

Mr. Wi Pere.

NATIVE LANDS ACT AMENDMENT.

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A BILL INTITULED.

AN ACT to amend the Laws relating to Native Lands.

WHEREAS it is advisable to enable Natives to deal tribally with their tribal lands :

Title.
Preamble.

5 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 Native Lands Act Amendment Act, 1884."

Short Title.

10 2. "The Native Committees Act, 1883," shall be brought into force in all parts of the North Island, which shall forthwith be divided into Native districts under the said Act.

"Native Committees Act, 1883," to be brought into force throughout North Island.

15 3. Prior to any sittings of the Native Land Court in any district formed under the said Act, the District Committee shall select five persons, who shall, upon the notification of such selection to the Native Land Court of the district, be and become Assessors to sit with the Judge in the trial of all cases brought before such Court in such district.

District Committees to choose Assessors from other Committees.

Powers of Assessors.	4. At least three of such Assessors and one Judge shall sit to decide all questions of title arising before such Court, and in each decision a majority of the Assessors must concur.	
Act to be brought into operation on application of Committees.	5. This Act, save as to the second section, shall be brought into operation in each district under the Native Committees Act only upon the application of the Committee for such district to the Governor in Council.	5
When list of owners given in, names of Committee also to be given.	6. Whenever the Native Land Court shall adjudicate upon the ownership of any piece of Native land, and the list or lists of owners shall be given to the said Court, there shall also be handed in to the said Court by such owners the names of a Committee of not less than five nor more than fifteen persons, of whom the majority in number shall be a quorum, who shall be the first Committee for such land, and who shall at once proceed to ascertain the extent and nature of the interest of each owner, or family, or hapu.	10
Dealings with land.	7. All dealing with such land or any part thereof shall be conducted by such Committee only, and all dealings with any individual owner shall be penal.	15
Owners of lands already through Court to send in lists of Committees.	8. The owners of all lands now held by more than ten Natives under any title whatever made by the Native Land Court of New Zealand under any Act or provision of the General Assembly shall, within three months of the passing of this Act, appoint and send in to the Registry Office of the district in which such land is situate a Committee, in like manner and with like power as aforesaid.	20
Vacancies in Committee.	9. Whenever any member or members of the Committee shall die, or become insane, or refuse to act, or go to a distant part of the colony to reside, then the owners shall, in a meeting properly called for the purpose, elect another or others to fill the place or places thus left vacant.	25
Minutes of Committee.	10. All business of the Committee shall be transacted at regular meetings, and regular minutes of all proceedings shall be kept.	30
Removal of Committee-room.	11. Any member of the Committee may be removed, and another person put in his place, by the vote of three-fourths of the owners, at a meeting properly called for the purpose.	
Committee to have seal.	12. Each Committee shall have a seal, which shall only be used, in the presence of a Judge of the Native Land Court, or of a Trust Commissioner, or other officer appointed under section thirty-two of this Act, by at least three of the Committee, specially appointed for that purpose at a meeting duly called.	35
Dealings with land.	13. All dealings with the land or any part thereof effectuated under the signatures of at least three Committee-men appointed for that purpose by the owners at a meeting properly called, and under the seal of the Committee, used as aforesaid, shall be valid.	40
Judge or Trust Commissioners to make inquiries.	14. The Judge, or Trust Commissioner, or other officer shall, before the seal be affixed to any document, make the inquiries under the Frauds Prevention Acts, and shall also be satisfied that all things necessary under this Act have been done, and state the same in writing upon the document.	45
Documents to be in duplicate.	15. All documents in any way affecting land shall be in duplicate, one for the Court, and one for the parties.	50
Powers of Committee.	16. Every Committee shall, by and with the consent of the owners in public meeting properly called, have power— (1.) To make reserves and partitions; (2.) To lease;	

- (3.) To sell ;
- (4.) To raise money, upon debentures secured on rentals of land, for purposes of improvement or purchasing stock ;
- (5.) To employ servants, managers, and agents ;
- (6.) To farm, manage, improve, and generally in all ways act as owners, subject always to the approval of the Judge or Trust Commissioner as aforesaid.

Provided always that the Committee shall have power to ascertain the interests, according to Native custom, of dissentients to any proposed sale, and such interests shall be exempt from any sale, but the Committee shall have power to make any other disposition of the said interests by way of lease, or to farm the same for the benefit of the said dissentients.

17. All proposed proceedings of a Committee shall be consented to and ratified by three-fourths in number of the owners at a meeting properly called at a kainga of the owners, to be named by the Chairman of Committee, and the Committee shall have no power to deal in any way whatever with the land or any part thereof, except by and with this consent and ratification.

Consent of owners.

18. All meetings of owners shall be called in manner following :—

Calling meetings of owners.

(1.) A written or printed notice in Maori, signed by or on behalf of and by authority of the Chairman of the Committee, shall be delivered personally or at the residence or last known place of abode of, or posted to, each owner, and posted up publicly in the place appointed for such meeting :

(2.) The notice shall contain the place and objects of the meeting, and no other business shall be entertained at such meeting :

(3.) At least twenty days' notice shall elapse between the serving or posting of the said notices and the date of the meeting.

19. At all meetings of owners minutes shall be kept, and signed by the Chairman, after the meeting has passed them as correct, before the meeting terminates.

Minutes of meetings to be kept.

20. All questions and resolutions must be carried by a majority of those present or represented of at least three-fourths in number.

Carrying resolutions.

21. No meeting of owners shall be valid unless at least three-fourths of the owners of the land to be affected attend personally or by proxy.

Quorum for meetings.

22. Owners may give proxies in writing to other owners for one or more meetings, such proxies to be in the form in the Schedule hereto, and signed before a member of the Committee.

Proxies.

23. All proxies shall be deposited with the Chairman, and kept by the Committee.

Proxies to be kept.

24. Each Committee shall, within one month after its appointment, file in the district office of the Court a list of the owners, either separately or in hapu or families, or both or all, and shall set opposite to the name of each person, hapu, or family the share such person, hapu, or family is entitled to receive out of every one hundred pounds accruing to the owners out of such land in any way whatsoever, always excepting reserves.

Committees to file lists of owners and shares of each

List to be ratified
by owners.

25. Such list shall be submitted by the Committee to a meeting of the owners properly called under this Act, and ratified by such meeting by a majority of three-fourths of the owners present at such meeting.

Or by Court.

26. If such meeting do not ratify such list, then the parts objected to shall be submitted to the Native Land Court, and such Court shall decide the list, and all moneys arising for distribution to the owners out of any block of land shall be distributed by the Committee in accordance therewith.

Restrictions on
dealing with shares.

27. It shall not be lawful for any owner to sell, mortgage, transfer, or anticipate in any way such share of moneys so to arise, nor shall any such sum be liable to be seized for any debt of such owner by or under any writ from any Court.

Contracts to bind
lands.

28. All contracts made by the Committee and ratified as hereinbefore mentioned shall bind the land and the proceeds of the same.

All contracts to be
made hereunder.

29. No contract or agreement in any way affecting land held by Natives under their customs and usages shall, after the passing of this Act, be valid unless made in conformity herewith.

How lands under
Thermal Springs
Act to be dealt with.

30. The Governor in Council shall have power to bring this Act into operation over any portion or portions of the land comprised in the Thermal-Springs Act, and the said Thermal-Springs Act shall thereupon be repealed in so far as such land is concerned.

Interpretation of
Committee.

31. In this Act the word "Committee," unless otherwise governed by the context, shall mean the Committee appointed under sections *six* and *eight*.

Governor in Council
to make regulations.

32. The Governor in Council shall have power to make regulations for the proper observance of this Act, and to rectify all mistakes, errors, and omissions, and to appoint all officers necessary to carry out the same, and to make the scales of fees and payments.

Commission to
investigate East
Coast troubles.

33. A commission, consisting of one Judge and two Assessors, shall be appointed to investigate the East Coast troubles.

Schedule.

SCHEDULE.

I, _____ an owner in the _____ Block, in the _____ District, hereby authorize _____, of _____, to appear and act for me at a meeting of the owners of the said _____ Block, to be held at _____ on the _____ day of _____, 18____.

Signed by the said _____ in the presence of _____ a member of the Committee for the _____ Block.