

Hon. Mr. McKenzie.

NATIVE LAND PURCHASE AND ACQUISITION.

ANALYSIS.

- Title.
- Preamble.
- 1. Short Title.
- 2. Interpretation.
- 3. Native Land Purchase Board. Its constitution.
- 4. Areas to be proclaimed.
- 5. Governor may acquire Native hereditaments and Native land.
- 6. Governor may require Board to report upon the character of the land proposed to be acquired, its suitability for settlement, and its value. Appointment of valuers.
- 7. Upon receipt of report, Governor in Council may by notice require owners to elect within time specified either to sell and convey land to Her Majesty, or to consent to its being leased under Land Act. Contents of notice. Its publication.
- 8. Form and manner of election.
- 9. When election to be binding.
- 10. Upon election to sell and convey land to Her Majesty, Governor may by Order in Council declare same to be vested in Her Majesty. Effect of order. Registration.
- 11. Upon election that land be leased under Land Act, Governor by Order in Council to declare same to be Crown land, subject to trust for Native owners. Effect of Order in Council. Land may be leased accordingly. Application of rents and income.
- 12. Owners of more than one-half of shares in land, or, where same undetermined, majority in number of owners, may, any time before expiry of time limited for election, convey and surrender such land to Her Majesty at value fixed by Board. Such conveyance or surrender to bind all owners.
- 13. Governor in Council may direct Native Land Court to ascertain title to Native land proposed to be acquired. Proceedings of Native Land Court thereon.
- 14. Land which may not be acquired under this Act.
- 15. When Natives whose shares or interests in land acquired hereunder by Her Majesty in fee-simple have no other land sufficient for maintenance, land to be reserved there-out for such purpose.
- 16. When Order in Council made that land be leased under Land Act, and any portion thereof remains unlet for six months thereafter, advances may be made to Natives thereon, to be charged upon future rents.
- 17. Governor may direct payment of not exceeding one-half of capital moneys arising from land acquired hereunder to Public Trustee for the benefit of the persons entitled thereto.
- 18. Native Land Court to determine the relative shares of any persons in any moneys arising hereunder where more than one entitled thereto.
- 19. Moneys due to persons under disability to be paid to Public Trustee, and be invested by him. Application of income.
- 20. Incorporation of certain provisions of "The Native Land Purchases Act, 1892."
- 21. By consent of persons entitled thereto purchase-money may be paid by debentures issued under "The Native Land Purchases Act, 1892."
- 22. Native over seventeen to be deemed of full age.
- 23. When land acquired by election, consent of interested person not necessary to validity of election. Election binding on him. Order in Council may divest interested person of his estate.
- 24. Effect of Orders in Council.
- 25. Moneys due to persons refusing to receive same to be paid to Public Trustee. Application of income.
- 26. Queen's right of pre-emption over all lands outside proclaimed areas.
- 27. Power to make reserves and endowments for hospitals and charitable aid.

## A BILL INTITULED

Title.	AN ACT to authorise the Acquisition of Land owned by Natives for the Purpose of Land-settlement.	
Preamble.	WHEREAS at least seven million acres of land, principally situated in the North Island of the colony, owned by Natives, are lying waste and unproductive, and, in the interest of the Natives and of Her Majesty's other subjects in the colony, and more especially for the extension of settlement, it is necessary that such land should be made available for disposal under the land laws of the colony: And whereas the existing law for extinguishing by purchase the Native title over a large proportion of such land fails to afford adequate means for supplying the rapidly increasing demand for land for settlement purposes, and great injury is thereby occasioned, and the progress of colonisation is retarded, and it is therefore necessary to provide further and other means by which lands owned by Natives may be acquired for the purpose of disposal under the land laws of the colony:	5 10 15
	BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—	20
Short Title.	1. The Short Title of this Act is "The Native Land Purchase and Acquisition Act, 1893."	
Interpretation.	2. In this Act, if not inconsistent with the context,— "Board" means the Board constituted by this Act: "Land" includes any share, estate, or interest therein: "Minister" means the Minister for Lands: "Native hereditaments" shall be deemed to mean land owned by Natives the title to which is ascertained by the Native Land Court, and includes land owned by Natives under any title whatever, but does not include Native land as hereafter defined until the title thereto has been ascertained, or any land owned by Natives originally purchased from the Crown or from any person or corporation: "Native lands" means lands owned by Natives under their customs or usages, but of which the ownership has not been ascertained by the Native Land Court: "Natives" means aboriginal natives of New Zealand, and includes half-castes and their descendants: "Owners" means Native owners: "The Native Land Court" means the Native Land Court constituted under "The Native Land Court Act, 1886": "The Native Land Court Act, 1886," means that Act and all amendments, and any Act passed in substitution for that Act.	25 30 35 40
Native Land Purchase Board. Its constitution.	3. For the purposes hereinafter provided there shall be a Board, styled the "Native Land-purchase Board," which shall consist of— (1.) The Surveyor-General; (2.) The Commissioner of Taxes; (3.) The Commissioner of Crown Lands for the district under "The Land Act, 1892," within which any land is situated proposed to be acquired under this Act;	45 50

(4.) The Native member of the House of Representatives for the Maori Electoral District within which any land is situated proposed to be acquired under this Act;

5 (5.) A Native owner (hereinafter referred to as "the Maori Commissioner), to be appointed by the Chief Judge of the Native Land Court from a list of persons each of whom shall be nominated by at least two of the members of the Legislative Council or House of Representatives representing therein respectively the Maori race.

10 Four members of the Board shall be a quorum, and may exercise all the powers, duties, and functions which the whole Board could exercise.

The Board shall meet at such times and places as the Governor may from time to time by regulations provide.

15 The Surveyor-General shall be President of the Board, and shall preside at all meetings thereof; and in case of his absence the Commissioner of Crown Lands for the district shall preside at the meeting. The Chairman shall, in addition to his deliberative vote, have in the case of an equality of votes a casting-vote.

20 The Governor in Council may remove any Maori Commissioner from the Board, and, in the case of any removal, or of the death or resignation of any Maori Commissioner, appoint another person being a Native owner to be a member of the Board in his place.

25 The Governor may, from time to time, make such regulations as he thinks fit for the conduct of the business and proceedings of the Board.

No member of the Board other than the Maori Commissioner shall under this Act receive any salary or remuneration other than his actual travelling-expenses to and from meetings of the Board.

30 The Maori Commissioner shall receive remuneration after the rate of not exceeding (in addition to his actual travelling-expenses) one hundred pounds per annum.

All remuneration and travelling-expenses shall be paid out of money appropriated by Parliament for the purpose.

35 4. This Act shall have operation only within such areas of Native territory as the Governor in Council shall from time to time declare by Proclamation in that behalf duly gazetted; and the Governor may from time to time revoke, vary, or alter any such Proclamation in part or in whole.

Areas to be proclaimed.

40 5. It is declared that for the purpose of acquiring land for settlement and disposal under "The Land Act, 1892," the Governor on behalf of Her Majesty may acquire under this Act Native hereditaments and Native land in a proclaimed area.

Governor may acquire Native hereditaments and Native land.

45 6. If the Governor thinks it desirable that in the interest of settlement, and for the purpose of disposal under "The Land Act, 1892," that any block or parcel of land being Native hereditaments or Native land should be acquired, he shall—

Governor may require Board to report upon the character of the land proposed to be acquired, its suitability for settlement, and its value.

(1.) Require the Board to report to him—

50 (a.) The character of the land proposed to be acquired;

(b.) The suitability thereof for land-settlement and for disposal under "The Land Act, 1892";

(c.) Its value, to be fixed by three indifferent persons, one to be appointed by the Board, one by the Native

owners of the land proposed to be acquired (if of age), or, on failure of any such election, one by a Judge of the Supreme Court acting in their stead, and, if such Native owners are under age or legal incapacity, one by a Judge of the Supreme Court on their behalf upon the application of the Minister (and in the case of Native hereditaments upon the application of any Native or person having an estate or interest therein), and the third by the two persons so appointed, or, if such two persons do not agree as to the appointment of such third valuer within twenty-one days from the appointment of the valuer last appointed, then by a Judge of the Supreme Court upon the application of the Minister. In case any of the persons appointed as valuers shall die or refuse to act before the valuation is made, then another valuer may be appointed by the Board if the valuer so dying or refusing to act was originally appointed by the Board, and in all other cases by any Judge of the Supreme Court upon the application of the Board or the Minister, and so on from time to time as the case may require.

Appointment of  
valuers.

The valuation made by such valuers or any two of them shall be deemed to be the value of the land as fixed by the Board. Before any valuer enters into the consideration of any valuation, he shall make the following declaration:—

I, A.B., of \_\_\_\_\_, do solemnly and sincerely declare that I have no interest either directly or indirectly in the matter of a valuation to be made of [*Here state the land to be valued, and the particulars of the valuation to be made*], and that I will faithfully and honestly and to the best of my skill and ability make the valuation required under the provisions of "The Native Land Purchase and Acquisition Act, 1893": And I make this solemn declaration conscientiously believing the same to be true, and by virtue of an Act of the General Assembly of New Zealand intituled "The Justices of the Peace Act, 1882."

Upon receipt of  
report, Governor in  
Council may by  
notice require  
owners to elect  
within time  
specified either to  
sell and convey land  
to Her Majesty, or  
to consent to its  
being leased under  
Land Act.

7. Upon the report of the Board, the Governor in Council may, by notice given as hereinafter provided, require the owners of any land being Native hereditaments mentioned in the report within a time limited, not being less than *six* months from the first publication of such notice in the *Kahiti*, to elect either—

- (1.) To sell and convey such land to Her Majesty at the value fixed by the Board; or,
- (2.) To consent to such land being disposed of by way of lease under the provisions of "The Land Act, 1892."

The notice shall be addressed to the owners of the land, without naming them, but shall be so addressed by reference to the land or otherwise that the owners of such land can thereby ascertain that such notice refers to land to which they are entitled or claim to be entitled.

Contents of notice.

The notice shall contain—

- (a.) A description of the land in such way as thereby the owners thereof can ascertain that the land is land to which they are entitled or claim to be entitled;
- (b.) A statement of the value of such land as fixed by the Board;
- (c.) A statement of the time within which an election is to be made either to sell and convey such land to Her Majesty

at the value so fixed, or to consent to such land being disposed of by lease under the provisions of "The Land Act, 1892"; and

- 5 (d.) A statement of the person to whom and the place where such election is to be made, which person and place shall be fixed by the Governor.

The notice shall be published in the *Gazette* and *Kahiti* continuously, up to the date limited by such notice for making an election, as hereinbefore mentioned. It shall also be published in  
10 some newspaper (to be fixed by the Governor), published in or near or having a circulation in the locality in which the land is situated, in the Maori and English languages once in each calendar month during the time limited by the notice. If the names and addresses of any of the owners are known, a copy of the published notice  
15 shall be sent to such owners by posting the same by registered letter, but the failure to give notices shall not render invalid any act or thing done under this section.

8. Any election may be in the following form or to the effect thereof, modified as the Governor may from time to time authorise:—  
Form and manner of election.

20 To His Excellency the Governor.

WE, the undersigned, being the owners of or entitled to shares and interests in all that [*Here describe land*], being the land comprised in the notice published in the *Kahiti* of the            day of            18    , do hereby elect to sell and convey to Her Majesty such land for the sum of £            , being the value fixed by the Native  
25 Land-purchase Board under "The Native Land Purchase and Acquisition Act, 1893" [or, to such land being disposed of way of lease under the provisions of "The Land Act, 1892," as provided by "The Native Land Purchase and Acquisition Act, 1893," as the case may be].

Dated this            day of            , 18    .

30 The election shall be in two parts, one in the English language and the other in the Maori language. Both parts shall be signed by the persons who elect, and each signature must be attested by two persons, one of whom must be a licensed Native interpreter, and the other a Justice of the Peace, Solicitor of the Supreme Court, Clerk  
35 to a Resident Magistrate, Registrar of the Supreme Court, or Postmaster. The Native Interpreter who attests the signature of any Native shall, before he so attests, explain to such Native the nature and effect of the document, and at the time he so attests add to the attestation or indorse on the document or annex thereto a  
40 certificate under his hand that he did so explain; and such certificate shall be conclusive evidence that such explanation was given, and that the Native signing understood the nature and effect of the document and consented thereto. The election may consist of several documents, each signed by one or more of the persons electing.

45 9. Any election as aforesaid shall be binding upon the whole of the owners of the land (whether infants, lunatics, or under any other disability or not, and whether the land or the share or interest of any owner therein is subject to any claim or trust, or to any restrictions, limitations, or conditions against alienation) if made by owners  
50 owning more than one-half of the shares and interests in such land, or, in the case of land in which the relative shares and interests of owners have not been defined, then by a majority in number of the owners of such land.

Trustees for infants, lunatics, or others under any disability may, on behalf of such persons, and notwithstanding the terms of the trust, make such election, and any election so made shall be binding on such persons and be valid as if expressly authorised by the trust.

Upon election to sell and convey land to Her Majesty, Governor may by Order in Council declare same to be vested in Her Majesty.  
Effect of order.

10. If the election made is to sell and convey to Her Majesty, 5 then the Governor may by Order in Council declare the land to be vested in fee-simple absolute in Her Majesty, and such Order in Council shall vest such land in Her Majesty, freed and discharged from all estates, claims, charges, rights, and interests whatsoever, and such land shall thereupon become and be Crown lands, and may 10 be disposed of under "The Land Act, 1892."

Registration.

The Order in Council may be registered under "The Deeds Registration Act, 1868," in the Deeds Registration Office for the district within which the land is situated, if the land is subject to that Act; and if not, then the Order in Council may be registered under "The 15 Land Transfer Act, 1885," as if the same was a valid transfer to Her Majesty, and the District Land Registrar shall cancel all entries on the register affecting or relating to the title to such land.

After the registration of an Order in Council as aforesaid no further registration shall take place except of dealings by the 20 Crown.

As from the date of an Order in Council under this section vesting any land absolutely in Her Majesty by sale and conveyance the amount at which the land has been valued by the Board shall, subject to the provisions of this Act, be payable to the owners of 25 such land in the proportions to which they are entitled thereto, and until so paid the same shall bear interest at the rate of per centum per annum.

Upon election that land be leased under Land Act, Governor by Order in Council to declare same to be Crown land, subject to trust for Native owners.

11. If the election made is a consent to such land being disposed of by way of lease under the provisions of "The Land Act, 1892," then 30 the Governor, by Order in Council, shall declare such land to be vested in Her Majesty in trust for the Native owners thereof and their heirs; and such Order in Council shall vest the land in Her Majesty, subject to the trust aforesaid, but freed and discharged from all estates, claims, charges, rights, and interests therein, and such land shall be 35 deemed to be Crown land.

Effect of Order in Council.

The Order in Council may be registered in the same manner as is hereinbefore provided in the case of an election made to sell and convey to Her Majesty, and the registration shall have the same force and effect as is provided in that case. 40

Land may be leased accordingly.

From and after the date of the taking effect of any such last-mentioned Order in Council, the land therein mentioned, may be disposed of by way of lease under that Act; and thereupon the following provisions shall apply:—

(a.) The Board shall have a valuation made of so much of the said 45 land as shall be equivalent to a just proportion of any expenditure made for the survey of such land, and for laying off and making roads for the purpose of leasing such land, as the Minister may determine; and such area shall be deducted from the land vested in Her Majesty in trust as 50 aforesaid, and shall vest in Her Majesty absolutely released from the said trust in payment of the aforesaid expenditure.

(b.) All the residue of such land may in all respects be leased under "The Land Act, 1892," subject to the like terms and conditions as Crown lands are capable of being disposed of by way of lease under that Act; and for all purposes of "The Rating Act, 1882," any lessees or licensees of such lands shall be deemed to be occupiers of Crown land; and the net rents and income of such land shall be paid to the persons entitled according to their shares and interests in such land; and such persons shall not be liable to be taxed under "The Land and Income Tax Act, 1891," in respect of any such rents and income.

Application of rents and income.

Notwithstanding any election by Natives to dispose of any land by lease under this Act, the said Natives may at any time thereafter elect to sell and convey the said land to Her Majesty, and thereupon the same proceedings shall be had in respect of such land as if it had never been so leased as aforesaid.

12. Notwithstanding any other of the provisions of this Act, and that any land or any share or interest therein may be subject to any trust, and notwithstanding the existence of any restrictions, conditions, or limitations attached to such land, share, or interest, the owners of more than one-half of the shares and interests in such land, or, in the case of land where the relative shares and interests therein have not been determined, a majority in number of the owners of such land, may, either before or after the publication of the notices hereinbefore mentioned, and before the time limited for making such election as is hereinbefore provided has expired, by any instrument in writing executed and attested as is hereinbefore provided in the case of an election, convey and surrender such land to Her Majesty at the valued amount fixed by the Board; and such instrument so executed shall bind all the owners of such land, and all other persons whomsoever, whether infants, lunatics, or other persons under any disability, and whether assenting to or dissenting from such conveyance or surrender.

Owners of more than one-half of shares in land, or, where same undetermined, majority in number of owners may, any time before expiry of time limited for election, convey and surrender such land to Her Majesty at value fixed by Board.

Trustees under any trust, or for infants, lunatics, or other persons under any disability, may, on behalf of such persons, and notwithstanding the provisions of the trust, join in such conveyance or surrender, and their execution of such instrument shall bind such persons, and shall be valid. The valued amount of the land shall be distributed and paid to and amongst all the owners of the land, according to their relative shares or interests.

Such conveyance or surrender to bind all owners.

13. With respect to Native land, the Governor may direct the Native Land Court to ascertain the title thereto, and the Court shall thereupon proceed to do so.

Governor in Council may direct Native Land Court to ascertain title to Native land proposed to be acquired. Proceedings of Native Land Court thereon.

The procedure shall in such case (except in so far as the Governor may provide by regulations otherwise) be similar, *mutatis mutandis*, as upon an application for investigation of title upon the application of Natives claiming to be the owners of or interested in Native land, as provided by "The Native Land Court Act, 1886"; and all the provisions of that Act which would apply to an investigation of title to Native land under that Act shall apply to the investigation of title under the provisions of this section; and all orders may be made and acts and things done as might or could be made or done upon an investigation of title to Native land under "The Native Land Court Act, 1886": Provided that no partition shall be made, except the Governor directs such partition to be made.

All costs, charges, and expenses of and incidental to the carrying into effect the provisions of this section shall be borne and paid by the Native owners, and shall be a charge upon such Native land in favour of Her Majesty.

The Governor may by regulations regulate the proceedings in the Native Land Court under this section, and provide generally by regulations how this section shall be given effect to.

When the title to Native land is ascertained, as by this Act provided, the provisions of this Act relating to Native hereditaments shall apply thereto.

Land which may not be acquired under this Act.

14. No land shall be acquired under this Act which is the whole or part of a pa for the time being in use or occupation, Native village, or Native cultivation. The term "Native cultivation" shall mean such land as may be defined by the Governor (either generally or in any particular case) from time to time to be a Native cultivation, but in no case shall land sown in grass be deemed a Native cultivation solely upon the ground that it is sown in grass.

When Natives whose shares or interests in land acquired hereunder by Her Majesty in fee-simple have no other land sufficient for maintenance, land to be reserved thereout for such purpose.

15. Before the completion of any sale and conveyance to Her Majesty the Governor shall ascertain whether any of the Natives, having shares and interests in the block or parcel of land proposed to be acquired, have other land sufficient for their maintenance; and, if not, then there shall be reserved for the use of such of the said Natives who have no other land such area of the whole of the block or parcel of land as the Governor thinks sufficient, and the value of the land so reserved shall be deducted from the purchase-money; or else the Governor may take the whole block, paying the full price thereof, and, in lieu of reserving any land out of the land acquired, set apart out of Crown lands such land as he thinks fit for the maintenance of such Natives.

A sufficiency of land for the maintenance of Natives shall be deemed to be, in respect of every Native man, woman, or child,—

- (1.) Of first-class land, twenty-five acres per head; or,
- (2.) Of second-class land, fifty acres per head; or,
- (3.) Of pastoral land, one hundred acres per head.

Any land so reserved or set apart may be vested in such Natives for such estate, shares, and interests therein, and subject to such restrictions, limitations, and conditions, as the Governor thinks fit; or the Governor may vest such land in any corporate body having by law the duty of administering Native reserves, to be administered by such corporate body for the benefit of such Natives.

When Order in Council made that land be leased under Land Act, and any portion thereof remains unlet for six months thereafter, advances may be made to Natives thereon to be charged upon future rents.

16. When an Order in Council is made whereby it is declared that any land shall be disposed of by way of lease under the provisions of "The Land Act, 1892," and if such land shall not within six months from the date of such Order in Council be disposed of by way of lease thereunder, then as regards any part thereof not leased Her Majesty may from time to time advance to the persons who would be entitled to the rents of such land if leased such sums of money not exceeding in the whole four pounds per centum upon the value of the land unlet, such value to be determined according to the acreage value, or the acreage value as fixed by the Board at the time of the original valuation.

All such sums shall be a first charge upon the land, and may be recovered out of the rents of the land, when leased, or from the purchase-moneys for the land when sold.



If the value fixed by the Board shall be otherwise than upon the acreage value, then in determining any value under this section such value shall, in case of difference, be determined by one or more valuers appointed by the Chief Judge of the Native Land Court, upon the application of the Minister, or of any person who would be entitled to any portion of the rent if the land were leased.

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17. Notwithstanding any of the provisions of this Act the Governor may, with respect to any capital moneys arising from any land acquired under this Act, direct any portion thereof not exceeding one-half to be paid to the Public Trustee, to be held and applied, both as to capital and income, upon such terms and subject to such conditions for the benefit of the persons entitled as the Governor may think proper, and the Governor may from time to time revoke or alter such terms and conditions.

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Governor may direct payment of not exceeding one-half of capital moneys arising from land acquired hereunder to Public Trustee for the benefit of the persons entitled thereto.

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18. The Native Land Court may at any time, on the application of the Governor, or the Minister, or of any person claiming to be entitled to any share or interest in any moneys, whether capital or income, where several persons are, or claim to be, entitled to such moneys, decide their relative rights, and shall make an order accordingly.

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Native Land Court to determine the relative shares of any persons in any moneys arising hereunder where more than one entitled thereto.

The provisions of "The Native Land Court Act, 1886," relating to the ascertainment of the relative shares and interests of Natives in Native hereditaments under that Act shall, *mutatis mutandis*, extend and apply to any proceedings of the Native Land Court under this section.

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19. Where moneys, whether capital or otherwise, shall be payable to any person, being a minor, lunatic, or under any other disability, such moneys may be paid to the Public Trustee. The Public Trustee may invest any capital moneys, or any money being income but not immediately required to be applied, in any of the securities upon which he is authorised to invest trust moneys by the tenth section of "The Public Trust Office Act Amendment Act, 1891." The Public Trustee may apply any moneys, being income, for the maintenance, education, and advancement of any such minor, lunatic, or person under disability, in such manner as the Public Trustee thinks fit without being responsible for the application thereof.

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Moneys due to persons under disability to be paid to Public Trustee, and be invested by him.

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Application of income.

20. All the provisions of "The Native Land Purchases Act, 1892," hereinafter referred to as "the incorporated Act," except sections two, ten (except the proviso thereof), fourteen, and fifteen thereof, shall apply to and be incorporated in this Act, except so far as the provisions of that Act are not consistent with the provisions of this Act, and except as hereinafter modified, that is to say,—

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Incorporation of certain provisions of "The Native Land Purchases Act, 1892."

Whenever the words "Native land" are mentioned in the incorporated Act, those words, in applying the incorporated Act to the provisions of this Act, shall be deemed to mean any land which is authorised to be acquired or purchased under this Act.

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The publication by the Governor in Council of the notice mentioned in section seven of this Act, requiring the Native owners to elect, shall be equivalent to and have the same force and effect as is given to a notice published by the Governor under section sixteen of the incorporated Act, save and except that the notice published under the provisions of this Act shall take effect as from the first

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publication in the *Gazette* or *Kahiti*, as the case may be, and except that the last paragraph of section sixteen shall not apply to this Act, and sections seventeen and eighteen of the incorporated Act shall be read and construed accordingly.

The reference in section eighteen of the incorporated Act to section sixteen of that Act shall be construed as referring to a notice published under the provisions of this Act. 5

21. Any capital money payable to any Native or person under this Act may, instead of being paid in cash, be paid by debentures issued under the incorporated Act, if the Native or person entitled thereto consents. 10

22. A Native over the age of seventeen years shall for the purposes of this Act be deemed of full age, and may make any election, execute any instrument, give discharges, and do all acts and things which such Native could do if of full age. 15

23. Notwithstanding that any person, not a Native, has any estate, charge, claim, interest, or right in any land, the consent or concurrence of such person shall not be necessary to the validity of an election, or to anything done for the want of an election, or to any conveyance or surrender to Her Majesty under this Act; and any election, or act or thing done for the want of an election, or any conveyance or surrender, shall, whether such person assents thereto or dissents therefrom, be valid and binding; and Orders in Council, conveyances, or surrenders shall divest all persons of their estates, charges, claims, interests, or rights, to and in favour of Her Majesty: 20 25

Provided that, with respect to the estate, charge, claim, interest, or right of any person as aforesaid so divested, Her Majesty shall pay to such person the value thereof; and, in case any difference shall arise between such person and Her Majesty as to such value, the same shall be settled by a Judge of the Supreme Court upon the application of the Minister or of such person, and the amount so settled shall be paid by the Colonial Treasurer. 30

24. Orders in Council, conveyances, and surrenders to Her Majesty under this Act shall by registration, notwithstanding the registration of instruments prior thereto or to prior-registered estates, claims, charges, rights, or interests, take priority thereover. An Order in Council purporting to be made under the authority of this Act shall be conclusive evidence that all acts and things have happened or been done and performed authorising such Order in Council to be made, and the validity of such Order in Council shall not be capable of being raised. 35 40

25. When money is, under this Act, payable to a person who refuses to receive it, or where the person entitled thereto makes no application for payment within twelve months from the time when such money was payable, or where the person entitled is not known or is absent from the colony, then Her Majesty, or the person by whom such money is payable, may pay the same into the Public Trust Office, and the Public Trustee may invest such money in the manner authorised by the tenth section of "The Public Trust Office Act Amendment Act, 1891," and the Public Trustee may pay such money, and any income therefrom, to any person whom a Judge of 45 50

By consent of persons entitled thereto purchase-money may be paid by debentures issued under "The Native Land Purchases Act, 1892."  
Native over seventeen to be deemed of full age.

When land acquired by election consent of interested person not necessary to validity of election. Election binding on him.

Order in Council may divest interested person of his estate.

Effect of Orders in Council.

Moneys due to persons refusing to receive same to be paid to Public Trustee.

Application of income.

the Native Land Court may declare entitled thereto, and an authority to make such payment, signed by such Judge, shall be conclusive authority for the Public Trustee to make such payment.

26. It is hereby declared and enacted that Her Majesty shall have a prior right before all other persons to purchase any Native lands or Native hereditaments situate outside of any area of Native territory proclaimed under this Act.

Queen's right of pre-emption over all lands outside proclaimed areas.

If the Native owners of any such lands or hereditaments wish to sell or lease the same, they shall offer such lands to the Board, stating at the time the amount per acre required as the price of the fee simple thereof, or else the amount of rent per annum required for a lease thereof.

The Board shall thereupon have a valuation made of the lands, and report to the Governor upon the offer made by the Natives for the sale or lease thereof, as provided in section six in the same manner as if such lands were lands within a proclaimed area; and if the said Board refuses to accept the offer, such Native owners may thereafter, with the consent of the Board first obtained, dispose of the lands so offered as aforesaid for sale or lease to any person whomsoever.

If, however, any offer as aforesaid be accepted by the Board, then and thereafter all the provisions of this Act shall apply to the Native lands or Native hereditaments included in any such offer as if the same had been included within an area proclaimed under section four of this Act.

27. The Governor may from time to time exercise the powers conferred by section two hundred and thirty-five of "The Land Act, 1892," to make reserves for any public purpose out of any lands sold and conveyed to Her Majesty, and similarly may appropriate not exceeding ten per centum of the whole area acquired as aforesaid by Her Majesty as an endowment for charitable aid.

Power to make reserves and endowments for hospitals and charitable aid.