

New Zealand.



ANALYSIS.

- | | | |
|---|---|--|
| <p>Title.</p> <p>1. Short Title.</p> <p>2. Natives may grant to the Queen sites for Native schools out of inalienable lands.</p> <p>3. With consent of Native donors site for Native school may be vested in Education Board for general school purposes.</p> | <p>4. Consent of Natives, how ascertained.</p> <p>5. Public Trustee may sell portion of reserves for school purposes to Education Board. Application of purchase-money.</p> <p>6. Consent of lessee required. Amendment of lease.</p> | |
|---|---|--|

1890, No. 33.

AN ACT to extend the Provisions of "The Native Schools Sites Act, 1880." Title.
[17th September, 1890.]

BE IT 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 Native Schools Sites Act Extension Act, 1890." Short Title.

2. Wherever the trustees, or surviving grantees, or other persons who by succession, devolution, or otherwise may be the trustees for the time being of any land granted to them in trust for other Natives, to hold the same inalienably by sale, lease, gift, or mortgage, have at any time heretofore signified, or may hereafter signify, to the Governor their consent to appropriate any portion of such land, not exceeding ten acres, for the site of a school within the meaning of "The Native Schools Sites Act, 1880," the Governor may, by notification in the *Gazette* and *Kahiti*, signify his concurrence in such appropriation. Natives may grant to the Queen sites for Native schools out of inalienable lands.

From the date of such notification such land shall, notwithstanding anything to the contrary contained in the grant thereof, or any restriction against alienation mentioned in such grant, vest absolutely in Her Majesty, her heirs and successors, for the purpose of a site for a school as aforesaid, and for no other purpose whatsoever.

3. Wherever any Natives under the provisions of "The Native Schools Sites Act, 1880," or the trustees of Natives under the provisions of this Act, have given or may give any land as a site for a school as aforesaid, and it may be desired to utilise such land for general school purposes under "The Education Act, 1877," the Governor, on obtaining the consent to the conversion of such land for such last-mentioned purposes from the original donors of the land, or their legal representatives, or from the trustees for the time being With consent of Native donors site for Native school may be vested in Education Board for general school purposes.

of the Natives from whom such land was originally acquired, as the case may be, may notify in the *Gazette* and *Kahiti* the fact of having obtained such consent.

From the date of such notification such land shall vest for an estate in fee-simple, for general school purposes, in the Education Board of the district where the land is situate.

There shall be paid by the aforesaid Education Board, out of their funds, to the aforesaid Natives, or their legal representatives, or to the aforesaid trustees, as the case may be, as a consideration for the acquisition of the said land, such sum as the Governor may direct, not in any case, however, to exceed the assessed value of such land when unimproved, and without buildings or erections of any sort thereon; such value to be ascertained by any person whom the Governor shall appoint for that purpose.

Consent of Natives,
how ascertained.

4. The Governor may from time to time appoint a competent person to ascertain the consent of any Natives or their representatives, or trustees for the time being as aforesaid, to the grant of any land for the purpose of a site for a school under "The Native Schools Sites Act, 1880," or for the conversion of any such last-mentioned land after grant thereof, into a site for general school purposes under "The Education Act, 1877."

Such person shall hold an inquiry respecting the matters aforesaid, as near the land as may be, after notice published in the *Kahiti* and also in a local newspaper; and the report of such person, if adopted by the Governor, shall be final and conclusive as to such consent being given.

Public Trustee may
sell portion of
reserves for school
purposes to Educa-
tion Board.

5. The Public Trustee, in addition to the powers conferred by "The West Coast Settlement Reserves Act, 1881," is hereby authorised and empowered, on the request of the Minister of Education, to sell to the Governor or to the Education Board of the district any portion of a reserve within his administration, and whether or not such reserve is made subject to any conditions in restriction of alienation, which may be required for the purpose of a school site and playground, and to execute a transfer thereof to the said Board in fee-simple accordingly.

Application of pur-
chase-money.

The purchase-money shall be paid to the several persons for whom the land sold was held in trust, in such proportions as the Public Trustee thinks fit.

The power herein contained shall only be exercised after not less than one month's notice of the intention to sell shall be given in the *Kahiti*, and, if any objection shall be made by any owner, such objection shall be considered by a Judge of the Native Land Court, who shall have power to decide whether, and upon what terms, such sale may be made, and no sale shall be made of more than ten acres in respect of one school. But no such sale shall be effected if a majority of Native owners, after inquiry by the Judge, object to the same.

Consent of lessee
required.

6. No such sale shall be made of any portion of a reserve subject to a lease without the consent in writing of the lessee for the time being, who shall be entitled to be paid for his interest such sum or to receive a reduction of rent as may be agreed upon between him and the Public Trustee.

The District Land Registrar shall, upon the execution of any such transfer as aforesaid, and upon the same being presented for registration, cause any lease which includes the land sold as aforesaid to be partially cancelled accordingly, and, on ascertaining the same from the Public Trustee, note upon such lease the reduced rental (if any) thereafter payable, and such partial cancellation shall operate as a surrender of the lease so far as relates to the said school site and playground.

Amendment of
lease.