

New Zealand.



ANALYSIS.

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1893, No. 5.—*Private.*

Title. AN ACT to validate a Devise of Land at Ohinemutu made by Niramona Pini in favour of Jane Stephenson Graham.
[27th September, 1893.]

Preamble. WHEREAS on the twentieth day of July, one thousand eight hundred and eighty-one, the Native Land Court ordered a title for certain land, hereinafter described, to issue in favour of Niramona Pini, of Ohinemutu, who on the eighth day of August, one thousand eight hundred and eighty-one, executed his will, devising the said land to Jane Stephenson Graham: And whereas the said land is situated within a district proclaimed under "The Thermal-springs Districts Act, 1881": And whereas the aforesaid Niramona Pini died on the ninth day of November, one thousand eight hundred and eighty-five, without altering his will in respect of the said land; and on the twenty-second day of December, one thousand eight hundred and eighty-five, probate of the said will was granted to the said Jane Stephenson Graham, who thereupon entered into possession of the said land, and has so continued until the present time:

And whereas after the date of the execution of the above will, but before the death of the testator, the Native Land Court, on the tenth day of July, one thousand eight hundred and eighty-three, made an order for the commutation of the Native title to the aforesaid land, and by such order vested the said land from such date, upon which a Land Transfer certificate of title was issued in favour of the said Niramona Pini, on the sixth day of October, one thousand eight hundred and eighty-five:

And whereas doubts have arisen whether, under the circumstances, the aforesaid devise by the said Niramona Pini is valid, and it is expedient to remove such doubts:

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

1. The Short Title of this Act is "The Niramona Pini Land Act, 1893." Short Title.
2. The transmission of the land mentioned in the preamble to this Act, under the will aforesaid, shall not be affected in any manner howsoever by the provisions of "The Thermal-springs Districts Act, 1881." Thermal-springs Districts Act not to affect transmission of land.
3. The Land Transfer certificate of title issued by the Auckland District Land Registrar on the sixth day of October, one thousand eight hundred and eighty-five (Register Volume xli., folio 44), in favour of Niramona Pini, of Ohinemutu, for a certain parcel of land in the Tarawera Survey District, called or known by the name of Utanga No. 9, containing thirty-four perches, more or less, shall operate and shall be deemed to have operated from the date thereof as if the antevesting date had originally been the twentieth day of July, one thousand eight hundred and eighty-one, instead of the tenth day of July, one thousand eight hundred and eighty-three. Antevesting date to be date of original order.
4. The said District Land Registrar is hereby authorised, on receiving from the above-mentioned Jane Stephenson Graham a surrender to Her Majesty of the land described in the aforesaid certificate, to deliver to her a lease from the Crown of the said land for a term of not exceeding forty-two years, to be reckoned from the next first day of January or July following the date thereof, at a nominal rent only, but otherwise subject to such terms and conditions as the Minister of Lands shall think fit; and thereupon only the aforesaid Registrar shall make such corrections in the register of the said district as shall be necessary to give effect to this Act; and the Governor is hereby authorised, on behalf of Her Majesty, to sign and execute from time to time any instruments to give effect to the provisions of this Act, anything contained in "The Thermal-springs Districts Act, 1881," or "The Land Act, 1892," notwithstanding, and any lease so signed and executed shall be good and valid for all purposes and as against all persons. Upon surrender of certificate lease to issue and register corrected.

Governor to execute instrument.