

# Ngai Tahu Land Report

## Appendix 06 Record of Documents

### 6.1 Record of Documents

Appendix 6

#### RECORD OF DOCUMENTS

NOTE: Documents marked with an \* are ruled confidential and are available only to counsel. Copies cannot be made.

The reference in brackets after each document refers to the person or party producing the document in evidence

A

FIRST HEARING AT TUAHIWI MARAE, 17 AUGUST 1987 AND RANGIORA HIGH SCHOOL, 17-20 AUGUST 1987

Document:

A1

Statement of claim Wai-27: Ngai Tahu claims (filed 24 February 1986; registered as Wai-27, 28 August 1986; revised claim 24 November 1986; amended 16 December 1986; further amended 2 June 1987). Full copies of these claims and later amendments are included in Appendix 3

(registrar)

A2

The Treaty of Waitangi as signed by principal chiefs of Ngai Tahu (extract from A3)

(registrar)

A3

Facsimiles of the Declaration of Independence and the Treaty of Waitangi (Government Printer, Wellington 1976)

(registrar)

A4

Plan of land purchases in South and Stewart Islands, AJHR 1875 G-3

(registrar)

A5

H C Evison Ngai Tahu Land Rights (3rd ed, Ka Roimate Whenua Series No 1, Ngai Tahu Maori Trust Board, Christchurch 1987)

(registrar)

A6

G W Rusden (ed) Aureretanga: Groans of the Maoris (William Ridgeway, London 1888)

(registrar)

A7

D F McKenzie Oral Culture, Literacy & Print in early New Zealand: The Treaty of Waitangi (Victoria University Press & Alexander Turnbull Library Endowment Trust, Wellington 1985)

(registrar)

A8

A Mackay (ed) A Compendium of Official Documents Relative to Native Affairs in the South Island 2 vols (Government Printer, Nelson 1872) (later referred to as Compendium)

(registrar)

A9

Supporting papers to A12, A13, A31

(counsel for claimants)

A10

Sample copies of Crown leases and licences (with Acts issued under):

(a) Special lease (Land Act 1948 s 67(2))

(b) Lease (Land Act 1948 s 67(2))

(c) Licence to occupy, (Reserves Act 1977 s 74(2)(a))

(d) Grazing licences, New Zealand Forest Service, (Forests Act 1949)

- (e) Licence to occupy a reserve (grazing license), (Reserves Act 1977 s 74)
- (f) Deed of lease (television translator site), (Reserves and Domains Act 1953 s 27(10)(a))
- (g) Permit to erect maintain and use buildings and towers and to maintain and use tracks (Reserves Act 1977 s 48A)
- (h) Deed of lease of part Lake Mahinapua recreation reserve (Reserves Act 1977 s 54(1)(b))
- (i) Deed of lease of part Lake Kaniere scenic reserve (Reserves and Domains Act 1953 s 27(10)(a))
- (j) Industrial site licence, New Zealand Forest Service, for the purpose of allowing the site to be employed as a seasonal base for commercial eeling and whitebaiting (Forests Act 1949)
- (k) Licence to occupy a reserve solely for the purpose of a boatshed site (Reserves Act 1977 s 74)

(registrar)

A11

Sample copies of leases for Maori land

(a) Memorandum of lease of rural land issued by the Mawhera Incorporation

(b) Memorandum of lease of urban land issued by the Mawhera Incorporation

(registrar)

A12

Evidence of Trevor H Howse on Banks Peninsula, North Canterbury and Kaikoura

(counsel for claimants)

A13

Evidence of Harry C Evison on Banks Peninsula, North Canterbury and Kaikoura

(counsel for claimants)

A14

Submission of the North Canterbury Catchment Board and Regional Water Board, dated 11 August 1987

A15

Submission of Henare R Tau and Ngai Tahu Maori Trust Board on lands of Crown subject to claim, and schedules as available at 16 December 1986

A16

New Zealand Maori Council and G S Latimer v Attorney-General and Others [1987] 1 NZLR 651

(registrar)

A17

Submission of Henare R Tau with attachment of Te Ngai Tuahuriri Runanga Incorporated rules

A18

Submission of Te Wharetutu Te A Stirling

A19

Submission of Rangimarie Te Maiharoa

A20

Submission of Aroha H Rereti-Crofts

A21

Dr P G McHugh "The Aboriginal Rights of the New Zealand Maori at Common Law" (PhD thesis, University of Cambridge, 1987)

(registrar)

A22

Map of blk 25, Jacob's River Hundred, March 1874

(counsel for claimants)

A23

Map of blk 25, Jacob's River Hundred, showing survey section plans

(counsel for claimants)

A24

Notice of interest by Kuku Karatiana, dated 12 August 1987

(registrar)

A25

Submission of Eruera Te M I Te Aika

A26

Opening submissions of claimants' counsel

A27

Evidence of Tipene O'Regan

(counsel for claimants)

A28

Map of Crown lands acquired from Ngai Tahu

(counsel for claimants)

A29

Plan of Wairau plain and valleys attached to Wairau purchase deed (see A30)

(counsel for claimants)

A30

Copy of deed of cession of the Wairau district

(counsel for claimants)

A31

Addenda to evidence of Harry C Evison (see A13)

(counsel for claimants)

A32

Additional copy of A31

(counsel for claimants)

A33

Copy of Kemp's deed with translation and map

(counsel for claimants)

A34

Map of South Island

(counsel for claimants)

A35

Map of South Island showing boundaries lower half Kemp's purchase, Arahura, Otakou, and Murihiku blocks, AJHR 1909 C-1

(counsel for claimants)

A36

Map of South Island showing boundaries upper part Kemp's purchase, Arahura, North Canterbury, Kaikoura and three Banks Peninsula blocks of Ngai Tahu land, AJHR 1909 C-1

(counsel for claimants)

A37

The Ngaitahu Claim Settlement Bill, first and second readings, 267 NZPD 615

(registrar)

A38

The Ngaitahu Claim Settlement Bill, committal and third reading, 267 NZPD 754-761

(registrar)

A39

Ngaitahu Claim Settlement Bill, legislative council, 267 NZPD 761

(registrar)

A40

Ngaitahu Claim Settlement Act 1944 (No 33, 9 Geo VI)

(registrar)

A41

Ngaitahu Trust Board Act 1946 (No 33, 10 Geo VI)

(registrar)

A42

Maori Trust Boards Act 1955 (RS vol 8 p 683)

(registrar)

A43

Statutory provisions related to:

(a) Pastoral leases (Land Amendment Act 1979 s 66)

(b) Pastoral occupation licences (Land Act 1948 s 66AA)

(c) Recreation permits (Land Act 1948 s 66A)

(d) Disposal of land in special cases (Land Act 1948 s 67)

(e) Short tenancies for grazing purposes (Land Act 1948 s 68)

(f) Licences for timber, flax, minerals etc (Land Act 1948 s 165)

(registrar)

A44

Claim (affecting the Kaikoura block) of Joe Tukupua and the Interim Committee of Kurahaupo Waka Trust, dated 6 August 1987

(registrar)

A45

Claim (affecting the Arahura block) of Joe Tukupua and the Interim Committee of Kurahaupo Waka Trust, dated 10 August 1987

(registrar)

A46

Memorandum of deputy-chairperson on claim of Joe Tukupua and the Kurahaupo Waka Trust on the Kaikoura purchase, dated 11 August 1987

(registrar)

A47

Memorandum of deputy-chairperson on claim of Joe Tukupua and the Kurahaupo Waka Trust on the Arahura blocks, dated 11 August 1987

(registrar)

A48

Deed of sale of Banks Peninsula to Captain J Langlois, 2 August 1838, BPP/CNZ (IUP) vol 2 pp 438-439

(a) English translation supplied by Waitangi Tribunal staff

(registrar)

A49

The Nanto-Bordelaise Company's agreement with the French government, 9 December 1839, Serie Marine, BB4 1012, Nouvelle Z,lande, Particuliers, 1838 ... 1842, no 16, Archives Nationales, Paris. Micro Z 2806, National Archives, Wellington

(a) English translation supplied by Waitangi Tribunal staff

(registrar)

A50

Agreement between Captain Langlois, the Nanto-Bordelaise Company and the French immigrants, NM 8/31 1852 239, National Archives, Wellington

(a) English translation supplied by Waitangi Tribunal staff

(registrar)

A51

Deed of confirmation of the 1838 sale of Banks Peninsula to Captain Langlois, 11 August 1840, Serie Marine, BB4 1011, Lettres r,cues de M Lavaud, 1842, no 2, Archives Nationales, Paris. Micro MS 330, Alexander Turnbull Library, Wellington

(a) English translation supplied by Waitangi Tribunal staff

(registrar)

A52

Conditions of sale of Canterbury and West Coast to the French company - including receipt of an instalment of the price dated 24 August 1840, Serie Marine, BB4 1011, Lettres r,cues de M Lavaud, 1842, no 3, Archives Nationales, Paris. Micro MS 330, Alexander Turnbull Library, Wellington

(a) English translation supplied by Waitangi Tribunal staff

(registrar)

A53

Map of Banks Peninsula showing purchase boundaries and estates resumed by the Crown under Land for Settlements Acts, based on NZMS 281 (see A31)

(counsel for claimants)

A54

Directions of deputy-chairperson to Joe Tukupua and Kurahaupo Waka Trust, dated 25 August 1987

(registrar)

B

SECOND HEARING AT TUAHIWI MARAE, 21-23 SEPTEMBER 1987

Document:

B1

(a) Directions of deputy-chairperson to claimants directing filing of further particulars in respect of the Mawhera leaseholds and also all other Crown licences and leaseholds, dated 3 September 1987

(registrar)

(b) Statement on proposed remedies in respect of leases under the Maori Reserved Land Act 1955 (ie Mawhera leases), dated 5 September 1987

(registrar)

B2

Evidence of Harry C Evison on Kemp's block

(counsel for claimants)

B3

Supporting papers to B2

(counsel for claimants)

B4

Evidence of Professor John T Ward on the Kemp's purchase case study

(counsel for claimants)

B5

Unsworn affidavit of Manahi Paewai for Kurahaupo Waka claimants (see C20)

(counsel for Kurahaupo Waka)

B6

(a) Submission of Mervyn N Sadd, dated 17 August 1987

(b) Further submission of Mervyn N Sadd with supporting maps, received 18 September 1987

(registrar)

B7

Submissions of counsel for Kurahaupo Waka

B8

Submission of counsel for claimants on the history of legislation affecting the Ngai Tahu land claim (Kemp's purchase)

B9

Memorandum of counsel for claimants on intentions concerning existing leases and licences over Crown land, dated 23 September 1987

B10

Submission of Jean Jackson

B11

Maps supplied by Trevor H Howse for Kaikoura site visit, 25 September 1987

(registrar)

B12

Map of South Island land tenure as at 1978, NZMS 187

(counsel for Crown)

B13

Ngai Tahu fishery claim, received 28 September 1987

(registrar)

B14

Correspondence from secretaries of the Treasury and of Maori Affairs to Ministers of Finance and of Maori Affairs, dated 17 July 1987

(registrar)

B15

Submission of Robin Mitchell, received 9 October 1987

(registrar)

B16

Submission of P N Gould, dated 11 September 1987

(registrar)

B17

Evidence before the Native Land Court, Tuahiwi, 30 January-3 February 1925. 20A South Island Minute Book, folios 51-56, 57-69, and 76-83

(registrar)

C

THIRD HEARING AT OTAKOU MARAE, 2 NOVEMBER 1987 AND RE-CONVENING AT TUAHIWI MARAE, 5 NOVEMBER 1987

Document:

C1

Evidence of Dr Ann R Parsonson on the Otakou tenths

(counsel for claimants)

C2

Supporting papers to C1

(counsel for claimants)

C3

(a) Directions of the deputy-chairperson on application by the Maori Trustee that the claimants give further particulars of claims, dated 20 October 1987

(registrar)

(b) Application by the Maori Trustee for order that claimants give further particulars of claims, received 20 October 1987

(counsel for Maori Trustee)

C4

Whakapapa of Mori C M Ellison

(M C M Ellison)

C5

Submission of Emma P Grooby-Phillips

C6

Correspondence from Wilkinson Mirkin & Kendall to the Department of Conservation, Dunedin, on land taken for defence purposes on Otago peninsula, dated 29 October 1987

(E P Grooby-Phillips)

C7

Maps and documents on Te Karoro and Maranuku

(B Ellison)

C8

(a) Evidence of Dr Atholl Anderson on Maori settlement at Otakou

(b) References to C8(a)

(counsel for claimants)

C9

Submission of Kua Langsbury on the Treaty of Waitangi

C10

M van Ballekom and R Harlow (eds) Te Waiatatanga mai o te Atua, South Island Traditions recorded by Matiaha Tiramorehu (Canterbury Maori Studies, No 4, Christchurch 1987)

(counsel for claimants)

C11

Opening address of counsel for the claimants on the Otakou purchase

C12

Submission of Edward Ellison on the history of the Otakou claim

C13

(a) Submission of Craig Ellison on pollution of lands and waters in Otago

(b) Documents presented with C13(a)

C14

Part of Kettle's map of the Otakou block, 1846-7, LS D-5, National Archives, Wellington

(counsel for claimants)

C15

Additional evidence of Dr Ann R Parsonson on the Otakou "tenths" in relation to the 1844 proclamation

(counsel for claimants)

C16

Correspondence between secretary of state for colonies & the New Zealand Company on the establishment of a proprietary government in New Zealand, BPP/CNZ (IUP) vol 4 pp 493-500

(counsel for claimants)

C17

Minutes of a special meeting of the committee of the New Zealand Company, August 1845, CO 208/188, pp 327-332, National Archives, Wellington

(counsel for claimants)

C18

(a) "He Ture kua whakaaetia e nga rangatira Maori o te Wahipounamu", Te Ware Runanga e kiia ana ko Te Mahi Tamariki, Otakou, 10 Hune 1875 (with translation)

(b) "Notice of the Business of a Hui in January 1874, to open the New Hall, Te Mahi Tamariki & to discuss Te Kerema" Otago Witness 31 January 1874 p 2 (with translation)

(counsel for claimants)

C19

(a) Evidence of Wiremu Potiki to the Smith-Nairn Commission, 20 February 1880, MA 67/5 No 41, National Archives, Wellington

(b) Evidence of Hape Merekiherike to the Smith-Nairn Commission, 20 February 1880, MA 67/5 No 42, National Archives, Wellington

(c) Evidence of Hone Kahu to the Smith-Nairn Commission, 20 February 1880, MA 67/5 No 43, National Archives, Wellington

(counsel for claimants)

C20

Affidavit of Manahi Paewai for Kurahaupo Waka claimants, dated 3 November 1987 (see B5)

(counsel for Kurahaupo Waka)

C21

Submission of Andrew M Mason on boundaries of Arahura block

C22

Evidence of Harry C Evison on the northern and inland boundaries of the Kaikoura and Arahura purchases of James Mackay, 1859 and 1860

(counsel for claimants)

C23

Correspondence of Tipene O'Regan on claim of Kurahaupo Waka and aquacultural developments, Kaparatehau (Lake Grassmere), received 10 November 1987

(registrar)

C24

(a) Correspondence of Tipene O'Regan on Kurahaupo Waka claim

(b) Ngai Tahu Kaumatua alive in 1848 as established by the Maori Land Court in 1925 and the Ngai Tahu census committee in 1929, issued by the Ngai Tahu Trust Board as at 1 January 1967

(counsel for claimants)

D

FOURTH HEARING AT ARAHURA MARAE AND THE CONFERENCE ROOM,  
ASHLEY MOTOR INN, GREYMOUTH, 30 NOVEMBER-3 DECEMBER 1987

Document:

D1

Report of Commission of Inquiry into Maori Reserved Land (Government Printer,  
Wellington 1975)

(registrar)

D2

Report of the Committee of Inquiry: Crown Pastoral Leases and Leases in Perpetuity  
(Government Printer, Wellington 1982)

(registrar)

D3

Evidence of James P McAloon on Arahura

(counsel for claimants)

D4

Evidence of Andrew M Mason, Sidney B Ashton, Malcolm R Hanna and Tipene  
O'Regan on Arahura

(counsel for claimants)

D5

Supporting papers to D4 (see D3, D18)

(counsel for claimants)

D6

Submission of W E and A M Blythe on Mawhera Incorporation leases, received 2  
November 1987 (registrar)

D7

Submission of I S Marshall on Mawhera Incorporation leases, received 2 November 1987

(registrar)

D8

Submission of B N Davidson on behalf of FTC Properties Ltd, received 27 October 1987

(registrar)

D9

Preliminary decision of tribunal on Kurahaupo Waka claim, 26 November 1987

(registrar)

D10

Submission of Kelly R Wilson on behalf of the Maitahi Maori Committee

D11

(a) Submission and evidence of Sandra Te H Lee on behalf of the families and descendants of Iri Te A P Lousich-Feary, Nikau Te K Pihawai-Tainui, Roka Te H Pihawai-Johnson, Wiremu Welch and Metapere N Barrett

(b) Supporting papers to D11(a)

D12

Submission of Iri Barber

D13

Submission of Aroha H Reriti-Crofts

D14

Submission of Dorothy M Fraser on behalf of the Maitahi Maori Committee

D15

Correspondence of James Mackay to the chief land purchase commissioner, Auckland, 21 September 1861, Compendium vol II p 40

(Dorothy M Fraser)

D16

Particulars of claim concerning Mawhera supplied by claimants to the Maori Trustee  
(see C3(a)-(b))

(counsel for Maori Trustee)

D17

Submission of James M Russell on Arahura

D18

Submission of Tipene O'Regan on Arahura

D19

Submission of Alan L Russell on pounamu

D20

"Greymouth Native Reserves", AJHR 1879 G-3A, G-3B

(registrar)

D21

Map of Maori reserved land from the Grey to the Hokitika rivers, MA 15/1,2,  
National Archives, Wellington

(registrar)

D22

Portion of cadastral map showing the Arahura river bed

(registrar)

D23

Portion of physical map showing Arahura river bed

(registrar)

D24

Submission of Barry M Dallas on Greymouth, Mawhera leases

D25

Proposed town plan of Greymouth, 1865

(Barry M Dallas)

D26

Map of township of Greymouth, 1865

(Barry M Dallas)

D27

Computer printout of Mawhera lessees, dated 14 October 1987

(registrar)

D28

Minutes of the eleventh annual general meeting of shareholders of the proprietors of Mawhera Incorporation, held 3 October 1987

(counsel for claimants)

D29

Submission of W F Morgan on behalf of Dingwall and Paulger Ltd and Ballie Neville & Co Ltd on Mawhera leases

D30

(a) Documents relating to land ownership and milling and mining rights on the Arahura river above the Arahura Maori reserve

(b) Portion of map, NZMS 261 sheet J33 Kaniere, showing mining rights and land tenure for blocks above the Arahura reserve

(counsel for claimants)

E

FIFTH HEARING AT TE RAU AROHA MARAE, AWARUA, BLUFF, 1-3 FEBRUARY 1988, WITH SITE VISIT TO LAKES WANAKA AND HAWEA

Document:

E1

Evidence of Robert A Whaitiri, Sydney Cormack and James P McAloon on Murihiku, (Note: the evidence of Sydney Cormack was replaced with E16)

(a) Addenda to E1

(counsel for claimants)

E2

Supporting papers to E1

(counsel for claimants)

E3

Submission of Harold F Ashwell on Bluff - Motupohue

(counsel for claimants)

E4

Supporting papers to E3

(counsel for claimants)

E5

Material supplied for the tour of Southland by Maori Land Board and Chairmen of Maori Land Advisory Committees, 30 and 31 October and 1 November 1979

(counsel for claimants)

E6

Submission of George N Te Au

E7

Submission of Wiremu Davis

E8

(a) Submission of Taare H Bradshaw

(b) Portion cadastral map, Bluff Harbour

E9

Eva Wilson Hakoro Ki Te Iwi, The Story of Captain Howell and His Family (Times Printing Service, Invercargill 1976)

(E Wilson)

E10

Submission of Alexander P Laing on behalf of the estate of R G Selbie

E11

Submission of Naomi A Bryan on section 70, blk 25, Jacob's River Hundred

E12

Submission of Naomi A Bryan on section 25, blk 25, Jacob's River Hundred

E13

Map of Toitoti and Port Adventure blocks, Rakiura

(H Ashwell)

E14

Submission of Rena Fowler on Stewart Island Grants Act 1873

E15

Correspondence from Maori Land Court to Rena Fowler on section 73, blk 2, Invercargill Hundred, dated 25 January 1988

(R Fowler)

E16

Evidence of Sydney Cormack on Murihiku reserves (replaces that included in E1)

(counsel for claimants)

E17

Copy of the deed of sale of Rakiura, 29 June 1864 and related papers from Compendium vol II pp 390-393 & pp 60-61

(counsel for claimants)

E18

Schedules of native reserves in Otago, Southland and Stewart Island, from Compendium vol II pp 341

(counsel for claimants)

E19

Copy of the plan of the Murihiku purchase, dated 17 August 1853

(counsel for claimants)

E20

Maps referred to in E16

(counsel for claimants)

E21

J H Beattie Our Southernmost Maoris: their habitat (Otago Daily Times, Dunedin 1954) pp 28-31

(counsel for claimants)

E22

Insert to evidence of James P McAloon (see E1 p 54)

(counsel for claimants)

E23

Submission of George N Te Au on behalf of the Waihopai Maori Committee Incorporation, dated 1 January 1988

(registrar)

E24

Preliminary evidence of James P McAloon on Maori Land at Wanaka/Hawea

(counsel for claimants)

E25

Papers relating to Maori reserves at Lakes Hawea and Wanaka

(counsel for claimants)

E26

Further papers relating to Maori reserves at Lakes Hawea and Wanaka

(counsel for claimants)

E27

Three maps of Lakes Wanaka and Hawea showing Maori reserves and proposed Maori reserve at the Neck, and showing impact of the raising of Lake Hawea on 1868 fishing reserve

(counsel for claimants)

E28

Correspondence from K Cayless, acting director-general, Department of Lands, to Invercargill district manager, dated 13 January 1988, response to E29

(registrar)

E29

Correspondence from Invercargill district office to Director-General, Department of Lands on Port Adventure and Toi Toi blocks for landless Maoris - Stewart Island, dated 5 January 1988

(registrar)

E30

Notes of Teriana Nilsen, secretary-treasurer, Waitutu Inc, dated 3 February 1988

(registrar)

E31

Submission of Jane K Davis on Rakiura and Murihiku

E32

Further submission and documents presented by Jean Jackson

E33

Further submission of Mervyn N Sadd, dated 20 November 1987

(registrar)

E34

Application of Mervyn N Sadd, received 28 January 1988

(registrar)

E35

Papers submitted by Lovell Hart on Colac Bay, Southland

(registrar)

F

SIXTH HEARING AT OTAKOU MARAE, 22-23 FEBRUARY 1988

Document:

F1

Evidence of Dr Ann R Parsonson on Princes Street reserve, Dunedin

(counsel for claimants)

F2

Supporting papers to F1

(counsel for claimants)

F3

Map of site of 1853 native reserve showing high water mark in relation to later reclamation, 1871, SO 14420, DOSLI, Dunedin

(counsel for claimants)

F4

Kettle's 1846 plan of Dunedin South laid out in town sections, showing site of 1853 native reserve, DOSLI, Dunedin

(counsel for claimants)

F5

Plan of site of proposed Dunedin post office, dated 17 November 1870, SO 14527, DOSLI, Dunedin

(counsel for claimants)

F6

The New Zealand Native Reserves Act 1856

(counsel for claimants)

F7

The Native Reserves Amendment Act 1862

(counsel for claimants)

F8

Dunedin Reserves Management Ordinance 1873, Ordinances of the Province of Otago, session XXXII no 417

(counsel for claimants)

F9

Correspondence from J C Richmond to W Mantell, 19 August 1867, MS papers 83/173, Alexander Turnbull Library, Wellington

(counsel for claimants)

F10

Auckland and Onehunga Native Hostelrys Act 1867

(counsel for claimants)

F11

Evidence of Bill Dacker on "The Prejudicial Effects of the Lack of Land with Particular Reference to the Otakou Block"

(counsel for claimants)

F12

Submission of George Ellison on Princes Street

F13

Correspondence from Earl Grey to Governor Grey, dated 23 December 1846, BPP/CNZ (IUP) vol 5 pp 520-543

(counsel for claimants)

G

SIXTH HEARING RECONVENED AT TUAHIWI MARAE, 24-25 FEBRUARY 1988

Document:

G1

Further evidence of Harry C Evison on Banks Peninsula and Kemp's deed

(counsel for claimants)

G2

Supporting papers to G1

(counsel for claimants)

G3

Transcript of C B Robinson's letters in Mantell's private memorandum book (see G2 pp 294-307)

(counsel for claimants)

G4

Transcript from N Z Gazette (New Munster) 6 September 1851 p 141

(counsel for claimants)

G5

Copy of portion of Port Levy deed

(counsel for claimants)

G6

Map of Port Levy block, signed Walter Mantell, 25 September 1849

(counsel for claimants)

G7

Copy of Hamilton's Akaroa deed 1856

(counsel for claimants)

G8

Submission of Ken Piddington, director-general, Department of Conservation

(counsel for Crown)

G9

Memorandum of Kurahaupo Waka claimants, dated 18 March 1988

(counsel for Kurahaupo Waka)

H

SEVENTH HEARING AT TUAHIWI MARAE AND TE RAU AROHA MARAE,  
BLUFF, 11-20 APRIL 1988

Document:

H1

Evidence of Dr Atholl Anderson on mahinga kai

(counsel for claimants)

H2

Supporting papers to H1 (see H3)

(counsel for claimants)

H3

Figures and tables supplementary to H1 and H2

(counsel for claimants)

H4

Evidence of Barry Brailsford on mahinga kai, "Maori trails of Canterbury"  
(withdrawn and replaced by J10)

(counsel for claimants)

H5

Evidence of David T Higgins and William A G Goomes on sea fishery

(counsel for claimants)

H6

Evidence of Rawiri Te M Tau and Henare R Tau on mahinga kai, Tuahuriri area  
(submission of Henare R Tau withdrawn and replaced by J10; see also H57)

(counsel for claimants)

H7

Evidence of Wiremu T Solomon and Trevor H Howse on mahinga kai, Kaikoura area

(counsel for claimants)

H8

Evidence of Ray Hooker, Hemi Te Rakau, Kelly R Wilson, Gordon McLaren, Albert K Te Naihi-McLaren, Iris Climo, James M Russell, Allan L Russell on mahinga kai, Arahura area (submission of Hemi Te Rakau replaced by H36)

(counsel for claimants)

H9

Evidence of James P McAloon, Mere K E Teihoka (Hamilton), Catherine E Brown, Morris T Love, Rewi Brown, Donald R Brown on mahinga kai, Waihora area

(counsel for claimants)

H10

Evidence of Jack T Reihana, Wiremu Torepe, Kelvin Anglem, Murray E Bruce, Kelvyn T A D Te Maire and Rangimarie Te Maiharoa on mahinga kai, Arowhenua area

(counsel for claimants)

H11

Evidence of Matt Ellison on mahinga kai, Puketeraki area

(counsel for claimants)

H12

Evidence of Edward Ellison on mahinga kai, Otakou area

(counsel for claimants)

H13

Evidence of Robert A Whitiri, Harold F Ashwell, Paddy Gilroy, Taare H Bradshaw, Huhana P B Morgan, and Kevin O'Connor on mahinga kai, Murihiku area

(counsel for claimants)

H14

Memorandum of counsel for Kurahaupo Waka, dated 30 March 1988

H15

Memorandum of counsel for the New Zealand Fishing Industry Board and New Zealand Fishing Industry Association, dated 8 April 1988

H16

Curriculum vitae of Dr Atholl Anderson

(counsel for claimants)

H17

Submission of Tipene O'Regan on behalf of the Ngai Tahu Trust Board on mahinga kai (fisheries), (see addenda, H20)

H18

Correspondence from Hamish Ensor, chairperson of the High Country Committee, Federated Farmers, to Tipene O'Regan on South Island pastoral leases, dated 23 February 1988 (see H19)

(counsel for claimants)

H19

Correspondence from Tipene O'Regan to Hamish Ensor, dated 12 April 1988 (see H18)

(counsel for claimants)

H20

Addenda to H17, on inland waters

(counsel for claimants)

H21\*

Hoani Te Kaahu "He korero mo Kati Tuhaitara", Beattie Papers 582/F/17, Hocken Library

(counsel for claimants)

H22\*

(a) "He korero mo Tuteurutira raua ko Hinerongo"

(b)\* "He korero mo Kati Kuri"

(counsel for claimants)

H23\*

Map of Fiordland fishing marks (also J32)

(counsel for claimants)

H24\*

Map of Kaikoura fishing marks (also J33)

(counsel for claimants)

H25\*

Map of Banks Peninsula fishing marks (also J34)

(counsel for claimants)

H26\*

Map of Foveaux Strait fishing marks (also J35)

(counsel for claimants)

H27\*

Whakapapa of Wiremu Solomon

(counsel for claimants)

H28\*

Map of Kaikoura, place names

(counsel for claimants)

H29\*

Map of Kaikoura, kai manu and kai moana

(counsel for claimants)

H30\*

Map of Kaikoura, tohu raumati

(counsel for claimants)

H31

Map of Kaikoura from Barry Brailsford *The Tattooed Land* (Reed, Wellington 1981)

(counsel for claimants)

H32\*

Map of Kaikoura, kai awa

(counsel for claimants)

H33\*

Map of Ngati Kuri kai ika

(counsel for claimants)

H34\*

Key to maps H27 to H33

(counsel for claimants)

H35

Marcus Solomon "Boatman"

(counsel for claimants)

H36

Evidence of Hemi Te Rakau on mahinga kai, Arahura area (replacing that in H8)

(counsel for claimants)

H37\*

Archaeological evidence of Te Tai Poutini Maori settlement

(counsel for claimants)

H38\*

Map of Te Tai Poutini archaeological sites

(counsel for claimants)

H39

Photos of Chinese miners' flumes, road to Goldborough and sluicing at Manzonis, Callaghew

(H Te Rakau)

H40

Photos (see H39)

(H Te Rakau)

H41\*

Map of south Westland mahinga kai areas

(counsel for claimants)

H42\*

Map of features of south Westland

(counsel for claimants)

H43

Record of James M Russell's community involvement

(J M Russell)

H44

Material supplied on areas crossed by the tribunal on flight Hokitika to Christchurch,  
15 April 1988

(counsel for claimants)

H45

Evidence of Montero J Daniel on Taumutu site visit, 16 April 1988

H46

Material supplied for Wairewa and Waihora site visit, 16 April 1988

(counsel for claimants)

H47

Submission of Te Ao Hurae Waaka on Arowhenua

H48

Submission of Kelvin Anglem on Timaru and Waitarakao

H49

Memorandum of Frank Scarf on south Canterbury water quality

(counsel for claimants)

H50

Booklet of photographs and documents on Opihi River pollution

(counsel for claimants)

H51

Judge Frederick Chapman, "Field notes and others relating to greenstone", Cat No MI 414, source-Tame Parata

(counsel for claimants)

H52

Submission of David M Miller on mahinga kai, Purakanui area

(counsel for claimants)

H53

Submission of Edward Ellison on mahinga kai

(counsel for claimants)

H54\*

Map of mahinga kai, Murihiku area

(counsel for claimants)

H55\*

List of commonly used plants

(K O'Connor)

H56

Submission of George Te Au on mahinga kai, Murihiku area

(counsel for claimants)

H57

Supporting papers to H6

(registrar)

H58

Further submission of Mervyn N Sadd, dated 26 April 1988

I

EIGHTH HEARING AT TRIBUNALS DIVISION BOARDROOM, DATABANK HOUSE, WELLINGTON, 19 MAY 1988

Document:

I1

Draft issues raised by the evidence of the claimants

(counsel for claimants)

I2

Amendments to draft issues suggested by the tribunal (see I1)

(registrar)

I3

Memorandum of Kurahaupo Waka on draft issues, dated 19 May 1988 (see I1)

(counsel for Kurahaupo Waka)

I4

Memorandum of counsel for the Crown on draft issues, dated 20 May 1988 (see I1)

I5

Notice of Tipene O'Regan on proposed amendment of mahinga kai claim (sea fishing), received 27 May 1988

(registrar)

I6

Issues raised by the evidence of the claimants as determined by the tribunal (see I1-4)

(registrar)

I7

Deputy-chairperson's memorandum of directions on Kurahaupo Waka claim, dated 23 June 1988

(registrar)

J

NINTH HEARING, HELD AT THE TUAHIWI MARAE, 27-30 JUNE 1988

Document:

J1

Further evidence of Harry C Evison on Banks Peninsula (see A9, A13, A31, G1, G2, J3, J4)

(counsel for claimants)

J2

Further evidence of James P McAloon on the Murihiku block (see E1, E2, E3)

(counsel for claimants)

J3

Additional archive material on Banks Peninsula supplied by Harry C Evison

(counsel for claimants)

J4

Supporting papers to J2 (see E1, E2, E3)

(counsel for claimants)

J5

Submissions of the Waitaha Management Group in association with the South Westland Runanga, Tukurua Runanga, West Coast Fishermens' Association and Maruia Society

J6

Revised analysis of Maori names appearing on French and official British deeds for sale of Banks Peninsula, 1838-1856 (an enlarged copy of J1 p 38)

(counsel for claimants)

J7

Amended claim in respect of fisheries, dated 25 June 1988

(registrar)

J8

Map of Fiordland taken from an 1838 admiralty chart in Edward Shortland The Southern Districts of New Zealand (1851). Copied from A Charles Begg & Neil Begg The World of John Boulton, including an account of sealing in Australia and New Zealand (Whitcoulls, Christchurch 1979) fig 15

J9

Copies of statutes and regulations relating to Lake Waihora

(counsel for claimants)

J10

Evidence of Henare R Tau, David Higgins, Trevor H Howse, Peter Ruka and Barry Brailsford on mahinga kai (Note: D Higgins' evidence replaces H5, B Brailsford's evidence replaces H4 and H R Tau's evidence replaces that included in H6)

(counsel for claimants)

J11\*

Map of kai roto, Kaikoura

(counsel for claimants)

J12\*

Map of groper grounds, Kaikoura area (1)

(counsel for claimants)

J13\*

Map of groper grounds, Kaikoura area (2)

(counsel for claimants)

J14\*

Map of groper grounds, Kaikoura area (3)

(counsel for claimants)

J15\*

Map of major trails of 1840

(counsel for claimants)

J16\*

Map of pounamu sources  
(counsel for claimants)

J17\*

Map of Canterbury trails before 1840

(counsel for claimants)

J18

Barry Brailsford The Greenstone Trails: The Maori Search for Pounamu (Reed, Wellington 1984)

(counsel for claimants)

J19

Barry Brailsford The Tattooed Land (Reed, Wellington 1981)

(counsel for claimants)

J20\*

Map of mahinga kai, Christchurch area

(counsel for claimants)

J21\*

Overlay to J20, wakawaka boundaries, Christchurch mahinga kai

(counsel for claimants)

J22\*

Map of mahinga kai districts according to Matiaha Tiramorehu

(counsel for claimants)

J23

Map of archaeological sites (see H3 Fig 1)

(counsel for claimants)

J24

Map of rahua o te whenua, vegetation, 1840, New Zealand Atlas (Government Printer, Wellington)

(counsel for claimants)

J25

Overlay to J24, "Kahore i Hokona", from previous annual reports of the Ngai Tahu Trust Board

(counsel for claimants)

J26

Overlay to J24, South Island trails

(counsel for claimants)

J27

Map of rahua o te whenua, forest and saw mills, Banks Peninsula 1860

(counsel for claimants)

J28

Map of te aka o tuwhenua, wakawaka ika (fishing wakawaka North Canterbury)

(counsel for claimants)

J29\*

Map of Waitaki wakawaka, collected 1897 and presented to the Native Land Court 1925

(counsel for claimants)

J30\*

Map of Canterbury wakawaka, collected 1897 and presented to the Native Land Court 1925

(counsel for claimants)

J31\*

Map of currents, Punakaiki to Kahurangi Point

(counsel for claimants)

J32\*

Map of Fiordland fishing marks and grounds (also H23)

(counsel for claimants)

J33\*

Map of Kaikoura fishing grounds (also H24)

(counsel for claimants)

J34\*

Map of Banks Peninsula to Otago fishing grounds and marks (also H25)

(counsel for claimants)

J35\*

Map of Foveaux Strait fishing grounds and marks (also H26)

(counsel for claimants)

J36\*

Map of tuku moana, tuna heke, wakawaka for Lake Forsyth (Wairewa)

(counsel for claimants)

J37

Additional note to the evidence of Trevor H Howse on Wairewa (see J10)

(counsel for claimants)

J38

Map of Birdlings Flat, Lake Ellesmere, showing reserves, M37/8.1

(counsel for claimants)

J39

Evidence of James P McAloon on mahinga kai, Ngai Tahu-Ngati Mamoe marine property rights

(counsel for claimants)

J40\*

Overlay to J28, kohanga o kaikai oara (North Canterbury fisheries)

(counsel for claimants)

J41\*

Overlay to J28, maunga karanga

(counsel for claimants)

J42\*

Map of South Island ocean currents

(counsel for claimants)

J43

Final statement of David Higgins on Ngai Tahu fisheries (see J10)

(counsel for claimants)

J44

Additional evidence of Peter Ruka on Ngai Tahu fisheries

(counsel for claimants)

J45

Additional evidence of Henare R Tau on Ngai Tahu fisheries (see J10)

J46

Diagram of River Dismal or Waitaki by Te Warekorari, 9 November 1848, MS 90, Hocken Library

(counsel for claimants)

J47

Evidence of Dr Peter J Tremewan on French land purchases from Ngai Tahu

(registrar)

J48

Buddy Mikaere Te Maiharoa and the Promised Land, (Heinemann, Auckland 1988)

(counsel for claimants)

J49

Information paper for tribunal on southern Maori dialect

(counsel for claimants)

J50

Map of French land purchases in Banks Peninsula

(counsel for claimants)

J51\*

Map of Kaikoura to Banks Peninsula fishing marks and fishing grounds

(counsel for claimants)

J52\*

Map of Taiaroa Head to Nugget Point fisheries and fishing marks

(counsel for claimants)

K

ON 30 JUNE 1988 THE CROWN OPENED ITS RESPONSE TO THE CLAIM

Document:

K1

Opening submission of Crown counsel

K2

Supporting papers to K1

L

TENTH HEARING AT THE SOUTHERN CROSS HOTEL, DUNEDIN, 25-28  
JULY 1988

Document:

L1

Opening submissions of Crown counsel on Banks Peninsula

L2

Evidence of Graham J Sanders on Banks Peninsula (2 vols) (see M26, Q17)  
(withdrawn)

(counsel for Crown)

L3

Supporting papers to L2 (see M26, Q17)

(counsel for Crown)

L4

Opening submissions of Crown counsel on Princes Street reserve

L5

Evidence of Professor Gordon S Parsonson on Princes Street reserve (see L7)

(counsel for Crown)

(a) Arthur L Salmond First Church of Otago; and how it got there (Otago Heritage  
Books, Dunedin 1983)

(counsel for Crown)

L6

Supporting papers to L5

(counsel for Crown)

L7

Opening submission of Crown counsel on Kemp's purchase, part I (see M1)

L8

Evidence of Dr Donald M Loveridge on Kemp's purchase (see M2, M3, O46)

(counsel for Crown)

L9

Supporting papers to L8 (2 vols) (see Q18)

(counsel for Crown)

(a) Pages missing from L9 vols I and II

(counsel for Crown)

L10

Evidence and supporting papers of Jesse H Beard on Taiaroa Head

(counsel for Crown)

L11

Evidence of Ian R H Whitwell on Taiaroa Head

(counsel for Crown)

L12

Map of Maori land holdings, Otago Heads, produced in the Native Land Court, Port Chalmers, 28 November 1913

(counsel for Crown)

L13

Map of native reserve at Otago Heads 1897, ML135

(counsel for Crown)

L14

Aerial photograph, Taiaroa Head reserves n d

(counsel for Crown)

L15

Plan of Taiaroa Head light and pilot reserve, Pukekura, dated 2 July 1867

(counsel for Crown)

L16

B Carter "The Incorporation of the Treaty of Waitangi into Municipal Law" (1980) 4 NZULR

(counsel for Crown)

L17

Modern map of Banks Peninsula used as the base for overlays

(a) Overlay to L17, pre 1840 sales of Banks Peninsula

(counsel for Crown)

L18

A Ballara "A Re-evaluation of the Process of Land Alienation by the Maoris, 1840-1890" (1982) JPS 91(counsel for Crown)

L19

Map of the Nelson Crown grant, 1848

(counsel for Crown)

L20

Admiralty chart 1212 of 1848, including 1846 revision

(counsel for Crown)

L21

Map of part of Middle Island by Charles Kettle, 1848

L22

Photocopy of Kemp's deed

(counsel for Crown)

L23

Photocopy of map of Kemp's deed

(counsel for Crown)

L24

Map of South Island, NZMS 242, used as base for overlays for Kemp, North Canterbury and Kaikoura purchases

(a) Overlay to L24 on boundaries referred to in evidence (see L8)

(counsel for Crown)

L25

Report of the Royal commission to inquire into and report on claims preferred by members of the Maori race touching certain lands known as surplus lands of the Crown, AJHR 1948 G-8

(counsel for Crown)

L26

Maori owned ships, "Watts Index", National Archives, Wellington

(counsel for claimants)

L27

Overlay to L17, Banks Peninsula, additional reserves requested by Ngai Tahu 1849

L28

Overlay to L17, Port Cooper, Port Levy, Akaroa and French blocks

(counsel for Crown)

L29

Overlay to L17, Kinloch and Morice estates

(counsel for Crown)

L30

Further submissions of Crown counsel on Banks Peninsula (see L1)

L31

Directions of deputy-chairperson on application of counsel for the West Coast (South Island) Maori Leaseholders' Association Incorporation and other lessees of Mawhera Incorporation for a summons to require the production of certain documents

(registrar)

L32

Summary from the submissions of ancillary and other issues raised in the Ngai Tahu claim

(registrar)

L33

Memorandum of Tipene O'Regan on the meaning of the name Otepoti, dated 3 September 1988

(registrar)

L34

Reply of claimants to deputy-chairperson's directions on Kurahaupo Waka claim (see I7), dated 21 July 1988

(counsel for claimants)

L35

Memorandum of Crown counsel on Kurahaupo Waka claim and deputy-chairperson's directions (see I7), dated 11 August 1988

(counsel for Crown)

L36

Directions and interlocutory determination of deputy-chairperson on Joe Tukupua and Kurahaupo Waka claim, dated 16 September 1988

(registrar)

M

ELEVENTH HEARING AT COLLEGE HOUSE, CHRISTCHURCH, 29 AUGUST-1 SEPTEMBER 1988

Document:

M1

Opening submission of Crown counsel on Kemp's purchase, part II (see L7)

M2

Evidence of Dr Donald M Loveridge on Kemp's purchase, part II, Walter Mantell's involvement in the Kemp purchase (see Q18)

(counsel for Crown)

M3

Supporting papers to M2 (see Q18)

(counsel for Crown)

M4

Submission of Crown counsel on the North Canterbury and Kaikoura purchases

M5

Evidence of David J Alexander on background to the North Canterbury and Kaikoura purchases

(counsel for Crown)

M6

Supporting papers to M5

(counsel for Crown)

M7

Evidence of Graham J Sanders on North Canterbury

(counsel for Crown)

M8

Supporting papers to M7

(counsel for Crown)

M9

a) Submission of Crown counsel on the Kaikoura reserves

(b) Submission of Crown counsel on Ngai Tahu and Crown policy 1850

(c) Submission of Crown counsel on land for landless natives

M10

Evidence of Dr Donald M Loveridge on the Kaikoura purchase 1859 (see Q19, O48)

(counsel for Crown)

M11

Supporting papers to M10

(counsel for Crown)

M12

Evidence of David J Alexander on the history of the Kaikoura reserves

(counsel for Crown)

M13

Supporting papers to M12

(a) A3 versions of plans contained within M13

(counsel for Crown)

M14

Evidence of Tony Walzl on Ngai Tahu reserves 1848-1890

(counsel for Crown)

M15

Supporting papers to M14

(counsel for Crown)

M16

Evidence of David A Armstrong on the Crown's reserve policy concerning Ngai Tahu 1890-1944

(counsel for Crown)

M17

Supporting papers to M16 (2 vols)

(counsel for Crown)

M18

Further papers relating to the Kaikoura reserves, DOSLI, Wellington

(counsel for Crown)

M19

Memorandum of Crown counsel on whakapapa and hapu issues

M20

Evidence of John M Barrington on schools

(counsel for Crown)

M21

Supporting papers to M20

(counsel for Crown)

M22

Submissions of Crown counsel on the Ngai Tahu Settlement Act 1944

M23

Supporting papers to M22

M24

Memorandum of counsel for Kurahaupo Waka claimants, dated 23 August 1988

M25

"Two Letters from Ngaati-Toa to Sir George Grey", translated by Bruce Biggs, (1959)  
JPS 68

(counsel for Crown)

M26

Observations by the claimants on the evidence of Graham J Sanders on Banks Peninsula (see L2, L3)

(counsel for claimants)

M27

(a) Colour photocopy of Kaikoura purchase deed map 1859, DOSLI, Wellington

(b) Copy of Kaikoura purchase deed 1859, DOSLI, Wellington

(counsel for Crown)

M28

Copies of plans of the Kaikoura reserves originally made by James Mackay, 1859

(a) M796

(b) M797

(c) M798

(d) M799

(e) M800

(f) M801

(g) M802

(h) M803

(i) M809

(j) M816

(counsel for Crown)

M29

Overlays to L24 of pasturage licenses relevant to Kaikoura and North Canterbury purchases, 1846-1859 (see M6)

(a) 1859

(b) 1858

(c) 1857

(d) 1846

(counsel for Crown)

M30

Overlay to L24 of Nelson, Canterbury and Marlborough provincial boundaries

(counsel for Crown)

M31

Overlay to L24 of land and fishing reserves, Kaikoura

(counsel for Crown)

M32

Overlay to L24 of boundaries of the Cheviot estate

(counsel for Crown)

### M33

Department of Maori Affairs files associated with the Ngai Tahu Trust Board (see M22, M23)

(a) MA 26/2 (3 vols)

(b) MA 26/2/7 (2 vols)

(c) MA 26/2, part I

(counsel for Crown)

### M34

Photocopies of various Canterbury deeds

(a) Port Levy deed, 1849

(b) Port Levy deed, 1849

(c) Colour photocopy of map attached to Port Levy deed, dated 25 September 1849

(d) Translation of Port Levy deed, dated 25 March 1871

(e) Port Cooper deed, 10 August 1849

(f) Colour photocopy of plan attached to Port Cooper deed, dated 10 August 1849

(g) Translation of Port Cooper deed, dated 9 June 1871, with table by Walter Mantell showing the way the Port Cooper purchase money was allocated

(h) "Plan to illustrate the report on Native claims, Banks Peninsula", by John Grant Johnston, dated 7 June 1856

(i) English version of North Canterbury deed, dated 5 February 1857 (includes sketch plan)

(j) Maori version of North Canterbury deed

(k) Akaroa deed 1856

(l) English version of Akaroa deed, dated 10 December 1849

(m) Receipt for œ100, final payment Kaiapoi lands, dated 6 January 1860

(counsel for Crown)

### N

TWELFTH HEARING AT ASHLEY MOTOR INN, GREYMOUTH, 19-22  
SEPTEMBER 1988

Document:

N1

Opening submission of Crown counsel on Arahura

N2

Evidence of Dr Donald M Loveridge on the Arahura purchase, 1860 (see O49, R4,  
R6)

(counsel for Crown)

N3

Supporting papers to N2

(counsel for Crown)

N4

Evidence of Crown counsel on Poutini Ngai Tahu reserves

N5

Supporting papers to N4

N6

Evidence of David A Armstrong and Tony Walzl on the origin of leasing on the West  
Coast

(a) Submission of Crown counsel on the West Coast leases

N7

Supporting papers to N6

(counsel for Crown)

N8

Submission of Crown counsel on Ngai Tahu rights to pounamu and gold and silver

N9

Supporting papers to N8

N10

Submissions of Edward Tamati on behalf of the Parininihi-Ki-Waitotara Incorporation

N11

Submissions of Hohepa Solomon on behalf of Wakatu Incorporation on reserved land leases

(counsel for claimants)

N12

Submission of Sir Ralph Love on behalf of the Wellington Tenths Trust and Palmerston North Maori Reserves Trust on reserved land

(counsel for claimants)

N13

Directions and interlocutory determination of deputy-chairperson, dated 16 September 1988

(registrar)

N14

Correspondence from Ian J Burgess, Valuation Department, to the secretary, Parininihi-Ki-Waitotara Incorporation on value of property vested in them, dated 15 September 1988

(counsel for Parininihi-Ki-Waitotara)

N15

Correspondence from A G Johnson, Valuation Department, to the secretary, Parininihi-Ki-Waitotara Incorporation on values of properties vested in them, dated 23 November 1984

(counsel for Parininihi-Ki-Waitotara)

N16

Twelfth annual report and accounts for the Parininihi-Ki-Waitotara Incorporation

(counsel for Parininihi-Ki-Waitotara)

N17

Photocopy Port Nicholson deed, dated 27 September 1839

(Sir Ralph Love)

N18

Photocopy of the survey map for Port Nicholson

(Sir Ralph Love)

N19

Copies of sketch maps of the Arahura reserves by James Mackay

(a) Copy A

(b) Copy B

(counsel for Crown)

N20

(a) Photocopy of Arahura deed 1860

(b) Colour photocopy of sketch plan attached to Arahura deed

(counsel for Crown)

N21

Map of South Island showing land reserved from the Arahura purchase

(counsel for Crown)

N22

Map of Arahura River and reserve

(counsel for Crown)

N23

Maps of the Arahura riverbed, S09742, dated November 1976

(counsel for Crown)

N24

Certificates of title for the Arahura River, dated 3 February 1928

(counsel for Crown)

N25

Calculations of area in Maori reserve 30

(counsel for Crown)

N26

Certificates of title

(a) CT 3D 1382

(b) CT 3D 1383

(c) CT 3D 1384

(counsel for Crown)

N27

Overlays to the Arahura purchase, MR 13

(counsel for Crown)

N28

unallocated

N29

List of mining privileges

(counsel for Crown)

N30

Correspondence from G C Morrison, Office of the Maori Trustee to Shonagh E Kenderdine, Crown counsel, on the Greymouth reserves, dated 7 August 1987

(counsel for Crown)

N31

Evidence of Margaret Moir on behalf of the West Coast United Council

N32

Opening submission of counsel for the Maori Trustee

N33

Synopsis of N32

(counsel for Maori Trustee)

N34

Evidence of Richard T Wickens, Deputy Maori Trustee

(counsel for Maori Trustee)

N35

Supporting papers to N34

(counsel for Maori Trustee)

N36

Submission of counsel for the Maori Trustee

N37

Supporting papers to N36 (see N33)

(counsel for Maori Trustee)

N38

Papers on Maori reserve 31 (Greymouth), DOSLI, Hokitika

N39

Submission of counsel for West Coast (South Island) Maori Leaseholders' Association Incorporated and certain lessees of Mawhera Incorporation

N40

Supporting documents to N39

N41

Evidence of Thomas I Marks on valuations of land and leases on the west coast

(counsel for Crown)

N42

Evidence of Alfred M Jamieson on Mawhera leases

(counsel for West Coast (South Island) Maori Leaseholders Association)

N43

Submission of Eli T Weepu, Upoko Runanga O Tuhuru, on Maori reserved leasehold land

N44

Evidence of Garlyn I Dixon on Arahura reserve land

N45

Topographical map of Arahura River and environs

(counsel for Crown)

N46

List of those holding mining licences and applicants for licences, DOSLI, Wellington

(counsel for Crown)

N47

Correspondence from Crown counsel to the registrar on schedule of mining, prospecting and exploration licences, dated 15 September 1988

(counsel for Crown)

N48

Preliminary observations by the claimants on the evidence given by Dr Donald Loveridge on Kemp's purchase (see L8)

(counsel for claimants)

N49

Correspondence from the Maori Trustee to Crown counsel on area of Mawhera reserve freeholded and not vested in Mawhera Incorporation, dated 13 October 1987

(counsel for Crown)

N50

Submission of Elcock & Johnston on behalf of Alexander J Wallace of Hokitika, on pounamu mining rights

O

THIRTEENTH HEARING AT THE STUDENT UNION BUILDING, OTAGO  
UNIVERSITY, DUNEDIN, 7-10 NOVEMBER 1988

Document:

O1

Opening submission of Crown counsel on Otakou

(a) Valuation report and sales list on Princes Street reserve (no 11)

(counsel for Crown)

O2

Evidence of Dr Donald M Loveridge on the Otakou purchase

(counsel for Crown)

O3

Evidence and supporting papers of Josephine A Barnao on Taiaroa Head and  
Harington Point

(counsel for Crown)

O4

Map of Taiaroa Head

(counsel for Crown)

O5

Evidence of David J Alexander on history of the Kemp block reserves

(counsel for Crown)

O6

Supporting papers to O5

(a) Supporting plans to O5

(counsel for Crown)

O7

Submission of Crown counsel on Wanaka-Hawea reserve

O8

Supporting papers to O7

(counsel for Crown)

O9

Submission of counsel for the Maori Trustee on Lake Hawea fishing reserve

O10

Map of Taiaroa Head, J44/1.2

(counsel for Crown)

O11

Opening submission of Crown counsel on the Murihiku purchase

O12

Evidence of Graham J Sanders on the Murihiku and Rakiura purchases

(counsel for Crown)

O13

Supporting papers to O12

(counsel for Crown)

O14

(a) Evidence of David J Alexander on the Murihiku and Stewart Island reserves

(b) Supporting papers to O14(a)

(c) Addendum to O14(a)

(counsel for Crown)

O15

Evidence of Professor David I Pool on the adequacy of Ngai Tahu reserves, a demographic analysis

(counsel for Crown)

O16

Supporting papers to O15

(counsel for Crown)

O17

Evidence and supporting papers of Ronald D Keating on the Kaikoura, Kaiapoi (Tuahiwi) and Arahura purchases

(counsel for Crown)

O18

Evidence and supporting papers of Donn Armstrong on valuations of Kaikoura and Canterbury, the land market historically to the present day

(counsel for Crown)

O19

Evidence of Thomas I Marks on quantifying the benefits that would have accrued to Poutini Ngai Tahu had their request for a large reserve been granted

(counsel for Crown)

O20

Evidence of Tony Walzl on Mantell's promises and the provision for Ngai Tahu health

(counsel for Crown)

O21

Supporting papers to O20

(counsel for Crown)

O22

Map of Lakes Wanaka and Hawea, Maori land and Crown land at Lake Hawea

(counsel for Crown)

O23

Map of Lakes Hawea and Wanaka, G298

(counsel for Crown)

O24

Map of native reserves in the provinces of Otago and Southland

(counsel for Crown)

O25

Department of Maori Affairs file 7/6/246 (vol 1), land claims and alienations, Lakes Hawea and Wanaka

(counsel for Crown)

O26

Department of Lands and Survey file 50456, land for landless Maoris mid-Wanaka SD

(counsel for Crown)

O27

Map of South Island used as base for overlays for Kemp's purchase

(a) Overlay to O27, Maori reserves (general use and fishing)

(b) Overlay to O27, boundaries, purchase documents (lands of Crown) distinguishing general and SOE lands

(c) Overlay to O27, boundaries of various purchases

(counsel for Crown)

O28

Sketch plan of reserve no 1, Tuturau

(counsel for Crown)

O29

Sketch plan of reserve no 2, Omaui (see O13 p 27)

(counsel for Crown)

O30

Sketch plan of reserve no 3, Oue

(counsel for Crown)

O31

Sketch plan of reserve no 4, Aparima

(counsel for Crown)

O32

Sketch plan of reserve no 5, Oraka (see O13 p 28)

(counsel for Crown)

O33

Sketch plan of reserve no 6, Wakaputaputa (see O13 p 29)

(counsel for Crown)

O34

Sketch plan of reserve no 7, Ouetota (see O13 p 30a)

(counsel for Crown)

O35

(a) Murihiku deed

(b) Map of Murihiku purchase

(counsel for Crown)

O36

Map of Stewart Island showing 168<sup>o</sup>E longitude

(counsel for Crown)

O37

Stewart Island deed

(counsel for Crown)

O38

Titi Island reserves

(counsel for Crown)

O39

Stewart Island reserves

(counsel for Crown)

O40

Map of South Island used as a base map for overlays for Murihiku purchase

(counsel for Crown)

O41

Overlay to O40, boundary of Murihiku purchase

(counsel for Crown)

O42

Overlay to O40, Maori reserves

(counsel for Crown)

O43

Evidence of Professor David I Pool

(a) Audit Table Locality Totals Ratio 1844-1896 Canterbury

(b) Audit Table Sex Totals Ratio 1844-1896 Canterbury

(c) Audit Table Age Totals Ratio 1844-1896 Canterbury

(d) Audit Table Sex-Age Totals Ratio 1844-1896 Canterbury

(e) Provincial Totals 1844-1896 Table 1

(f) County Totals 1844-1896 Table 2

(g) Provincial Sex Ratio 1844-1896 Table 3

(h) County Sex Ratio 1844-1896 Table 4

(counsel for Crown)

O44

Evidence of Ronald Keating

(a) Map of Kaikoura reserve and the study block

(b) Map of Canterbury study area

(c) Map of Arahura study area

(d) Map of Tuahiwi reserve

(e) Map of Kaikoura study block sales and overlay

(counsel for Crown)

O45

Base map of Otago Peninsula and overlays (a)-(h) of Otakou Maori reserve

(counsel for Crown)

O46

Observations by the claimants on Crown evidence of Dr Donald M Loveridge on Kemp's purchase (L8 and L9) (see M2, M3, Q18, R1, R2)

(counsel for claimants)

O47

Observations by the claimants on Crown evidence of Graham J Sanders on the North Canterbury purchase (M7 and M8) (see R5)

(counsel for claimants)

O48

Observations by the claimants on Crown evidence of Dr Donald M Loveridge on the Kaikoura purchase (M10 and M11) (see Q19, R3)

(counsel for claimants)

O49

Preliminary memorandum of the claimants on Crown evidence of Dr Donald M Loveridge on the Arahura block (N2 and N3) (see R4)

(counsel for claimants)

O50

Preliminary memorandum of the claimants on Crown evidence of David A Armstrong and Tony Walzl on the Arahura block

(counsel for claimants)

O51

Curriculum vitae of Professor David I Pool (see O15 and O16)

(counsel for claimants)

O52

Memorandum of deputy-chairperson on mahinga kai - sea fisheries claims, dated 10 November 1988 (see O53)

(registrar)

O53

Memorandum of deputy-chairperson amending memorandum dated 10 November 1988, dated 14 November 1988 (see O52)

(registrar)

O54

Memorandum of deputy-chairperson concerning state owned enterprises, dated 11 November 1988

(registrar)

P

FOURTEENTH HEARING AT COLLEGE HOUSE, ILAM, CHRISTCHURCH, 5-9 DECEMBER 1988

Document:

P1

Opening submission of Crown counsel on the Otakou "tenths"

P2

Evidence of Dr Donald M Loveridge on the Otakou purchase of 1844

(counsel for Crown)

P3

Supporting papers to P2

(counsel for Crown)

P4

Evidence of Professor Gordon Parsonson on the Otakou tenths, overview

(counsel for Crown)

P5

Supporting papers to P4

(counsel for Crown)

P6

Supporting papers to P7

(counsel for Crown)

P7

Evidence of David J Alexander on Otakou, Murihiku and Rakiura reserves

(counsel for Crown)

P8

Opening submission of Crown counsel on Titi Islands

(a) Evidence of Ronald Tindal

(b) Evidence and supporting papers of Ronald Tindal

(counsel for Crown)

P9

(a) Submissions of Crown counsel on mahinga kai

(b) Supporting documents to P9(a)

(c) Documents relating to fishery easements

(d) Key to maps of Banks Peninsula, the Kaikoura coast and Kemp's purchase

(counsel for Crown)

P10

Evidence of Anthony Walzl on mahinga kai (see O48, Q19, Q21)

(counsel for claimants)

P11

Supporting papers to P10

(counsel for claimants)

P12

Evidence of Robert D Cooper, MAFFish, on records of Maori fisheries in government archives since 1840

P13

Supporting paper to P12

P14

(a) Evidence of Josephine A Barnao on Kaitorete Spit

(b) Supporting papers of Josephine A Barnao on Waihora (Lake Ellesmere) (see P14(a), Q20, Q22)

(c) Submissions of Crown counsel on Taumutu commonage reserves

(counsel for Crown)

P15

(a) Evidence of Ronald W Little, MAFFish, on the nature of the land during the period of early habitation and what has happened to the South Island and its fishery habitat since then

(b) Evidence of B Johnson, national executive of the New Zealand Acclimatisation Societies, on the acclimatisation societies and their relationship with freshwater fisheries and wildlife

(counsel for Crown)

P16

(a) Evidence of Ronald W Little, MAFFish, on the physical nature of Lakes Ellesmere and Forsyth

(b) Evidence of Dr Peter Todd, MAFFish, on eel and lamprey biology and the eel fisheries in Lakes Ellesmere and Forsyth

(c) Evidence of Professor Walter C Clark on Maori involvement in management of freshwater fisheries and game resources in the North Canterbury acclimatisation district, with specific reference to Lake Ellesmere

(d) Evidence of Paul Sager, MAFFish, on the Opihi River-potential effects on fish of flow augmentation

(counsel for Crown)

P17

Map of Otakou purchase

(a) Overlay of Maori reserves

(b) Overlay of Crown and SOE land

(counsel for Crown)

P18

Further evidence of David A Armstrong on the Murihiku purchase

(counsel for Crown)

P19

Supporting maps to P2

(a) Sketch of the lands to be annexed to the settlement of New Edinburgh, 15 June 1844

(b) Survey of part of the harbour of Otago, 1844

(c) Sketch showing New Edinburgh purchase and reserve of "natives"

(d) A survey of part of the harbour of Otago (New Edinburgh settlement)

(e) Deed of purchase after the Native Land Court at Dunedin 17 May 1868

(counsel for Crown)

P20

unallocated

P21

Map of South Island land tenure

(counsel for Crown)

P22

(a) Submissions of counsel for Federated Farmers on behalf of Crown pastoral lessees

(b) Evidence of Hamish R Ensor on behalf of Crown pastoral lessees

(c) Evidence of Donald McKenzie on tenure of land subject to specific claims

(d) Evidence of Jim Morris on relationship to the land

(e) Supplement to the evidence of Hamish R Ensor (see P22(b))

P23

Submission of J A Glennie on behalf of the North Canterbury Catchment Board and Regional Water Board

P24

(a) Submissions of counsel for Telecom Corporation of New Zealand Ltd

(b) Supporting documents to P24(a)

P25

Submissions of counsel for Land Corporation Ltd

P26

Schedules of unallocated former state forest lands and Crown lands, Westland land district

(counsel for claimants)

P27

Map of the South Island, sections highlighted in green

(counsel for Crown)

P28

Map of South Island showing pastoral, freehold, army, forest park, special lease, university lease, and land once grazed

(counsel for Crown)

P29

Evidence of Edwin D Lyttle on behalf of Otago Federated Farmers

P30

Evidence of Ronald W Little, MAFFish, line graph of vegetation cover of New Zealand

P31

Evidence of Ronald W Little, MAFFish, bar graph of native forest land area

P32

(a) Map of Christchurch land drainage, present day

(b) Map of Christchurch land drainage, c 1855

(c) Long term planning for the Avon-Heathcote estuary, Christchurch City Council, 1980

(counsel for Crown)

P33

Map of South Island used to point out Otumatua

(counsel for Crown)

P34\*

Map of Maori place names of Lake Ellesmere presented by Ricki Ellison to Duncan McIntyre

(counsel for Crown)

P35

Correspondence from Reverend J F H Wohlers to Frederick Tuckett, 1849-1856, MS 41, Hocken Library

(registrar)

Q

FIFTEENTH HEARING AT MANCAN HOUSE, CHRISTCHURCH, 7-9  
FEBRUARY 1989

Document:

Q1

Submission of counsel for the claimants on deputy-chairperson's memorandum of 10 November 1988 on sea fisheries claims (see O52)

Q2

Submission of Mervyn N Sadd on deputy-chairperson's memorandum of 10 November 1988 on sea fisheries claims (see O52)

Q3

Further evidence of James P McAloon on Murihiku and Rakiura

(counsel for claimants)

Q4

Observations of claimants on the evidence of David A Armstrong on Murihiku (P18)

(counsel for claimants)

Q5

Observations of claimants on the evidence of Graham J Sanders on Murihiku and Rakiura (O12 and O13)

(counsel for claimants)

Q6

Preliminary observations of the claimants on the evidence of Anthony Walzl on Mantell's promises and the provision for Ngai Tahu health (O20)

(counsel for claimants)

Q7

Submission of Crown counsel on Ngai Tahu sea fisheries

Q8

Evidence of Anthony Walzl on economy of Ngai Tahu

(counsel for Crown)

Q9

Supporting papers to Q8

(counsel for Crown)

Q10

Evidence and supporting papers of David J Alexander on Lake Forsyth and Lake Ellesmere reserves

(counsel for Crown)

Q11

Evidence of Anthony Walzl on Native Land Court minute book

(counsel for Crown)

Q12

Submissions of counsel for the New Zealand Fishing Industry Association

Q13

Submissions of counsel for the New Zealand Fishing Industry Board

Q14

Evidence of Malcolm R Hanna on valuation and the evidence of Thomas I Marks (see O19)

(counsel for claimants)

Q15

Submission of Dr R S Deane, Electricity Corporation of New Zealand Ltd, on the role of the Electricity Corporation in relation to Maori claims

Q16

Submission of J P F Robinson, Electricity Corporation of New Zealand Ltd, on South Island hydro power stations

(a) Topographical map showing Electricity Corporation of New Zealand Ltd's power stations in the South Island

(counsel for Electrocorp)

Q17

Salient points in the claimants' observations (M26) on the evidence of Graham J Sanders on Banks Peninsula (see L2, L3)

(counsel for claimants)

Q18

Salient points in the claimants' observations (O46) on the evidence of Dr Donald M Loveridge on Kemp's purchase (see L8, L9, M2, M3)

(counsel for claimants)

Q19

Salient points in the claimants' observations (O48) on the evidence of Dr Donald M Loveridge on Kaikoura (see M10, M11)

(counsel for claimants)

Q20

Observations of the claimants on the evidence of Josephine Barnao on the alleged French "purchase" of Banks Peninsula (see P14(a))

(counsel for claimants)

Q21

Observations of the claimants on the evidence of Anthony Walzl on mahinga kai (see P10, P11)

(counsel for claimants)

Q22

Observations of the claimants on the evidence of Josephine Barnao on Kaitorete (see P14(a) and (b))

(counsel for claimants)

Q23

Memorandum on the Treaty of Waitangi in the South Island

(a) Map A, nineteenth century Banks Peninsula

(b) Map B, eastern Canterbury and Banks Peninsula Ngai Tahu land sales 1840-1856

(counsel for claimants)

Q24

Interlocutory determination of deputy-chairperson on procedure relating to hearing of sea-fisheries claim,

dated 10 February 1989

(registrar)

Q25

Submissions of Crown counsel in reply to memorandum of deputy-chairperson concerning an interim recommendation to the Crown sought by Ngai Tahu Trust Board for reimbursement of expenses

(counsel for Crown)

Q26

Submission of claimants in support of application for interim order for reimbursement of claimants' expenses

(counsel for claimants)

Q27

Submissions of the Wellington District Law Society to the chairperson of the Maori Fisheries Committee, House of Representatives, Wellington on the Maori Fisheries Bill 1988

Q28

Memorandum of David J Alexander on ancillary claims, received 13 March 1989

(counsel for Crown)

Q29

Memorandum of Thomas I Marks on the evidence of Malcolm R Hanna on the valuation of rentals for Mawhera leasehold land (see Q14)

(counsel for Crown)

Q30

Memorandum of deputy-chairperson on procedure and case to be stated to the Maori Appellate Court, dated 27 February 1989

(registrar)

Q31

Memorandum of Crown counsel on Ngai Tahu sea fisheries, dated 13 March 1989

(registrar)

Q32

Memorandum of deputy-chairperson giving directions on timetabling and hearing dates for sea-fisheries portion of the claim, dated 16 March 1989

(registrar)

Q33

Case stated to the Maori Appellate Court on a question to determine Maori land and fisheries tribal boundaries

(registrar)

R

SIXTEENTH HEARING AT THE CHATEAU REGENCY, CHRISTCHURCH, 10-13 APRIL 1989

Document:

R1

Crown responses to preliminary observations by the claimants on the evidence of Dr D M Loveridge on Kemp's purchase (L8 and L9) (see O46)

(counsel for Crown)

R2

Crown responses to preliminary observations on the evidence of Dr D M Loveridge on Kemp's purchase (M2 and M3) (see O46)  
(counsel for Crown)

R3

Crown responses to observations by the claimants on the evidence of Dr D M Loveridge on the Kaikoura purchase (M10 and M11) with additional documents (see O48)

(counsel for Crown)

R4

Crown responses to preliminary memorandum by the claimants on the evidence of Dr D M Loveridge on the Arahura block (N2 and N3) (see O49)

(counsel for Crown)

R5

Crown responses to observations by the claimants on the evidence of G J Sanders on the North Canterbury purchase (M7 and M8) (see O47)

(counsel for Crown)

R6

Crown responses to preliminary memorandum by the claimants on evidence of D A Armstrong and A Walzl on the Arahura block (N6 and N7) (see O50)

(counsel for Crown)

R7

Crown responses to preliminary observations by the claimants on evidence of A Walzl on Mantell's promises and the provision for Ngai Tahu health (O20 and O21)

(counsel for Crown)

R8

Evidence of David A Armstrong on Banks Peninsula

(counsel for Crown)

R9

Opening submission of Crown counsel on Ngai Tahu sea fisheries

R10

Submission of Crown counsel on legislation concerning fisheries

R11

Evidence of John A Colman, MAFFish, on marine fish and the environment

(counsel for Crown)

R12

Evidence of John D Booth, MAFFish, on rock lobster fishery

(counsel for Crown)

R13

Evidence of Talbot Murray, MAFFish, on South Island paua fishery

(counsel for Crown)

R14

(a) Evidence of Jacqui Irwin, MAFFish, on shallow water fin fisheries of the South Island

(b) Evidence of Tony Avery, MAFFish, on shoreline and shallow-water shellfisheries of the South Island

(c) Evidence of Graeme McGregor, MAFFish, on South Island blue cod fishery

(d) Evidence of Lawrence J Paul, MAFFish, on South Island shark fisheries

(counsel for Crown)

R15

(a) Evidence of Rosemary J Hurst, MAFFish, on South Island barracouta fishery

(b) Evidence of John B Jones, MAFFish, on South Island blue warehou fishery

(c) Evidence of Alistair B MacDiarmid, MAFFish, on South Island red cod fishery

(counsel for Crown)

R16

Evidence of Lawrence J Paul, MAFFish, on South Island groper, tarakihi and bluenose fisheries

(a) Evidence of Robert H Mattlin, MAFFish, on South Island squid fishery

(counsel for Crown)

R17

Evidence of Mary E Livingston, MAFFish, on South Island silver warehou fishery

(a) Evidence of John A Colman, MAFFish, on South Island hake fishery

(b) Evidence of John A Colman, MAFFish, on South Island ling fishery

(counsel for Crown)

R18

Evidence of Kevin J Sullivan, MAFFish, on hoki fishery

(counsel for Crown)

R19

Evidence of Donald A Robertson, MAFFish, on orange roughy fishery

(a) Evidence of Peter McMillan, MAFFish, on South Island oreo fishery

(counsel for Crown)

R20

Evidence of Robin Allen, MAFFish, on the role of fisheries research

(counsel for Crown)

R21

Evidence of Ian N Clark, MAFFish, on development of the quota management system

(a) Economic Review of the New Zealand Fishing Industry 1987-88 (NZFIB, February 1989)

(counsel for Crown)

R22

Evidence of Bruce Shallard, MAFFish, on the quota management system

(counsel for Crown)

R23

Evidence of Robert D Cooper, MAFFish, on the effect of fishery management policies on Maori involvement in fishing

(counsel for Crown)

R24

Evidence of Grant Thomas Crowthers, MAFFish, on fisheries compliance

(counsel for Crown)

R25

Evidence of Ian N Clark, MAFFish, on the economics of the South Island fishery

(counsel for Crown)

R26

Evidence of Robert D Cooper, MAFFish, on local control and management of coastal fisheries by Maori

(counsel for Crown)

R27

Audiovisual aids to MAFFish evidence, book of slide copies

(counsel for Crown)

R28

Audiovisual aids to MAFFish evidence, box of slides used in presentation

(counsel for Crown)

R29

Memorandum of Crown counsel on Banks Peninsula asking for the withdrawal from the record of their submissions and evidence L1, L2 and L30

R30\*

"Mahinga Kai List 1880" presented to Tipene O'Regan by MAFFish

R31

Question from the tribunal to MAFFish on the nature and extent of Ngai Tahu fishing in traditional times in relation to specific fish and shellfish

(registrar)

R32

Further evidence in support of R23 on exclusion of part-time fishers

(counsel for Crown)

R33

Statement of George Clarke Jr to the Smith-Nairn commission on the Otakou purchase, MA 67, National Archives, Wellington

(counsel for Crown)

R34

Correspondence from H T Kemp referring to the termination of his services with the New Zealand government, GNZ MSS 201, Auckland Public Library

(counsel for Crown)

R35

Further evidence of Dr Ann R Parsonson on the Otakou tenths  
(counsel for claimants)

R36

(a) Supporting papers to R35, vol 1

(b) Supporting papers to R35, vol 2

(counsel for claimants)

R37

Memorandum of counsel for NZFIB and NZFIA on timetabling and hearing dates for  
sea-fisheries portion of claim

R38

(a) Evidence of John A Colman, MAFFish, on marine fish and the environment,  
supplement to R11

(b) Curriculum vitae of Alan Coakley, supplement to R14(a)-(d)

(c) Evidence of Kevin J Sullivan, MAFFish, on hoki fishery, supplement to R18

(d) Evidence of Rosemary J Hurst, MAFFish, on barracouta, blue warehou and red  
cod, supplement to R15(a)-(c)

(e) Evidence of Mary E Livingston, MAFFish, on silver warehou and red cod,  
supplement to R17, 17(a)-(b)

(f) Evidence of Neil Martin, MAFFish, on effect of fisheries management policies on  
Maori involvement in fishing, supplement to R23

(g) Evidence of Robert D Cooper, MAFFish, on local control and management of  
coastal fisheries by Maori, supplement to R26

(h) Evidence of Ian N Clark, MAFFish, additional data on TAC's catch values and  
valuation definitions, supplement to R25

(i) Evidence of Henry J Cranfield, MAFFish, on dredge oysters

(j) Evidence of Ron Blackwell, MAFFish, on gurnard

(k) Evidence of Graeme McGregor, MAFFish, on stargazer

(l) Evidence of Rosemary J Hurst, MAFFish, on gemfish

(m) Evidence of John A Colman, MAFFish, on southern blue whiting

(n) Evidence of Talbot Murray, MAFFish, on tuna

(o) Evidence of Lawrence J Paul, MAFFish, on species composition of the modern commercial fishery for marine finfish in the Ngai Tahu region of the South Island

(p) Evidence of Lawrence J Paul, MAFFish, on South Island marine fisheries bibliography

(counsel for Crown)

R39

Evidence of James P McAloon on new translations of the Murihiku and Arahura deeds

(counsel for claimants)

R40

Letter from J Thomas, agent and chief surveyor, Canterbury Association, dated 28 February 1849, 1/49A, 3/1 letterbook 1848-1851, Canterbury Association Records, Lands and Survey Collection, Canterbury Museum Archives

S

THE SEVENTEENTH HEARING AT THE CHATEAU REGENCY,  
CHRISTCHURCH, 29 MAY-2 JUNE 1989

Document:

S1

Evidence of Robert D Cooper, MAFFish, on history of the New Zealand paua fishery 1860-1973

(counsel for Crown)

S2

(a) Evidence of Dr Murray A Bathgate on the archaeological and early documentary record concerning Maori fishing in the South Island including reference to two reports by Dr Foss Leach (S4 and S5)

(counsel for Crown)

(b) Curriculum vitae of Dr Murray A Bathgate

(c) Curriculum vitae of Dr Foss Leach

S3

Supporting papers to S2 (2 vols)

(counsel for Crown)

S4

Report of Dr Foss Leach on the archaeology of Maori marine food harvesting (see S2)

S5

Report of Dr Foss Leach on archaeological time trends in South Island Maori fishing (see S2)

S6

(a) Evidence of David J Alexander on history of sealing and whaling in southern New Zealand

(b) Supporting papers to S6(a)

S7

Evidence of Anthony Walzl on Ngai Tahu fishing 1840-1908

(counsel for Crown)

S8

Supporting documents to S7

(counsel for Crown)

S9

Evidence of David A Armstrong on Ngai Tahu fishing in the twentieth century, overview

(counsel for Crown)

S10

Supporting papers to S9 (2 vols)

S11

(a) Evidence of counsel for Tane Moana Runanga Trust Incorporated on Ngai Tahu fishing

(b) Evidence of John Solomon on Ngai Tahu fishing (including evidence of William Pacey)

(c) Evidence of Morris Jacobs on Ngai Tahu fishing (including the evidence of Charles B Harvey, Raymond F Harvey, Stewart C Harvey, Graham D Harvey)

(d) Evidence of James N Pohio on Ngai Tahu fishing (including the evidence of T M Taiaroa and Beresford Davis)

(counsel for Tane Moana Runanga Trust)

S12

Maori language documents selected from the Taiaroa papers, Canterbury Museum Library, and their translations by Sarah M Williams

(counsel for Crown)

S13

Evidence of Lawrence J Paul, MAFFish, on the use of "marks" to locate fishing grounds

(counsel for Crown)

S14

Evidence of Lawrence J Paul, MAFFish, on the likely capture and use of fish species by Ngai Tahu fishing people in traditional times (see R31)

(counsel for Crown)

S15

J R Goodwin "Some Examples of Self-Regulatory Mechanisms in Unmanaged Fisheries" FAO Fisheries Report (289) Suppl 2

(counsel for Crown)

S16

Evidence of Professor Ian A Gordon on the meaning of "fisheries" particularly in the Treaty of Waitangi

(counsel for NZFIB and NZFIA)

S17

Evidence of Richard N Holdaway on Maori conservation of natural resources in the pre-European and proto-historic periods of New Zealand history

(counsel for NZFIB and NZFIA)

S18

Submission on behalf of the Federated Mountain Clubs of New Zealand Incorporated

S19

Evidence of Alison F Mannell, partner in crayfishing venture

(counsel for NZFIB and NZFIA)

S20

Evidence of Ralph E Brown, crayfisherman and marine farmer

(counsel for NZFIB and NZFIA)

S21

Evidence of Steven J Anderson, crayfisherman

(counsel for NZFIB and NZFIA)

S22

Evidence of Patrick King on the meaning of mahinga kai

(counsel for Crown)

S23

Opening submission of counsel for the NZFIA and NZFIB

S24

Memorandum of claimants on Kemp's purchase and on the Treaty of Waitangi

T

THE EIGHTEENTH HEARING AT THE CHATEAU REGENCY,  
CHRISTCHURCH, 12-16 JUNE 1989

Document:

T1

Professor Alan D Ward "A Report on the Historical Evidence: The Ngai Tahu Claim Wai 27", May 1989, commissioned by the Waitangi Tribunal (see U10 and U11)

(a)-(f) Amendments and additions to T1

(registrar)

T2

Supporting papers to T1

(registrar)

T3

Dr Peter J Tremewan "Kai Tahu Land Sales to Captain Langlois and the Nanto-Bordelaise Company on Banks Peninsula", May 1989, commissioned by the Waitangi Tribunal

(registrar)

T4

Dr George Habib "Ngaitahu Claim to Mahinga Kai", June 1989, commissioned by the Waitangi Tribunal

(a) Report on Ngai Tahu fisheries evidence

(b) Report on the mahinga kai lists 1880 (see R30)

(c) Assessment of Crown evidence on the mahinga kai fisheries aspects of the Ngai Tahu claim

(d) Report on evidence on sealing and whaling by the Crown and fishing industry

(e) Curriculum vitae of Richard O Boyd, Ika Venture Corp Ltd

(registrar)

T5

(a) Nelson Crown grant to the New Zealand Company, August 1848

(b) Plan 1 of Nelson grant from the Crown to the New Zealand Company, Heaphy, 1848, SO 1053, DOSLI, Nelson

(c) Schedule to plan 1 showing the Nelson Crown Grant to the New Zealand Company, 1848, SO 1054, DOSLI, Nelson

(registrar)

T6

Evidence of Kemp to the Smith-Nairn Commission, 1879, MA 67/8, National Archives, Wellington

(registrar)

T7

Correspondence from Mantell to Topi, 16 February 1858, MS paper 83, folder 166, Alexander Turnbull Library, Wellington

(registrar)

T8

T W Downes Old Whanganui (W A Parkinson & Son, Hawera 1915) pp 320-326

(registrar)

T9

Coloured copy of the Murihiku deed map, 17 August 1853

(counsel for Crown)

T10

(a) Replacement of T1 p 399

(b) Replacement of T2 p 398

(registrar)

T11

Map of the Wairau purchase, 1847, Compendium, vol 1 p 206

(registrar)

T12

Archival material in the registers of Native Affairs Department and the Canterbury Provincial Council, prepared by Jenny Murray

(registrar)

T13

A G Bagnall Wairarapa, An Historical Excursion (The Masterton Trust Lands Trust, Masterton 1976) pp 86-87

(registrar)

T14

Correspondence from George Clarke Sr, chief protector of aborigines, to the colonial secretary, dated 17 October & 1 November 1843, BPP/CNZ (IUP) vol 2 appendix pp 356-360

(registrar)

U

THE NINETEENTH HEARING AT THE CHATEAU REGENCY,  
CHRISTCHURCH, 3-6 JULY 1989

Document:

U1

Evidence of Dr Harry Morton on sealing and whaling

(counsel for NZFIA and NZFIB)

U2

Evidence of Kevin P Molloy on sealing and whaling

(a) "The Range and Magnitude of the European Sealing Effort in New Zealand Waters, 1790-1830"

(b) "Whaling and Land Based Resources - A Study of Impact and Interaction within the Boundaries of South Island Ngai Tahu Occupation"

(counsel for NZFIA and NZFIB)

U3

Evidence of Deborah Montgomerie on the Rakiura purchase

(registrar)

U4

Submission of counsel for Tane Moana Runanga Trust

U5

Evidence of Morris Jacob

(counsel for Tane Moana Runanga Trust)

U6

Submission of John Solomon

(counsel for Tane Moana Runanga Trust)

U7

(a) Submission of James N Pohio

(b)\* Whakapapa tipuna of James N Pohio

(counsel for Tane Moana Runanga Trust)

U8

Evidence of William Pacey

(counsel for Tane Moana Runanga Trust)

U9

Submission of Robert Pacey

(counsel for Tane Moana Runanga Trust)

U10

(a) Observations of the claimants on the report of Professor Alan Ward (T1) on the Murihiku and Arahura claims

(b) Observations of the claimants on the reports by Professor Alan Ward and Dr Peter Tremewan with respect to Kemp's purchase, Banks Peninsula, North Canterbury and Kaikoura (T1, T2, T3)

(c) Observations of the claimants on the report of Professor Alan Ward (T1) on the Otago purchase

(d) Further observations by the claimants on the reports by Professor Alan Ward and Dr Peter Tremewan (T1, T3)

(counsel for claimants)

U11

(a) Submission of Anthony Walzl on the Ward report (T1), Mantell's promises, especially those relating to health (summary of O20)

(b) Submission of Anthony Walzl on the Ward report (T1), mahinga kai

(c) Some observations of Anthony Walzl and David A Armstrong on the evidence of Deborah Montgomerie on the Greymouth leases (T1)

(d) Some comments of David A Armstrong on the evidence of Jenny Murray, Dr Peter Tremewan and Professor Alan Ward on Banks Peninsula (T1)

(counsel for Crown)

V

THE TWENTIETH HEARING AT TRIBUNALS DIVISION BOARDROOM,  
DATABANK HOUSE, WELLINGTON, 1-2 APRIL 1989

Document:

V1

Submissions of counsel for NZFIB and NZFIA

V2

Evidence of Dr Michael Belgrave on Waihora (Lake Ellesmere) and Kaitorete

(registrar)

V3

Additional evidence of James P McAloon on the Arahura river reserves

(counsel for claimants)

V4

Transcript of Tipene O'Regan's oral submission to the Waitangi Tribunal, 1 June 1989

(registrar)

V5

Comments of Dr Murray A Bathgate on the evidence of Dr Harry Morton and Kevin P Molloy relating to sealing and whaling (see U1, U2)

(counsel for Crown)

V6

Comments of Dr Murray A Bathgate on the reports of Dr George Habib

(a) Report on Ngai Tahu fisheries evidence, June 1989 (see T4(a))

(b) Assessment of Crown evidence on the mahinga kai fisheries aspects of the Ngai Tahu claim (see T4(c))

(counsel for Crown)

V7

"Mythical topographic features in the early mapping of Otago and Southland 1823-51" New Zealand Geographer 2432 (October 1968) pp 206-213

(counsel for Crown)

V8

Further submissions of counsel for NZFIB and NZFIA on the question of the meaning and effect of "exclusive...possession of their...fisheries"

V9

Comments of Professor Alan Ward in response to observations by the claimants on his report on the Otago purchase (U10(c))

(registrar)

V10

Correspondence from Brian L McIntosh on behalf of the Taumutu Residents Association, Leeston, Canterbury received 17 July 1989

W

THE TWENTY FIRST HEARING AT TUAHIWI MARAE, 14-17 AUGUST 1989

Document:

W1

(a) Closing address of counsel for the claimants

(b) Supplement to W1(a)

(counsel for claimants)

W2

Observations of the claimants on the report by Professor Alan Ward (T1) on the Princes Street reserve (appendix D) with additional documents

(counsel for claimants)

W3

Claimants' summary of grievances on Banks Peninsula

W4

Claimants' summary of grievances on Kemp's block

W5

Claimants' summary of grievances on North Canterbury and Kaikoura blocks

W6

Claimants summary of grievances on Otakou, Murihiku, Rakiura, Arahura, mahinga kai

W7

Memorandum on statement by Henry Sewell (premier of New Zealand) quoted by P Temm in his closing address

(counsel for claimants)

W8

Comments of MAFFish on report on Crown fisheries evidence by Dr George Habib (see T4(c))

(counsel for Crown)

W9

Correspondence from Ellesmere County Council to counsel for the claimants on Fisherman Point reserve

(registrar)

W10

Correspondence from the District Land Registrar's Office, Nelson to the Office of the Public Trustee, Wellington, on Westport leases

(counsel for Maori Trustee)

W11

Submission of Trevor H Howse on signatories of certain deeds of sale to the Crown

(counsel for claimants)

W12

Transcript of examination of Professor Alan Ward, 12-16 June 1989

(registrar)

X

THE TWENTY SECOND HEARING AT TUAHIWI MARAE, 11-15 SEPTEMBER  
1989

Document:

X1

Closing address of Crown counsel, vol 1

X2

Closing address of Crown counsel, vol 2

X3

Closing address of Crown counsel, vol 3

X4

Closing address of Crown counsel, vol 4

X5

(a) Map of Te Wai Pounamu giving Maori locations (see X2)

(b) Map of Te Wai Pounamu giving Maori locations

(counsel for Crown)

X6

Evidence of David A Armstrong and Tony Walzl on endowments

(counsel for Crown)

X7

Correspondence from Eyre to Grey, 1 May 1848, NM4/1, pp 169-171, National  
Archives, Wellington

(counsel for Crown)

X8

(a) Questions from the tribunal to the Crown on Kemp's purchase (see X1)

(b) Memorandum from the Crown in response to X8(a)

(counsel for Crown)

X9

Correspondence from New Zealand Deerstalkers Association, to the registrar,  
received 11 September 1989

X10

unallocated

X11

Memorandum of Crown counsel providing answers to "issues" (see I6)

X12

(a) Extracts from Mantell's Sketchbook No 3, MS Mantell 1848-1849, Alexander  
Turnbull Library, Wellington

(b) Transcript of X12(a)

(registrar)

X13

(a) Map of South Island by Mantell, C103, photographs and prints, Alexander  
Turnbull Library, Wellington

(b) Map of Middle Island by Mantell, C103, photographs and prints, Alexander  
Turnbull Library, Wellington

(registrar)

Y

THE TWENTY THIRD HEARING AT TUAHIWI MARAE, 9-10 OCTOBER 1989

Document:

Y1

Reply of claimants' counsel to the Crown's closing address

Y2

Deputy-chairperson's concluding statement

(registrar)

Y3

Correspondence from the Minister of Energy to the deputy-chairperson on the tribunal's recent submission on the question of restricting mining licences for pounamu, received 16 October 1989

(registrar)

Z

TWENTY FOURTH HEARING AT TRIBUNALS DIVISION, DATABANK HOUSE, WELLINGTON, 28 JUNE 1990

Document:

Z1

Application by NZFIB and NZFIA for leave to adduce further evidence, received 22 May 1990

(registrar)

Z2

Memorandum of counsel for NZFIB and NZFIA in support of Z1, received 22 May 1990

Z3

Directions of deputy-chairperson as to hearing of application by NZFIB and NZFIA for leave to adduce further evidence, dated 29 May 1990

(registrar)

Z4

Memorandum of Crown counsel in response to deputy-chairperson's directions dated 29 May 1990, received 15 June 1990 (see Z3)

Z5

Memorandum of counsel for NZFIB and NZFIA, received 28 June 1990

Z6

Submissions of Crown counsel in respect of questions raised in the deputy-chairperson's directions dated 29 May 1990, received 28 June 1990 (see Z3)

Z7

List of affidavits of first and second defendants filed in High Court proceedings (CP 559/87) requested by the deputy-chairperson's directions dated 29 May 1990

(counsel for Crown)

Z8

Maps of Murihiku, 1851, 834-836 qbbd, 1851, Acc 3261, cartographic collection, Alexander Turnbull Library, Wellington

(a) Maps

(b) Direction of presiding officer, dated 29 June 1990

Z9

Interlocutory determination by Tribunal on an application for leave to adduce further evidence, dated 2 July 1990

(registrar)

Z10

Translation and synopsis of Ngai Tahu letters from the Grey collection, Auckland Public Library and Mantell collection, Alexander Turnbull Library, Wellington, by Lindsay Head, dated 14 July 1990

(registrar)

Z11

Memorandum of Crown counsel, received 27 July 1990

(a) Comments on the Murihiku maps, received 27 July 1990

(counsel for Crown)

Z12

Memorandum of Crown counsel on translation of Ngai Tahu letters, received 14 August 1990

Z13

(a) Memorandum of counsel for the claimants on Z10, received 16 August 1990

(b) Comments on Otakou letters, received 16 August 1990 (see Z10)

(c) Comments by the claimants on maps of the Murihiku block by Walter Mantell, 1851, dated 29 June 1990

(counsel for claimants)

Z14

(a) Memorandum of counsel for the claimants on Kemp, received 16 August 1990

(b) Correspondence attributed to Teoti Wiremu Metehau about Kemp's deed, received 16 August 1990

Z15

Evidence of Professor Peter Munz on the interpretation of historical documents, with reference to Magna Carta

(counsel for NZFIB and NZFIA)

Z16

Evidence of Graham V Butterworth summarising conclusions reached on the impact of the speeches of the Maori members of parliament on the 1907 Fisheries Amendment Bill in the House of Representatives

(a) Evidence of Graham V Butterworth on the Maori political system of the 1890s and 1900s

(b) Supporting papers to Z16(a)

(counsel for NZFIB and NZFIA)

Z17

Evidence of Susan M Butterworth on the history of the New Zealand fishing industry 1840-1923

(a) Supporting papers to Z17

(counsel for NZFIB and NZFIA)

Z18

Evidence of Gregory C Billington, NZFIB, on the history of the New Zealand fishing industry 1963-1989

(a) Reports of the Fishing Industry Board 1965-1975 (see Z18)

(b) Reports of the Fishing Industry Board 1976-1989 (see Z18)

(counsel for NZFIB and NZFIA)

Z19

Evidence of Gary Bevin, NZFIB, on the quota management system and the economic implications of the Maori Fisheries Act 1988

(counsel for NZFIB and NZFIA)

Z20

Evidence of David G Anderson, NZFIA, with attachment of Paul Titchener The Story of Sanford Ltd: The first one hundred years (1980?) and lists of shareholders and directors of Otakou Fisheries Ltd

(counsel for NZFIB and NZFIA)

Z21

Evidence of Peter J Stevens, New Zealand Federation of Commercial Fishermen, with attachment of rules of the federation as at 1 August 1986

(counsel for NZFIB and NZFIA)

Z22

Evidence of Neville L Climo on the quota management system and Lake Ellesmere

(counsel for NZFIB and NZFIA)

Z23

Evidence of Kenneth J Nordstrom, fisherman, on the individual transferable quota system and Lake Ellesmere

(counsel for NZFIB and NZFIA)

Z24

Evidence of Trevor J Gould, fish processor, on the Lake Ellesmere fishery

(counsel for NZFIB and NZFIA)

Z25

Evidence of Clem G Smith, fisherman, on the history of the Lake Ellesmere fishery and in the individual transferable quota system

(counsel for NZFIB and NZFIA)

Z26

Evidence of William D Wards on Lake Ellesmere

(counsel for NZFIB and NZFIA)

Z27

Evidence of Clifford Broad on the quota management system in relation to Stewart Island

(counsel for NZFIB and NZFIA)

Z28

Evidence of Ian J Munro, fisherman, on the individual transferable quota system in relation to Stewart Island

(counsel for NZFIB and NZFIA)

Z29

Evidence and supporting papers of Peter I Talley, Talleys Fisheries Limited

(counsel for NZFIB and NZFIA)

Z30

Evidence of David C Sharp, Wilson Neil Limited

(counsel for NZFIB and NZFIA)

Z31

Evidence of Antony D Threadwell, Pegasus Bay Fishing Company on the quota management system

(counsel for NZFIB and NZFIA)

Z32

Evidence of Ronald T Mackay, Big Glory Seafoods Limited

(counsel for NZFIB and NZFIA)

Z33

Evidence of Lewis L Miller, Bapods Limited

(counsel for NZFIB and NZFIA)

Z34

Evidence of Ronald E Caughey, Mossburn Enterprises Limited

(counsel for NZFIB and NZFIA)

Z35

Evidence of Bruce W Urwin, Urwin and Co Limited

(counsel for NZFIB and NZFIA)

Z36

Evidence of Ben L Calder, Johnsons Oysters Limited on the quota management system

(counsel for NZFIB and NZFIA)

Z37

Evidence of Kypros Kotzikas, United Fisheries Limited, on the quota management system

(counsel for NZFIB and NZFIA)

Z38

Evidence of Cameron A McCulloch, Johnson & de Rijk Packing Company Limited

(a) Evidence of Cameron A McCulloch, Riverton Fishermens Co-operative

(b) Evidence of Cameron A McCulloch, Southfish Co-operative Limited

(counsel for NZFIB and NZFIA)

Z39

Evidence of Eric F Barratt, Sanford (South Island) Limited, on the history of the New Zealand fishing industry and the individual transferable quota system

(counsel for NZFIB and NZFIA)

Z40

Memorandum of deputy-chairperson giving directions as to filing of evidence, responses thereto and timetabling of further hearings, dated 3 September 1990

(registrar)

Z41

Further memorandum of the claimants on Z10, dated 12 September 1990

(counsel for claimants)

Z42

unallocated

Z43

Evidence of Donald M Loveridge, commentary on evidence of Professor Ian Gordon  
(see S16)

(counsel for Crown)

Z44

Evidence of Donald M Loveridge on the deeds of sale

(counsel for Crown)

Z45

Evidence of Robert D Cooper on the development of consultation channels and the  
development by MAFFish

(counsel for Crown)

Z46

Evidence of Robin L Allen on the MAF involvement in the latest developments in  
Maori fisheries

(counsel for Crown)

Z47

Evidence of John L McKoy on the definition of inshore, offshore and deepwater  
fisheries

(counsel for Crown)

Z48

Evidence of Ian N Clark on the history of New Zealand's deepwater fishery: discovery  
and development

(counsel for Crown)

Z49

Evidence of Tony Walzl on the Crown/Maori relationship over fisheries 1840-1900,  
and the Crown management of the fisheries

(a) Supporting papers to Z49

(b) Supporting papers to Z49

(counsel for Crown)

Z50

Maori Appellate Court decision on case stated re cross claim

(registrar)

AA

THE TWENTY FIFTH HEARING AT DATABANK HOUSE, WELLINGTON, 20  
DECEMBER 1990

AA1

Evidence of Paul R Roberts on the Ngai Tahu Trust Board claim to the deep water  
fisheries resource

(counsel for NZFIB and NZFIA)

AA2

Evidence of Lee G Anderson on the Quota Management System.

(counsel for NZFIB and NZFIA)

AA3

Evidence of Peter I Talley on the Quota Management System by which the fisheries  
resources of New Zealand are managed

(counsel for NZFIB and NZFIA)

AA4

Submissions of counsel for Te Runanganui

AA5

Notice of application for order of stay from Mr Corkill representing Te Runanganui O  
Te Tau Ihu O Te Waka A Maui

AA6

Notice of application for order of stay from Mr M N Sadd representing Rangitane-ki-Wairau

AA7

Affidavit of Michael John Switzer

NOTE: Documents Z15-Z39, Z43-49 and AA1-7 were not considered for this report and will be dealt with in a subsequent hearing and report on the sea fisheries claim. Other documents in this list relating to sea fisheries and ancilliary claims, although already in evidence, have also not been considered.

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*Waitangi Tribunal, Department of Justice, Wellington.*