

New Zealand.

## ANALYSIS.

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| Title.<br>Preamble.<br>1. Short Title.<br>2. Certificates and Crown grants declared void. | 3. Judge may amend orders.<br>4. Effect of amendment of orders.<br>5. Judge may amend deeds of lease.<br>Schedules. |
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1892, No. 12.—*Local.*

- Title. AN ACT to provide for the Amendment and Validation of the Title to the Tahoraiti Block. [24th September, 1892.]
- Preamble. WHEREAS, at a sitting of the Native Land Court held in the year one thousand eight hundred and sixty-seven, in the matter of the investigation of the title to the block of land known as "Tahoraiti," in the Provincial District of Hawke's Bay, it was ordered that the said block should be divided into two parts, to be named respectively "Tahoraiti Number One" and "Tahoraiti Number Two," and that a certificate of title should issue in respect of each of the said parts in favour of the persons whose names are respectively set forth in that behalf in the First and Second Schedules hereto: And whereas, in accordance with the said orders, two certificates of title were issued, and subsequently, on the nineteenth day of December, one thousand eight hundred and sixty-seven, two several Crown grants were signed whereby the said parts of the said block were respectively granted to the persons named in the said orders in that behalf: And whereas it was afterwards discovered that an error had been committed in drawing up the said orders, and that the names of the persons intended by the Court to be included in the title to the part of the block named "Tahoraiti Number One" had been placed in the order made in respect of the part named "Tahoraiti Number Two," and conversely the names of the persons intended to be included in the title to the part named "Tahoraiti Number Two" had been inserted in the order made in respect of the part named "Tahoraiti Number One," and that the said error had been perpetuated in the said certificates and Crown grants: And whereas, by a deed dated the fifteenth day of February, one thousand eight hundred and seventy, and signed by all the persons whose names are set forth in the said First and Second Schedules hereto, except Matariri Pouaru and Hanita te Maero, it was intended to effect an exchange of the said two parts of the said block,

and by reason of the non-signature of the said deed by the said Matariri Pouaru and Hanita te Maero the said intended exchange has not been effected, and the said Matariri Pouaru and Hanita te Maero are now dead, and doubts have arisen as to the validity of the said deed and of the exchange intended to be thereby effected: And whereas several deeds of lease have been executed by the owners of the said land and the successors of such of them as have died: And whereas it is expedient that provision should be made to rectify the said error and to remove such doubt, and also to protect the interests intended to be acquired under the said deeds of lease:

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 Tahoraiti Titles Amendment and Validation Act, 1892.” Short Title.

2. The said several certificates of the Native Land Court and the said several Crown grants are hereby declared to be null and void and of no effect. Certificates and Crown grants declared void.

3. It shall be lawful for a Judge of the Native Land Court to amend the said orders of the said Court, and any succession orders that have heretofore been made in respect of the interests of any deceased owner of the said land, in such manner that the real intention of the Court in that behalf shall be carried out. Judge may amend orders.

4. The said orders and succession orders, as and when amended as aforesaid, shall have the same effect of vesting the said several parcels of the said land in the persons therein named for an estate of freehold in fee-simple in possession as tenants in common, as from the thirteenth day of August, one thousand eight hundred and sixty-seven, as if Crown grants in respect therefor had been duly issued to such persons respectively, subject to the several deeds of lease hereinbefore mentioned. Effect of amendment of orders.

5. If any question shall arise as to the effect or intended effect of any of the said deeds of lease, or as to the registration thereof, it shall be lawful for a Judge of the Native Land Court, after inquiry in that behalf, to make such order as may seem to him necessary for carrying-out and giving effect to the real intention of the several parties thereto, and, subject to any such order, the said several deeds of lease shall be and be deemed to have been valid and effectual deeds for the purpose of creating the interests respectively intended to be thereby created, and the said deeds may be registered under “The Deeds Registration Act, 1868,” or “The Land Transfer Act, 1885,” as occasion may require, any law to the contrary notwithstanding. Judge may amend deeds of lease.

## SCHEDULES.

Schedules.

### FIRST SCHEDULE.

#### TAHORAITI No. 1.

IHAIA TE NGARARA, Karaitiana Takamoana, Karauria Kuekue, Ataneta Hinekino Matariri Pouaru, Hori Herehere, Hohepa Paewai, Ropiha te Takou, Paora te Rangihakaewa, Winiata Hemoata.

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SECOND SCHEDULE.

TAHORAITI No. 2.

APERAHAMA RAUTAHI, Heketa te Awe, Hanita te Maero, Pine Rae, Hakaraia Hautu-  
moana, Taituha Taringa, Hiraka te Porima, Hera Hiahia, Apikara Kouau, Katarina  
Konohikau.

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WELLINGTON: Printed under authority of the New Zealand Government,  
by GEORGE DIDSBURY, Government Printer.—1892.