

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

*House of Representatives,
20th October, 1899.*

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

Rt. Hon. R. J. Seddon.

NATIVE LAND LAWS AMENDMENT.

ANALYSIS.

Title.	3. Restriction on alienation of Native or other lands. Provisoos.
1. Short Title.	
2. Extended power as to orders permitting land to be mortgaged in certain cases.	4. Restriction under survey liens.

A BILL INTITULED

AN ACT to further amend the Law relating to Native Land. Title.
BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows :—

5 1. The Short Title of this Act is "The Native Land Laws Amendment Act, 1899." Short Title.

2. Subject to the provisions contained in section four of "The Native Land Laws Amendment Act, 1895," and subject also to the provisions of the next succeeding section hereof, the Governor in Council, when making an order under the said section four for the purpose of permitting land to be mortgaged by the Native owner thereof, may except the said land from the operation of sections five and six of the said Act, or of any other enactment in force in New Zealand relating to Native lands or lands owned by Natives, so that the owner thereof may mortgage the same as fully and effectually and confer the same power of sale as if the land comprised in the mortgage were lawfully owned by a European. Extended power as to orders permitting land to be mortgaged in certain cases.

3. On and after the commencement of this Act Native land or land owned or held by Natives shall not be alienated either to the Crown or to any other person by way of sale, or mortgage with power of sale : Restriction on alienation of Native or other lands.

Provided that this section shall not apply to any such land as aforesaid the title to which is held under "The Land Transfer Act, 1885," or under Crown grants, by not more than two Natives : Provisoos.

25 Provided, further, that in any case where, at the commencement of this Act, any written or verbal contract or agreement for the purchase on behalf of Her Majesty of any such land as aforesaid has been entered into, such purchase may be completed, anything hereinbefore contained to the contrary notwithstanding ; and a certificate by the Minister of Native Affairs that any such contract or agreement has 30 been so entered into shall be sufficient evidence of the fact :

Provided further that this section shall not affect or repeal section three of "The Native Land Laws Act Amendment Act, 1895," or apply to any land owned by Natives the restrictions on which have, prior to the passing of this Act, been applied to be removed; and it shall remain in force only until ten days after the last day of the next session of Parliament : 5

New Proviso.

Provided further that nothing in this section shall operate to prevent the renewal of any mortgage existing at the time of the passing of this Act. 10

Restrictions under
survey liens.

4. In all cases in which a lien or charge by way of mortgage exists to secure the payment of the cost of survey of Native land, or land owned or held by Natives, and enforceable by sale or other alienation of the land affected, such sale or alienation shall not take place unless the Governor, by Order in Council, shall have first approved of such sale or alienation; but in all cases where the Surveyor-General shall have certified that the charges and costs of such surveys are reasonable and just, and an Order in Council is refused, such lien or charge by way of mortgage shall, as provided by law, be taken over by the Crown. 15