

Hon. Mr. Bryce.

NATIVE LANDS CONTRACTS ACT VALIDATION.

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A BILL INTITULED

AN ACT for enabling Inquiry to be made into certain Invalid Contracts affecting Native Lands, and for Validating such of them as are just. Title.

WHEREAS agreements for the purchase and sale of land have been entered into before the passing of the several Acts relating to Native lands which have been enacted during this session of Parliament, some of which agreements were made in good faith between the parties, but the law at the time of making such agreements was such that they have no validity: And whereas it is desirable to maintain and give effect to such of the said agreements as have been made in good faith and are themselves fair and reasonable in their character: Preamble.

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 Contracts Act Validation Act, 1880." Short Title.
2. The Governor may appoint any person to be a Commissioner under this Act. Commissioner.
3. Any party to any such agreement as above recited, or his legal representative, may make application to the Commissioner, stating the nature, extent, and circumstances of the agreement alleged to exist in respect of any Native land to be described in the application. Application by party to Commissioner.
4. The Commissioner may hear and investigate the truth of the alleged facts; and if the circumstances and justice of the case require it, and the Commissioner shall think that the transaction was in all respects fair and equitable, and should in good faith and conscience be carried to a conclusion, he shall issue a certificate declaring that "The Native Land Sales Act, 1880," shall not apply to the land the subject of the transaction. Inquiry by him, and certificate.
5. Thereupon the said land shall be deemed to be excluded from the operation of "The Native Land Sales Act, 1880." Effect of certificate.
6. Provided always that this Act shall not apply to agreements made or partly made since any Government notification under "The Government Native Land Purchase Act, 1877," affecting the land concerned by such agreement. Contracts since Government proclamations excepted.
7. No application shall be made to the Commissioner before the owners of the land affected thereby have been certified by the Native Land Court. Native Land Court to decide title before Commissioner sits.