

## NEW ZEALAND.



TRICESIMO SEPTIMO

## VICTORIÆ REGINÆ.

No. LIX.

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## ANALYSIS.

Title.  
Preamble.  
1. Short Title.

2. Rehearing of the Motutere claim may be ordered by the Governor in Council.

AN ACT to provide for the Rehearing before the Native Land Court of the Claim of Harata Patene to Native Lands at Motutere, in the Province of Auckland. [2nd October, 1873.]

WHEREAS by "The Native Lands Act, 1865," it is among other things enacted that the Governor in Council may order a rehearing of any matter judicially heard before the Court under the said Act, as is therein mentioned: provided that no such order for a rehearing shall be made after six months shall have elapsed from the date of the original decision of the Court: And whereas at a sitting of the Native Land Court held at Kapanga, in the Province of Auckland, on or about the twenty-first day of January, one thousand eight hundred and seventy, a claim to a piece of land called Motutere, situate at Coromandel, in the said Province, was heard and determined, and a certificate was by the said Court ordered to issue to an Aboriginal Native named Harata Patene, and other persons as in the said order mentioned: And whereas an Aboriginal Native named Te Taniwha Kitahi applied to the Governor in Council, under the provisions of "The Native Lands Act, 1865," and the several Acts amending the same (hereinafter called "the said Acts"), for an order directing a rehearing of the said claim, and such rehearing was, in pursuance of the said Acts, ordered to take place before one Judge of the said Court and two Assessors thereof, as in the said order is set forth: And whereas, in drawing up the said Order in Council, the name of Wiremu Keepa Hoete was erroneously inserted therein instead of the name of Harata Patene, and the error made in the said Order in Council was not discovered in sufficient time to enable

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another Order in Council to be procured giving the Court power to rehear the original claim, and such claim has not been reheard: And whereas it is expedient that provision should be made authorizing the Governor in Council to order a rehearing of the said claim of Harata Patene:

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Short Title.

1. The Short Title of this Act shall be “The Harata Patene Claim Rehearing Act, 1873.”

Rehearing of the  
Motutere claim may  
be ordered by the  
Governor in Council.

2. Notwithstanding anything contained in the said Acts, it shall be lawful for the Governor in Council, within six months after the passing of this Act, to order that there shall be a rehearing of the claim of the said Harata Patene before the Native Land Court, in the manner provided by “The Native Land Act, 1873.”

Such Order in Council when made shall be as valid and effectual to all intents and purposes as if the same had been made within the period of six months in the said firstly hereinbefore recited Act mentioned, and all proceedings heretofore taken in respect of such hearing shall be cancelled, and the hearing of such claim shall commence *de novo* as is provided by “The Native Land Act, 1873.”

WELLINGTON, NEW ZEALAND:

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