

New Zealand.

## ANALYSIS.

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| <p>Title.</p> <ol style="list-style-type: none"> <li>1. Short Title.</li> <li>2. Deed to be explained by a licensed interpreter.</li> <li>3. Words not applying to land owned before passing of "The Native Lands Frauds Prevention Act 1881 Amendment Act, 1888."</li> </ol> | <ol style="list-style-type: none"> <li>4. A Trust Commissioner may use evidence taken before another Trust Commissioner.</li> <li>5. Consideration to be inquired into.</li> <li>6. Refusal to be indorsed on deed.</li> <li>7. Amendment of section 4 of said Act.</li> <li>8. Assessor may be called in.</li> </ol> |
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## 1889, No. 31.

- Title. AN ACT to amend "The Native Lands Frauds Prevention Acts."  
[16th September, 1889.]
- BE IT 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 is "The Native Lands Frauds Prevention Acts Amendment Act, 1889."
- Deed to be explained by a licensed interpreter. 2. Subsection (b) of section three of "The Native Lands Frauds Prevention Act 1881 Amendment Act, 1888," is hereby amended to read as follows:—  
The effect of such deed shall be explained by a licensed interpreter to each Native before signing the same.
- Words not applying to land owned before passing of "Native Lands Frauds Prevention Act 1881 Amendment Act, 1888." 3. The words "to not more than twenty Natives" in section five of "The Native Lands Frauds Prevention Act 1881 Amendment Act, 1888" (hereinafter called "the said Act"), shall not apply to land owned by Natives under Crown grant, memorial of ownership, or certificate of title under either a Native Land Court or a Land Transfer Act issued before the passing of the said Act, or in respect of which an order had been made by the Native Land Court for the issue of a Crown grant, certificate of title, or memorial of ownership, or an order under "The Native Land Court Act, 1886," declaring the owners or person entitled on investigation of title or partition, before passing of the said Act:
- (1.) If such land does not exceed five thousand acres in area; or
  - (2.) If a contract in writing for the alienation of such land of any area, or any part thereof, had been made and not completed before the passing of the said Act.
- And the said section shall be read and construed in respect of such lands as though the said words "to not more than twenty Natives" had been omitted therefrom: Provided that nothing in the said fifth section shall be deemed to prevent a lease of land so owned or

the subject of such order as aforesaid not exceeding ten thousand acres.

4. A Trust Commissioner to whom an application to hold an inquiry has been made may, by writing under his hand, request any other Trust Commissioner or a Resident Magistrate to examine any witness whose attendance at the inquiry cannot, by reason of distance or otherwise, be conveniently obtained. The Trust Commissioner or Resident Magistrate to whom such request is made shall give notice, in manner prescribed by any rules made in that behalf, and, in the absence of such rules, in such manner as he may deem expedient, of the time and place at which such witness will be examined. The evidence of such witness shall be reduced to writing, and signed by the witness and the Trust Commissioner or Resident Magistrate, and may be used by the Trust Commissioner holding the inquiry as if given before him in open Court.

A Trust Commissioner may use evidence taken before another Trust Commissioner.

5. The Trust Commissioner shall, as far as possible, inquire into the circumstances attending every alienation. He shall also inquire as to the amount of the consideration paid, and shall satisfy himself that the consideration purporting to be paid or given has been paid or given.

Consideration to be inquired into.

6. If a Trust Commissioner decides to refuse a certificate, he shall make a memorandum of the reasons for such refusal on the principal or only instrument.

Refusal to be indorsed on deed.

7. The fourth section of the said Act shall be read as if the words "this Act," where they occur in the said section after the words "formalities required by," had been omitted therefrom, and in lieu thereof the words "the law in force at the time when such instrument was executed" inserted therein.

Amendment of section 4 of said Act.

8. The Trust Commissioner shall, if required to do so by any of the parties, call in the assistance of an Assessor.

Assessor may be called in.