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Crown Forestry Rental Trust

Translation of MSS AUCK 1339-I vii & AUCK 1339-I

MSS AUCK 1339-I

[p.1 separate page]

Ohinemutu
November 26, 1880

To Te Penetana [Fenton]

Friend, we, Tuhourangi agree to your and Ngati Whakae's undertaking for a town to be established at Rotorua. Let it first be put to the Land Court so that the foundations [for it] are apparent.

We agree that the survey should proceed peacefully.

We agree that the Government constructs a bridge at Whakarewarewa.

We all consent to your undertaking.

Wi Kepa Te Rangipuawhe
Tamati Paora
Pauro Tahuriwakanui
Manihera Takina
Taupopoki Hemana
Teoti Kuka

MS AUCK 1339-I

[p.1 stapled pages]

Ohinemutu
November 25, 1880

[Crossed out] I now present before you the arrangements I am making as conditions for the town which will be established in this area.

All the land beginning from the west side of Te Pukeroa and continuing on to Puerenga [Pueranga, in English translation] stream [and] from the lake of Rotorua up to the mountains is to be investigated [and the ownership thereof certified - added in English translation] by the Native Land Court of New Zealand, but the Maori settlements of

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Ohinemutu are to be omitted from that investigation and the boundaries for that part will be pronounced later.

In accordance with this arrangement, a claim must be put at once - indicating clearly the boundaries of that land - to the Registrar of the Native Land Court.

[Paragraph crossed out, and is not in English translation] Because although the work by the Great Committee of Rotorua is quite clear for the lands of Ngati Whakauae, it may be that that decision will not be endorsed by people outside. An instance is Pakeha overseas who seek land for themselves here and who will look to a high authority recognised by all the world, and that decision[maker] will not be able to be opposed by Pakeha or Maori.

2. Immediately the claim reaches the Registrar, then Te Mete [Smith], the chief surveyor, will order a survey for this claim [p.2] [for the town - crossed out] Soonest after this the Court will sit to investigate that land, here at Ohinemutu.

3. When the survey of the land is completed, then Te Mete will set out the manner of the town with respect to the arrangements that he [partially - added in English translation] explained to Te Amohau and the others this morning. The requirements for the town are these:

i) The land which lies between Te Pukeroa and Rotorua, that [land] will be left as settlement for you, for the Maori, but the road which is travelled on here is to be widened [if necessary - added in English translation] and go straight on into the town.

ii) Te Pukeroa is to be set aside as a place of recreation for all people whether Pakeha or Maori. And that reserve will be put under the management of some Pakeha and Maori whom the Committee will select.

iii) The people who own pieces [of land] in Te Pukeroa will be compensated for with pieces in the town. And the Great Committee of Rotorua will arrange this.

iv) The Catholic [church's] portion of land in Te Pukeroa will be compensated for with a piece in the town.

v) A very experienced doctor will be settled here.

[p.3] vi) All the hot springs in this block [of the town - crossed out] surveyed are to be reserves, and the doctor will manage those waters and he will institute regulations for them.

4. The streets of the town will be put under authority of the Queen.

[This paragraph is not in the English translation.] The reason for this is that drains and gutters and structures for the carbon[?] lights and other works are to be constructed in those streets. It is for such reason that the streets of all towns are put under the authority of the Queen, including the reserves for recreation in town. [Another] reason is that the Queen will [see to] the building of post offices, schools, hospitals, courthouses and other buildings for the needs of the population.

5. Land will be released without payment for laying down a drain to carry water from Utuhina into the town.

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6. Maori who are ill will be admitted into the hospital without payment.

7. When it comes to the time that the town is in order and large enough, then a resident magistrate will be appointed here by the Government. That judge, the doctor and [p.4] a Maori person - as selected by the Committee - those three people, as a group, will act as a Committee giving licenses for public houses. The current licensing system will be annulled, but only when that [Committee] is empowered will it be annulled.

[p.3 English translation has an extra section here, not in the Maori.]

8. The sections of the town will be leased according to the rule of the market in Auckland by the Commissioner of Crown Lands. The years of a lease will be 99. Lease money must be produced half yearly, the same for every year up to the end. The rent monies for the half of the first year must be produced as soon as the lease is completed. The Commissioner will sign the lease on behalf of Maori and will take the first rent monies - afterwards either [the Commissioner] or another person he appoints. Those officers will give that money to a person whom the Committee will arrange to take it. However, payment for notices in the newspapers must be taken from that money, and when that is done the lot of money will be sent to those who have a right to it.

If Maori people wish their pieces [of land] to be partitioned, the boundaries must go along the survey lines of the town. When this is done the Commissioner will arrange the rent monies for those people who have those boundaries.

[p.5] 9. It is not permitted for Maori to trouble Pakeha who have leased land but those people should go to the Commissioner or to his colleague.

10. It is not permitted for lands of this block to be sold [by the Natives - added in English translation]. At the time that land is under investigation, a proper request will be put to the Native Land Court to tie up land so that it cannot be sold or mortgaged. And, if hereafter a person wishes to lease some other pieces of the block outside of the town, it must be cut off as no more than 40 acres, and the conditions will be as those for the sections of the town.

11. Forty acres are to be separated out as a burial ground; the chief surveyor will look out suitable land for the burial ground, and the existing burial ground will be closed.

12. Payment for the surveys must be arranged from within the first rent monies.

13. Rating law cannot be applied over lands in this block which are not leased. However, the lessee will pay those rates when the land is leased.

14. There can be no leasing or sale of the land set off for Maori hereafter to Pakeha. However, these rulings do not hold for the Pakeha who live at Ohinemutu.

[p.6 signatures] W. Matenga Te Waharoa, Makarini Kahawai, A. Tareti Matenga

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[p.7] 14. Neither do the conditions of this document apply to those Pakeha living here.

15. Money collected for public house licenses and rate monies are to be put to pay for works in the town. The group of three already referred to here will assign that money to pay for trees to improve the reserved lands and for other works.

16. The principle of the law relating to cows and horses, that is, to all animals which roam freely on this block is this, that the person who owns the animals must fence them in; it is not the duty of the person who owns the land. However, all animals that roam illegally will be driven, whether on land that is fenced or not fenced, to the pound.

[List of signatures - when in doubt over spelling I have preferred the clearer English text]

R. Whititera Te Waiatua

W.M. Hikairo
Hemi Te Tupara
Paora Te Amohau
Ropata Horokai
Te Mapehi Rangitakahiwai
Piwiki Ahiwaru
Kima Tukouitua
Meraria Te Tiwara
Piripi Te Hapu
Retimana Poraumati
H. Kokiri Te Wharepurangi
Te Otimi o Te Mihirotorua
Wi Keepa Ngawharu
Rotorua Hororiri

[p. 7]
Ihaia Te Ahu
M.W. Maihi Te Rangikaheke
Katerina Te Ahu
Mere Maihi
Okiwi Ngatara
Tamati Hapimana
P. Taiapo Te Waiatua
Te Riri Rotohiko
Taekota Te Tokoihi
Pererika Ngahuruhuru
Hariata Piwiki
Nga Mate Tokorua Hamuera
Maora Te Rangi Te Whata

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Rangi Paeroa Piwiki
Petera Te Pukuatua
Henare Te Pukuatua
Retireti Tapihana
Potene his x mark Haukiwaho
Kiharoa his x mark Akuhata

Eru Te Ure Mutu
Nara Taitumu
Timoti his x mark Reone
Te Pere Huna
Rini Potene
Karupatene Hira
Mihaka Patahuri
Renati Akuhata
Matia Ngamarama
Piripi Tapihana

Additional note: It is agreed that Penetana [Fenton] arrange a section within the town to be allotted for each Maori chief but which cannot be sold or mortgaged. [Part translation, p.6 of English, crossed out.]