

[AS REPORTED FROM THE NATIVE AFFAIRS COMMITTEE.]

House of Representatives, 7th October, 1908.

Hon. Mr. Carroll

MAORI LAND LAWS AMENDMENT.

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A BILL INTITULED

AN ACT to amend the Maori Land Laws.

Title.

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. This Act may be cited as the Maori Land Laws Amendment Act, 1908.

Struck out.

2. (1.) Every township proclaimed under the Native Townships Act, 1895, is hereby vested in the Maori Land Board of the district in which it is situated, and the Board shall have and may exercise in respect to such township the same powers as if it had been vested in the Board by Proclamation under the authority of section eight of the Native and Maori Land Laws Amendment Act, 1902.
- (2.) The District Land Registrar shall, on the application of the Native Minister, without further authority than this Act, do all such acts as are necessary to register the transmission to the Board of the land comprised in any such township.

New clause.

- (1.) From and after the passing of this Act the powers exercised by the Commissioner in respect of any township under the Native Townships Act, 1895, shall be and the same are hereby vested

Native townships to be administered by Maori Land Board.

New.

in the Maori Land Board of the district in which such township is situated, and shall no longer be exercised by such Commissioner.

(32.) All rents accruing from any lease made by the Commissioner of Crown Lands under the Native Townships Act, 1895, before the commencement of this Act shall hereafter be paid to the Board and not to the Commissioner, and shall be applied by the Board for the benefit of the Native owners in proportion to their relative shares and interests in the land to which the lease relates, and for all purposes such lease shall be deemed to have been granted by the Board under this Act, and may be enforced accordingly. 5 10

(43.) All sums standing at the commencement of this Act to the credit of any Native Township Account as provided by section nineteen of the Native Townships Act, 1895, shall be paid by the Minister of Finance to the Maori Land Board of the district in which the Native township is situated, in trust (after payment of all sums lawfully chargeable to that account) for the beneficial owners in proportion to their relative shares and interests therein. 15

Struck out.

(5.) In no case shall the Maori Land Board, as the registered proprietor of any land in any Native township, be liable for any rates in excess of the funds in hand available in respect of that land. 20

Repeal.

(6.) The enactments mentioned in the Schedule hereto are hereby repealed.

New clause.

Liability for rates.

2A. (1.) In no case shall the Maori Land Board, as the registered proprietor of any land in any Native township, be liable for any rates in excess of the funds in hand available in respect of that land. 25

Power to accept surrender of lease.

(2.) Section twelve of the Native Townships Local Government Act, 1905, is hereby repealed. 30

Investment of surplus funds.

3. A Maori Land Board may accept, on such terms and conditions as it thinks fit, a surrender of any lease granted by it under any Act, whether with respect to the whole or to any part of the land comprised in the lease, and whether the lease was granted before or after the commencement of this Act. 35

Balance-sheet and audit.

4. A Maori Land Board may from time to time invest any moneys in its hands in such manner as may be prescribed by regulations.

5. (1.) Within thirty days after the close of each year ending on the thirty-first day of March, every Maori Land Board shall prepare a balance-sheet showing the total receipts and expenditure of the Board during that year, and the total receipts and expenditure in respect of each estate administered by the Board. 40

(2.) The President shall send two copies of the balance-sheet to the Controller and Auditor-General, who shall examine and certify as to the correctness thereof, and transmit one copy thereof to the Native Minister. 45

Repeal.

(3.) Section forty-nine of the Maori Lands Administration Act, 1900, is hereby repealed.

Future alienations of Native land to be confirmed by Maori Land Board.

6. (1.) After the passing of this Act the Native Land Court shall cease to exercise its jurisdiction of confirming alienations, and the Judges thereof shall cease to grant certificates under section fifty-five of the Native Land Court Act, 1894. 50

(2.) This section shall apply only to alienations of property situated within the North Island of New Zealand, but in regard to all other alienations the Native Land Court and its Judges shall continue to exercise the jurisdiction of confirmation and granting of certificates as heretofore.

(3.) If an alienation has been ~~completed~~ *executed* before the passing of this Act, it may be confirmed and registered as if this section had not been passed, or it may be approved of by the Maori Land Board as provided in the *next* following subsection.

(4.) On the passing of this Act the jurisdiction of the Native Land Court and of the Judges thereof, with respect to the confirmation of alienations, shall vest in the Maori Land Boards and be exercised by each Board in the manner in which it now exercises its jurisdiction in the approval of alienations, and such approval when granted shall have the same force and effect as a confirmation by the said Court.

New subclause.

(5.) There shall be the like right of appeal against orders made under this section as existed under the Native Land Court Act, 1894, against orders made by the Native Land Court on applications for confirmation.

7. (1.) Every member of a Maori Land Board (except the President, who shall be paid by the Government out of moneys to be appropriated by Parliament for that purpose) shall be entitled to receive, out of funds under the control of the Board, the sum of *fifteen* shillings for each day on which he is actually engaged on the business of the Board, together with all sums actually paid by him for travelling-expenses while so engaged. Such sums shall be apportioned fairly according to the expenses properly incurred in respect of each estate.

Payment of members.

(2.) Section seven of the Maori Lands Administration Act, 1900, is hereby amended by repealing paragraph (12) thereof.

Repeal.

8. For the purpose of hearing and determining any question or difference arising out of any matter within the jurisdiction of a Maori Land Board, or of deciding upon any application submitted to it, or of making inquiry, the Board shall have and may exercise all the powers and authorities of a Commission under the Commissions of Inquiry Act, 1908.

Board to have powers of Commission for certain purposes.

9. Section eight of the Maori Land Settlement Act, 1905, is hereby amended by adding at the end of paragraph (g) the words "*or by other Maoris specified by such owners*, and may offer those allotments to any of such Maori owners *or other Maoris* without public competition, notwithstanding anything in the next succeeding section."

Section 8 of Maori Land Settlement Act, 1905, amended.

10. (1.) When any land has become vested in a Maori Land Board, whether before or after the passing of this Act, by virtue of section six of the Maori Lands Administration Amendment Act, 1901, and any lease of that land or any part thereof has been executed prior to the registration of the title of the Board, and is such as might have been lawfully approved by the Board if the said land had not become so vested in the Board, the Board may, if it thinks fit, on the application of the lessee, grant a lease to him of

Board may in certain cases issue new leases of land vested in it in lieu of leases existing prior to registration of title of Board.

the land comprised in the first-mentioned lease or of any part of that land, in lieu of the first-mentioned lease and on such conditions as the Board thinks fit.

(2.) No lease so granted by the Board shall be for a longer period than that for which the Board might lawfully lease the said land independently of this section. 5

(3.) No lease shall be so granted by the Board at a less annual rental than five per centum of the unimproved value of the land.

Provisions for
establishing farms
in certain cases.

11. (1.) When land vested in a Maori Land Board is beneficially owned by ten or more Maori owners the Board may, if and so long as it thinks fit, instead of leasing the land, occupy and manage it as a farm on behalf and for the benefit of the Maori owners thereof. 10

(2.) In any such case the Board may from time to time, with the approval of the Native Minister, appoint some fit person to be the manager of the said farm, and may at any time remove any such manager, and, with the approval of the Native Minister, appoint some other fit person in the place of the manager so removed. 15

(3.) The manager of any such farm shall be deemed to be the servant of the Board, and shall receive such salary or other remuneration (if any) as the Board, with the approval of the Native Minister, determines. 20

(4.) The manager of any such farm shall have all such powers of control and management of the farm as the Board confers upon him, and he shall at all times conform to the directions of the Board in that behalf. 25

(5.) Whenever land is so set apart and managed as a farm, the Native owners may from time to time, in accordance with regulations to be made by the Governor in Council, elect from among their number a Committee of Management. 30

(6.) The manager of the farm shall be by virtue of his office a member of the Committee of Management and the Chairman thereof.

(7.) Subject to the directions and control of the Board the manager of the farm shall exercise his powers and functions in accordance with the recommendations made from time to time by the Committee of Management. 35

(8.) All revenue derived from the farming operations so conducted by the Board shall, after the payment of all outgoings, be expended by the Board in the same manner as if the said revenue were rent received from lessees of the land. 40

(9.) All expenses and liabilities incurred by the Board in the conduct of any such farming operations shall be a charge upon the revenues received by the Board from such operations, and upon all revenues received by the Board from any other land which is beneficially owned by the persons in whom the beneficial ownership of the farm is vested, and the said expenses and liabilities shall be payable by the Board out of the said revenues and in no other manner. 45

(10.) The Board may from time to time expend out of the revenues mentioned in the *last preceding* subsection such sums, as it thinks fit, for the purpose of effectually carrying on farming operations in manner aforesaid. 50

(11.) The Board may from time to time for the purposes of such farming operations raise such moneys as it thinks fit on the security of any crops on the farm, or on the security of any stock or other chattels owned by the Board and held by it on behalf of the beneficial owners of the farm.

(12.) The Board shall at all times keep full and true accounts of its income and expenditure, and of its assets and liabilities, in respect of every farm so managed by it.

(13.) The Governor may from time to time by Order in Council make such regulations as he thinks necessary or expedient for carrying into full effect the purposes of this section.

(14.) Nothing in this section shall apply to any land which is vested in a Maori Land Board under the provisions of Part I of the Native Land Settlement Act, 1907.

12. Section twenty-five of the Maori Land Claims Adjustment and Laws Amendment Act, 1907, is hereby amended by inserting, after the words "fifty years" in subsection one, the words "or for any term which together with any renewal thereof would not exceed fifty years."

Maori Land Claims, &c., Act, 1907, amended.

Struck out.

13. The Governor may from time to time delegate to the Maori Land Board any of his powers under the Thermal Springs Districts Act, 1908, in so far as they relate to the leasing of land proclaimed under that Act.

Powers under Thermal Springs Districts Act may be delegated.

14. Section eleven of the Native Land Settlement Act, 1907, is hereby amended by adding to subsection one thereof the following proviso:—

Native Land Settlement Act, 1907, amended.

" Provided that, on the recommendation of the Board in whose district any such area is situated, the Governor may by Order in Council, in any case in which he is of opinion that an equal division of that area in manner aforesaid would be impracticable or inexpedient in the public interest or in the interests of the Maori owners, authorise the division of the area in any other proportion or authorise the whole of the area to be disposed of either by sale or lease. Such authority may be granted either in the Order in Council by which the said area is declared to be subject to this Part of this Act or in any other Order in Council made subsequently thereto."

New clauses.

13. Section seven of the Thermal Springs Districts Act, 1908, is hereby amended by adding thereto the following paragraph:—

Thermal Springs Districts Act, 1908, amended.

" (i.) Set apart land to be administered as a farm for the benefit of the Native proprietors or of the Natives of any district defined under this Act, and prescribe the mode of administering the same."

13A. Notwithstanding anything to the contrary in the Thermal Springs Districts Act, 1908, the Governor may—

Powers under Thermal Springs Districts Act may be delegated.

(a.) From time to time delegate to the Maori Land Board any of his powers under the said Act in so far as they relate to the leasing of land proclaimed under the said Act:

(b.) Upon the application of the Native proprietors of any land proclaimed under the said Act, authorise such proprietors to lease the same or any part thereof, subject to the following terms and conditions:—

New clauses.

(i.) That the application is recommended by the Maori Land Board.

(ii.) That the provisions of the Maori Lands Administration Act, 1900, as to leasing are complied with. 5

Section 10 of the Native Land Settlement Act, 1907, amended.

14. Section ten of the Native Land Settlement Act, 1907, is hereby amended by adding at the end of subsection one thereof the words "and may at any time vary, amend, or revoke such Order."

Section 11 of the Native Land Settlement Act, 1907, amended.

14A. Section eleven of the Native Land Settlement Act, 1907, is hereby amended by adding thereto the following subsections:— 10

"(3.) On the recommendation of the Board in whose district any particular block is situated, the Governor may by Order in Council, in any case in which he is of opinion that an equal division of that block in manner aforesaid would be impracticable or inexpedient in the public interest or in the interests of the Maori owners, authorise the division of such block in any other proportion, or authorise the whole of such block to be disposed of either by sale or lease. Such authority may be granted either in the Order in Council by which the said block is declared to be subject to this Part of this Act, or in any other Order in Council made subsequently thereto. 15 20

"(4.) When any Order in Council has been issued under the *last preceding* subsection, the Board, in dealing with other blocks or areas vested in it under this section, shall take into consideration the alterations made by such Order, and adjust in respect of such other blocks or areas the proportion of land to be set apart for sale or leasing respectively, so that in any one year the land disposed of under the provisions of Part I of this Act shall be divided as nearly as possible as provided by subsection one of this section." 25

Public Trust Board may advance money to certain lessees.

15. (1.) Where a Maori is the grantee of a lease under section four of the West Coast Settlement Reserves Act Amendment Act, 1893, the Public Trust Office Board may advance to him out of the Common Fund of the Public Trust Office on the security of his interest in the lease a sum not exceeding three-fifths of the value of such interest. 30

(2.) The provisions of paragraph (8) of the said section four shall not apply to any such advance. 35

Maori Real Estate Management Act, 1888, amended.

16. (1.) Section three of the Maori Real Estate Management Act, 1888, is hereby amended by inserting the words "or personal property" after the word "hereditaments" wherever that word occurs. 40

(2.) Section five of the last-mentioned Act is hereby amended by inserting after the word "Judge" the words "or the President of the Maori Land Board before whom such alienation comes for approval or recommendation."

Urewera District Native Reserve Act, 1896, amended.

17. The provisions of section thirty-nine of the Native Land Court Act, 1894, shall, *mutatis mutandis*, apply to any order heretofore made under sections eight to ten of the Urewera District Native Reserve Act, 1896, whether any such order has been confirmed or not under the provisions of the last-mentioned sections: 45

Provided that no application under this section shall be received after the ~~thirty-first~~ *thirtieth* day of ~~December~~ *June*, nineteen hundred and ~~eight~~ *nine*. 50

Appointment of Committees under Urewera District Native Reserve Act, 1896, validated.

New clauses.

17A. (1.) The orders made under section ten of the Urewera District Native Reserve Act, 1896, dated the thirtieth day of August, nineteen hundred and seven, containing the decisions of the Minister of Native Affairs upon the report of the expert inquiry 55

New.

appointed under the said section, in so far as such orders relate to the appointment of persons to be members of the provisional Local Committees, are hereby validated.

5 (2.) Such provisional Local Committees shall be and deemed to be permanent Local Committees as if the same were elected in accordance with the provisions of section seventeen of the said Act.

10 (3.) The Governor may from the members of such Committees appoint twenty who shall, upon publication of their appointment in the *Gazette* and *Kahiti*, be a General Committee for the purposes of the said Act as if the same were elected in accordance with the provisions thereof.

15 17B. Section five of the Urewera District Native Reserve Act Amendment Act, 1900, is hereby amended by repealing the word "Commissioners," and substituting therefor the words "General Committee."

Section 5 of the Urewera District Native Reserve Amendment Act, 1900, amended.

20 17C. Any land included in the Schedule to the Urewera District Native Reserve Act, 1896, may, upon the recommendation of the General Committee, be dealt with in the manner and subject to the conditions set forth in section eight of the Maori Land Settlement Act, 1905.

Section 8 of the Maori Land Settlement Act, 1905, to apply to land in Urewera District.

25 17D. The provisions of section thirty-nine of the Native Land Court Act, 1894, shall apply to decisions and orders heretofore or hereafter made by the Native Appellate Court:

Provided, however, that the Chief Judge shall not amend, alter, or revoke any order of the Native Appellate Court until he has first referred the application therefor to the Appellate Court for inquiry and report:

30 Provided further that the Chief Judge, if he considers such application refers only to a question of law, may refer such question of law for the decision of the Supreme Court, and thereafter may amend, vary, or revoke such Appellate Court order in accordance with the decision of the Supreme Court.

35 18. Whereas the Validation Court, in the exercise of its jurisdiction under the Native Land (Validation of Titles) Act, 1893, in numerous cases cancelled either the whole or part of the original titles to various blocks of land on the hearing of claims in respect to portions of the said blocks: And whereas the original titles of various Native owners not being parties to the said claims were thus cancelled

40 *specifically or impliedly* in some cases, and decrees for the issue of fresh titles have not been taken out or applied for by such Natives owing to the expense involved in obtaining such decrees under the said Act: And whereas it is inexpedient that Natives deprived of their rights as aforesaid should be asked to bear the expense of

45 rectifying proceedings to which they were not parties: It is hereby declared as follows:—

Provision as to certain orders of the Validation Court.

50 (a.) The Native Land Court is authorised and empowered, on application by or on behalf of the Native owners of any block of land the title to which has been effected by decree of the said Validation Court, to issue orders of the Native Land Court vesting the title in such original owners or their successors as from the date of the original Native Land Court title.

(b.) Such orders shall be dealt with in the same manner and have the same effect as orders for title which the Native Land Court in its ordinary jurisdiction is empowered to issue.

Interpretation.

19. The expression "Native lands," as used in section twenty-six of the Maori Land Claims Adjustment and Laws Amendment Act, 1907, shall mean and shall be deemed to have meant lands owned by Maoris. 5

Maori Land Board may grant licenses for removal of timber or flax.

20. (1.) A Maori Land Board may grant licenses for the cutting and removal of standing timber or flax on any land vested in the Board. 10

(2.) Every such license shall be for such period not exceeding ~~twenty-one~~ *thirty* years, and on such conditions and in consideration of such payments by way of royalty or otherwise as the Board thinks fit, and may confer upon the licensee such rights of ingress and such other rights over the said land as are in the opinion of the Board necessary or expedient for the purposes of the license. 15

(3.) ~~This section shall extend and apply to~~ *As to any* land vested in a Maori Land Board in pursuance of Part I of the Native Land Settlement Act, 1907, ~~but~~ the power hereby conferred upon a Board in respect of any such land shall not be exercised without the previous authority of the Governor in Council. 20

Extension of time for making application under section 26 of the Maori Land Claims Adjustment and Laws Amendment Act, 1907.

21. Notwithstanding anything to the contrary in section twenty-six of the Maori Land Claims Adjustment and Laws Amendment Act, 1907, an application under that section may be made to a Maori Land Board at any time within ~~two~~ *six* months after the passing of this Act, and the provisions of that section shall apply to any such application accordingly : 25

New proviso.

Provided always that the Board may in its discretion rehear any application properly made under section twenty-six of the Maori Land Claims Adjustment and Laws Amendment Act, 1907, or under this section, and upon such rehearing the Board may report in accordance with section twenty-six or this section, as the case may be, as to any such application so far as the same may not have been given effect to by Order in Council, and thereupon the Minister may, and the Governor in Council may (if he or they think proper so to do), exercise in respect of the same all and singular the powers exercisable in respect of the original application or such part thereof as aforesaid. 30 35 40

Lands deemed to be owned by Maoris.

22. (1.) For the purposes of section sixteen of the Maori Land Settlement Act, 1905, land owned in severalty by a ~~single~~ Maori ~~or jointly~~ or in common by any two or more Maoris shall be deemed to be land owned by Maoris within the meaning of that section, and a lease of land owned in severalty by a ~~single~~ Maori shall be deemed to be a lease of a share or interest in land owned by Maoris within the meaning of that section. 45

(2.) This section shall be deemed to have been in force as from the passing of the Maori Land Settlement Act, 1905 :

Provided that nothing in this section shall so operate as to invalidate any lease lawfully granted before the passing of this Act. 50

23. Section thirty-eight of the Native Land Settlement Act, 1907, is hereby amended as follows:—

Section 38 of Native Land Settlement Act, 1907, amended.

5 (a.) As to subsection one thereof, by omitting the words "Public Works Fund," and substituting therefor the words "moneys available for the making of loans to local bodies under Part II of the Local Bodies' Loans Act, 1908":

10 (b.) As to the proviso to subsection one thereof, by omitting the words "to any one Board," and by substituting the words "thirty thousand" for the words "twenty thousand":

(c.) By repealing subsection five thereof.

15 24. Section eleven of the Maori Land Settlement Act, 1905, is hereby amended by omitting all words after the words "is subject," and substituting the following: "the Minister of Finance (with the consent of the Native Minister) may in his discretion make to the Board advances out of moneys to be from time to time appropriated by Parliament out of the moneys available for the making of loans to local bodies under Part II of the Local Bodies' Loans Act, 1908:

Section 11 of Maori Land Settlement Act amended.

20 Provided that the total amount which under this section may be advanced in any one year shall not exceed twenty thousand pounds."

New clauses.

25 25. (1.) In any case where a survey is made under Part VI of the Native Land Court Act, 1894, of papatupu land as defined by the Maori Land Administration Act, 1900, the cost of such survey may be defrayed out of moneys to be from time to time appropriated by Parliament for that purpose.

Cost of survey of papatupu land.

30 (2.) A certificate under the hand of the Minister that such cost has been incurred shall, on being deposited with the District Land Registrar, operate as a charge against the land, and shall have the effect of a charge by way of mortgage under Part VI of the Native Land Court Act, 1894.

35 26. (1.) Subject as hereinafter mentioned, the Court may make orders effecting exchanges between Natives of any land owned by them or of any part or share thereof, not being land acquired by purchase for valuable consideration or by gift, upon being satisfied—

(a.) That the proposed exchange is for the benefit of each of the parties thereto:

40 (b.) That upon such exchange being effected each of the parties thereto shall have sufficient land for his occupation and support:

45 (c.) If the lands proposed to be exchanged are not of equal value, that the party taking by exchange the land of greater value has paid to the other a sufficient sum by way of equality of exchange, but such sum shall in no case exceed fifteen per centum of the aggregate value of the lands affected by the exchange.

50 (2.) Section forty-four of the Native Land Court Act, 1894, section twenty-five of the Native Land Laws Amendment Act, 1895, and section four of the Native and Maori Land Laws Amendment Act, 1902, are hereby repealed.

New.

Native township
becoming a borough
or town district.

27. Where a Native township that is subject to the Native Townships Local Government Act, 1905, becomes included within a borough or town district, that Act shall cease to apply within such Native township, and thereupon the Corporation and Council of that township shall cease to exist, and all its property, liabilities, and engagements shall become the property, liabilities, or engagements of the borough or town district within which it is included. 5

28. Section nineteen of the Native Land Purchases Act, 1892, is hereby amended as follows:— 10

(a.) By inserting after the word "price" the words "upon such terms and conditions."

(b.) By adding at the end thereof the following paragraph:—

"For the purposes of this section undivided interests acquired by the Crown in Native land shall be deemed to be Crown land." 15

29. Section six of the Maori Land Claims Adjustment and Laws Amendment Act, 1904, is amended as from the date of the passing thereof by repealing the numeral "V" and substituting in lieu thereof the numeral "I." 20

Maori Land Board
empowered to make
agreement with
Tongariro Timber
Company.

30. Whereas in the year nineteen hundred and six a certain memorandum of agreement was entered into between a majority of the Native owners of certain blocks of land situated in the Taupo West County of the one part, and the Tongariro Timber Company (Limited) (hereinafter referred to as the company) of the other part, whereby the said owners purported to grant to the company the right of cutting and removing the timber on the said lands and certain other rights incidental or subsidiary thereto: And whereas the said agreement has been referred for report to the Maniopototuwaharetoa District Maori Land Board in pursuance of section twenty-six of the Maori Land Claims Adjustment and Laws Amendment Act, 1907: And whereas the said Board has approved of the said agreement, subject however to certain modifications specified by the Board being made therein: And whereas the said agreement has been further referred by the Native Minister to the Commissioners holding office as recited in the Preamble to the Native Land Settlement Act, 1907, and has been approved by the said Commissioners, subject however to certain further modifications specified by them being made therein: And whereas the said agreement and the said recommendations of the Commissioners are set forth in parliamentary paper G.-1T, of the year nineteen hundred and eight: And whereas it is desired by the said Native owners and by the company that the said agreement modified as aforesaid should be given the force of law, and that provisions in that behalf should be made as hereinafter appearing: 45
Be it therefore enacted:—

(1.) The Maniopototuwaharetoa District Maori Land Board is hereby authorised and empowered to enter into and to execute in its own name, on behalf of all the Native owners of the lands described in the schedule to the hereinbefore-recited agreement (as set forth in the said parliamentary paper) or affected by the Order in Council hereinafter referred to, an agreement with the said Tongariro Timber Company (Limited) respecting the lands aforesaid. 50

New.

5 (2.) The agreement so to be made shall incorporate the terms and provisions of the hereinbefore-recited agreement, with such modifications, additions, or omissions as may be approved by the said Commissioners.

(3.) The agreement so to be made shall have no effect or operation until and unless it is approved by the said Commissioners by writing under their hands.

10 (4.) On such approval being so given, the agreement so approved shall, notwithstanding the provisions of any Act to the contrary, be deemed to be valid and effectual for all purposes, and shall take effect according to the tenor thereof in the same manner in all respects as if it had been duly made and executed by the said Board as the lawfully authorised agent in that behalf of all the Native owners of the
15 said lands, and as if all the said owners had been fully competent to make or authorise the making of the same.

(5.) The agreement so approved shall be deemed to be in substitution for and in discharge of the agreement hereinbefore recited.

20 (6.) On a copy of the agreement so made and approved being deposited with the District Land Registrar of the district in which the said lands are situated he may, without further authority than this Act, and notwithstanding anything to the contrary in the Land Transfer Act, 1908, register the said agreement in such manner as he
25 thinks fit against the titles to the lands affected thereby, and the registration of the agreement shall have the same effect in conferring priority of title as against any unregistered right, title, or interest as if it were the registration of a transfer or other disposition of the legal estate in the land.

30 (7.) The agreement so made and approved may be at any time and from time to time thereafter modified by mutual agreement between the company and the said Board in such manner as the Board thinks fit, and all the provisions of this section with respect to the original agreement so approved shall extend and apply to any
35 such modification thereof, save that the approval of the Native Minister shall in respect of any such modification be substituted for the approval of the said Commissioners.

(8.) The Order in Council made on the twenty-second day of January, nineteen hundred and eight, under section four of
40 the Native Land Laws Amendment Act, 1895, and published in the *Gazette* of the thirtieth day of January, nineteen hundred and eight, on pages 363, 364, and 365 thereof, is hereby declared to be and to have been valid and effectual for all purposes, and the provisions thereof shall have full effect accordingly.

45 (9.) For the purpose of carrying into effect the said Order in Council or any agreement executed in accordance with the foregoing provisions of this section, the said Board may from time to time, in its own name and on behalf of the Native owners thereof, execute a transfer to the company of any part or parts of the lands aforesaid or
50 of the lands affected by the said Order in Council, and every such transfer shall, notwithstanding the provisions of any Act to the con-

New.

trary, be effectual to vest the lands comprised therein in the company for an estate in fee-simple free from any right, title, estate, or interest of the Native owners therein or thereto.

(10.) Notwithstanding anything contained in any other Act, no further or other authority, declaration, proceeding, or qualification whatever shall be necessary for enabling the said Board or the company to enter into the said agreement, or the Board to transfer or the company to acquire any such land, and the District Land Registrar shall register all such transfers accordingly. 5

Powers to Wellington Education Board to acquire land in Township of Parata.

31. Whereas the Education Board of the District of Wellington (hereinafter referred to as the said Board) is desirous of acquiring for the purposes of a public school all that parcel of land containing two acres one rood thirty-six perches, and situate in and being the Sections 18, 19, and 23 of Block IV on the plan of the Township of Parata: And whereas, pursuant to the provisions of the Native Townships Act, 1895, such land is vested in His Majesty the King in trust for the Native owners according to their relative shares or interest therein: Be it therefore enacted as follows:— 10

His Majesty the King may grant the said piece of land in fee-simple to the said Board as a site for a public school and teacher's dwelling; and the District Land Registrar of the Land District of Wellington shall recall, amend, or cancel, as the case may require, any certificate of title heretofore issued by him in respect of the said land in accordance with the provisions of the Native Townships Act, 1895; and every person, whether Native or European, hereby deprived of any estate or interest in the said land is hereby declared entitled to receive compensation for the same from the said Board, and the amount of such compensation shall be determined in manner provided by Part IV of the Public Works Act, 1908, as if the said land had been Native land taken for public works. 20

Vesting of Town Acres 89 and 90 in City of Wellington cancelled.

32. Whereas Town Acres Nos. 89 and 90, City of Wellington, in the Wellington Land District, each containing one acre, more or less, were set apart as Native reserves by the New Zealand Company, being comprised in the said company's "reserved tenths": And whereas the barracks of the Armed Constabulary were erected thereon, and the Crown by conveyance dated the twenty-fourth day of March, eighteen hundred and seventy-four, purchased the said lands from the Native owners of Te Aro for the sum of five hundred pounds: And whereas the said lands were erroneously included in the schedule of lands vested in the Public Trustee by the Native Reserves Act Amendment Act, 1896, for the benefit of the Natives described therein: And whereas public-school buildings have been erected on the said Town Acre No. 89, and Defence buildings have been erected on the said Town Acre No. 90, and it is desired to rectify the mistake that was made by vesting the said lands in the Public Trustee: Be it therefore enacted as follows:— 35

The vesting of the said lands in the Public Trustee by the Native Reserves Act Amendment Act, 1896, is hereby revoked as from the date of passing of the said Act, and shall for all purposes be deemed never to have been in force. No compensation shall be payable by the Crown in respect of the revocation of the said vest- 40 50

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ing, and no claim therefor shall be made by the Public Trustee or any of the Native beneficiaries under the said Act.

5 33. Airini Tonore, Iraia Karauria, Tu Tiakitai and Pani Karauria may respectively sell or lease by public auction all or any part or parts of their respective estates, shares, and interests in the several subdivisions of the Waimarama, Waipuka, and Okaihau Blocks in the same manner and with the same consequences as if they were Europeans, and without being bound by any statutory or other restrictions which would apply to any such sale or lease if the same were made by Natives, and for such purposes may dedicate and form public roads upon or over any such lands :

Powers to certain Natives to sell or lease certain lands.

10 Provided, nevertheless, that there shall be respectively reserved out of the respective shares, estates, and interests of Tu Tiakitai and 15 Pani Karauria in the said blocks an area or areas in all or any of such subdivisions, not being together less than three hundred acres in area, to be approved of by the Native Minister, which reserves shall be excepted from the operation of this section, and shall not be affected thereby :

20 Provided further that no land shall be sold or leased under the provisions of this Act which shall be included in any subsisting lease.

25 34. In order to give effect to portions of the report of the Commission (as defined in the Native Land Settlement Act, 1907) set forth in parliamentary paper G.-1N, session 1908, in respect of an agreement purporting to be made between the Native proprietors of Waiteti No. 2 Block (Sections 1B and 2A) and the Rotorua Timber Company, and of an agreement between the Native proprietors of Rotoma and Tautara Blocks and Hone Mariana, Kihori Te Hira, and Pera Mariana, the Governor may authorise the President of the 30 Waiariki Maori Land Board, on behalf of such proprietors, to execute such agreements with any modifications he may deem necessary, and upon such execution such agreements shall be deemed to be instruments of alienation duly approved and valid within the meaning of section twenty-six of the Maori Land Claims Adjustment and Laws 35 Amendment Act, 1907 :

Provision regarding certain agreements made in regard to Waiteti No. 2 Block, Sections 1B and 2A.

Provided that the said Hone Mariana, Kihori Te Hira, and Pera Mariana shall not transfer their rights under the said agreement without the consent of the Governor.

Struck out.

SCHEDULE.

Schedule.

ENACTMENTS REPEALED.

- 1895, No. 12.—The Native Townships Act, 1895.
- 1899, No. 9.—The Native Townships Act Amendment Act, 1899.
- 1901, No. 65.—The Native Land Claims Adjustment and Laws Amendment Act, 1901 : Section 43.
- 1903, No. 33.—The Native Townships Amendment Act, 1903.
- 1905, No. 28.—The Native Townships Local Government Act, 1905 : Section 12.
- 1906, No. 51.—The Maori Land Claims Adjustment and Laws Amendment Act, 1906 : Section 25, all words after the words "from the Board" down to and including the words "is situate."