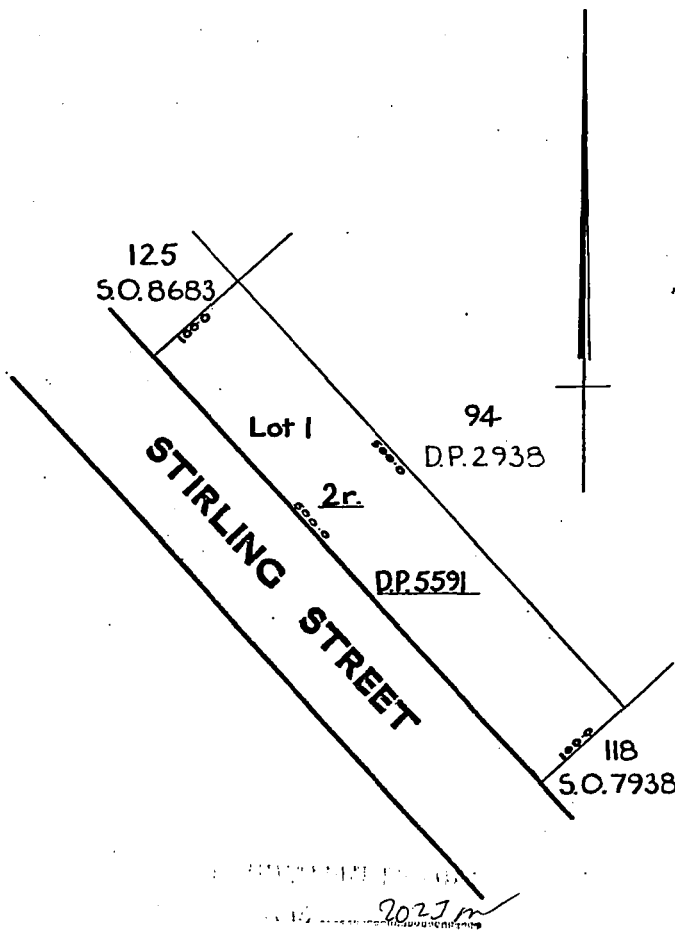
CERTIFICATE OF TITLE UNDER LAND TRANSFER ACT

This Certificate, dated the eighteenth day of March, one thousand nine hundred and sixty under the hand and seal of the District Land Registrar of the Land Registration District of TARANAKI WITNESSETH that JOHN HENRY LESTER GARLICK of Pukearuhe farmer

is seized of an estate in fee-simple (subject to such reservations, restrictions, encumbrances, liens, and interests as are notified by memorial under written or endorsed hereon, subject also to any existing right of the Crown to take and lay off roads under the provisions of any Act of the General Assembly of New Zealand) in the land hereinafter described, as the same is delineated by the plan hereon bordered green, be the several admeasurements, a little more or less, that is to say: All that parcel of land containing 2 roads more or less situate in Block VI Hini Survey District being Lot 1 on Deposited Plan 5591 and being part Section 94 Town of Pukearuhe.



[Signature]
District Land Registrar



Mortgage 91331 John Henry Lester Garlick to New Plymouth Savings Bank - produced 12.5.54 at 12.7 o'c. *[Signature]* D.L.R.

Transfer 195718 to John William Yandle of Urenui farmer - produced 14.8.72 at 2.10 o'c "K.J.GUNN" A.L.R.

Mortgage 195719 to John Henry Lester Garlick - produced 14.8.72 at 2.11 o'c "K.J.GUNN" A.L.R.

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Transfer 270384.1 to Robert Geoffrey O'Halloran of Urenui Welder and Mary O'Halloran his wife - 29.8.1980 at 12.30 o'c *[Signature]* A.L.R.

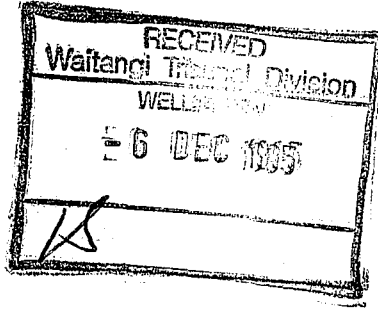
Mortgage 270384.2 to Taranaki Savings Bank - 29.8.1980 at 12.30 o'c *[Signature]* A.L.R.

Mortgage 399179.2 to TSB Bank Limited - 11.3.1993 at 10.56 o'c *[Signature]* A.L.R..

Scale: 1 chain to an inch.

248/65

LAND TITLES OFFICE



Taranaki Land Titles Office
Atkinson Building
Devon Street West
Private Bag 2027
DX NP 90062
New Plymouth
Phone 0-6-758 2532
Fax 0-6-758 1673

5 December 1995

The Registrar
Department of Courts
Waitangi Tribunal Division
DX SP20085
WELLINGTON CENTRAL

Attention : Dr Giselle M. Byrnes

SECTION 94 PUKEARUHE MIMI SURVEY DISTRICT

I acknowledge receipt of your letter dated 29th November 1995 addressed to Dave Chapman, District Land Registrar. Mr Chapman has asked me to reply as he will be out of the office for the next few days.

... I have had a look at the contents of Application C2644. I enclose a copy of a Statutory Declaration made by Arthur Robert Davis on 9th September 1930 which may be relevant to your enquiries.

... Also enclosed is a copy of another Statutory Declaration by Arthur Robert Davis made on 18th October 1930. This Statutory Declaration had the effect of removing the limitation as to title in respect of the land comprised in C.T. 130/232. Enclosed is a copy of C.T. 130/232 as it was then issued on 30th September 1930. Subsequent to this the title has been further subdivided and cancelled.

I hope that the above information will be of some assistance to you.

G D O'Byrne
Senior Assistant Land Registrar

encls