

Hon. Mr. McKenzie.

NATIVE LAND PURCHASE AND ACQUISITION.

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A BILL INTITULED

Title.	AN ACT to authorise the Acquisition of Land owned by Natives for the Purpose of Land-settlement.	
Preamble.	<p>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:</p> <p>BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same,</p>	5 10 15 20
Short Title.	1. The Short Title of this Act is "The Native Land Purchase and Acquisition Act, 1893."	20
Interpretation.	<p>2. In this Act, if not inconsistent with the context,—</p> <p>"Board" means the Board constituted by this Act:</p> <p>"Land" includes any share, estate, or interest therein:</p> <p>"Minister" means the Minister for Lands:</p> <p>"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:</p> <p>"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:</p> <p>"Natives" means aboriginal natives of New Zealand, and includes half-castes and their descendants:</p> <p>"Owners" means Native owners:</p> <p>"The Native Land Court" means the Native Land Court constituted under "The Native Land Court Act, 1886":</p> <p>"The Native Land Court Act, 1886," means that Act and all amendments, and any Act passed in substitution for that Act:</p> <p>"A majority in number" means a majority of two-thirds.</p>	25 30 35 40 45
Native Land Purchase Board. Its constitution.	<p>3. For the purposes hereinafter provided there shall be a Board, styled the "Native Land-purchase Board," which shall consist of—</p> <p>(1.) The Surveyor-General;</p> <p>(2.) The Commissioner of Taxes;</p> <p>(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;</p>	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, and may make such other rules as he may think fit for better enabling this Act to be given effect to, and such rules from time to time revoke or alter, and such rules and altered rules when gazetted shall have the like effect as if the matter thereof had been enacted
30 herein.

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.

35 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.

40 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.

45 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.

50 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—

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

(b.) The suitability thereof *and the advisability of acquiring it* 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, 1892."

New proviso.

Provided nevertheless that no valuation shall be made until it has been satisfactorily ascertained that the Native owners will consent to their land being dealt with under this Act, and the Board shall merely furnish a preliminary report in the first place as to the character and general suitability of the land for settlement purposes.

7. Upon the *final* report of the Board, the Governor in Council may, ~~by notice given~~ as hereinafter provided, ~~require~~ *notify* 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~~ *whether they will—*

(1.) To Sell and convey such land to Her Majesty at the value fixed by the Board; or,

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.

(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.

The notice shall contain—

Contents of notice.

(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

(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 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 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.

Its publication.

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.

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 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 .

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 *Judge, a Justice of the Peace, Solicitor of the Supreme Court, Clerk 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 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; *but no fee shall be charged the Native owners for any duties performed in pursuance of the provisions of this section.* The election may consist of several documents, each signed by one or more of the persons electing.

When election to be binding.

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 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, 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 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 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 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 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," *subject as hereinafter provided in section thirty-five*, then 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 deemed to be Crown land.

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.

Effect of Order in Council.

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:—

Land may be leased accordingly.

(a.) The Board shall have a valuation made of so much of the said 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 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 as hereinafter modified; 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.

Such conveyance or surrender to bind all owners.

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. 5

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

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. 10

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. 15 20

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. 25

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. 30

New proviso.

Provided that nothing in this Act shall be deemed to prohibit the right of Native claimants to any Native land comprised within a proclaimed area to make application to the Court in the manner provided by "The Native Land Court Act, 1886"; and it shall be the duty of the Court in respect of all investigations of title to such land which may be referred or in any way brought before it under the provisions of this Act to conclusively ascertain the rights of all parties to the land the subject of adjudication, whether such parties are before it or not. 35 40 45

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. 50

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 acquire* 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.

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.

Struck out.

15 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.

New proviso.

20 Provided always that no land reserved for the support and maintenance of the Natives shall be considered a sufficiency for such purpose if the quantity so set apart for every Native man, woman, or child is less than twenty-five acres per head of first-class land, fifty acres per head of second-class land, and one hundred acres per head
 25 of third-class land.

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
 30 law the duty of administering Native reserves, to be administered by such corporate body for the benefit of such Natives.

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
 35 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
 40 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.

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.

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.
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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
 50 application of the Minister, or of any person who would be entitled to any portion of the rent if the land were leased.

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.

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. 5

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

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. 10

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. 15

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

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. 20 25 30

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,— 35

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. 40

The publication by the Governor in Council of the notice mentioned in section seven of this Act, requiring notifying 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 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. 45 50

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.

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.

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

New proviso.

- But such debentures shall not be capable of being disposed of for an amount less than the face value thereof, and any disposal of such debentures in contravention hereof shall be null and void.

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.

Native over seventeen to be deemed of full age.

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:

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.

- 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.

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.

Effect of Orders in Council.

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

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

Application of income.

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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.

Struck out.

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

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. 5

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. 10

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. 15 20

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. 25

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

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. 30

New clauses.

28. Should the Board consider it inadvisable to recommend the Governor to acquire any Native lands or Native hereditaments within a proclaimed area, or should the Native owners neither elect to sell nor to lease to the Governor, they may, by forwarding a duly-authenticated petition to the President of the Board, signed by all the owners, or by so many of them as may be deemed to satisfactorily represent the whole, signifying their desire that the Proclamation should be withdrawn, have the same removed in manner provided by section *four* of this Act: 35 40

Provided, however, that no Proclamation shall be revoked until the Governor in Council is satisfied of the *bona fides* of the application to withdraw the same; and for that purpose he may take such action as may be deemed necessary and sufficient to establish the authenticity thereof. 45

On a Proclamation being revoked the Native owners of the land held under unrestricted title within the area formerly proclaimed may thereafter dispose of the same either by sale or lease, and not 50

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otherwise, to any person whomsoever, provided that such land is first submitted to public auction, and that no larger quantity of rural land than six hundred and forty acres of first-class land, or two thousand acres of second-class land, or ten thousand acres of pastoral land, shall be put up for sale by auction in any one lot, and for this purpose the land shall be first classified by the Waste Lands Board of the district in which it is situate, ~~and sold by the Commissioner of Crown Lands of such district~~ thereafter be offered for sale under the provisions of section 67 of "The Land Act, 1892."

29. If the owners elect to sell under the provisions of the foregoing section, the upset price shall first be fixed by the Waste Lands Board of the district in which the land is situate; but should the owners only elect to lease, the rent to be payable therefor shall not be less than five per centum per annum on a valuation of the then fee-simple of the land, to be fixed by the said Board:

Provided also *however* that, prior to any land being offered at auction for sale or to let, it shall be necessary that the owners thereof produce satisfactory proof that they have sufficient other land for their use and maintenance, and for that purpose a certified statement of the lands owned by the intended vendors or lessors, as the case may be, must be obtained from a Judge of the Native Land Court, or a Resident Magistrate, and no land shall be disposed of except on production of such certified statement.

30. For the purposes of this Act, and to facilitate the disposal of lands hereinafter in this section referred to, by assuring an indisputable title to the persons acquiring the same, all lands within a proclaimed area held under certificate of title or memorial of ownership issued under any Native Land Act shall, on reverting to the Native owners in manner prescribed in section *twenty-eight*, be subject to the provisions of "The Land Transfer Act, 1885"; and all lands held by Natives under Crown grant within such area as aforesaid shall also be subject to the provisions of the aforesaid Act subject to the same restrictions, if any, as shall be existing when such reversion takes effect; but no claim on the Assurance Fund shall arise or be deemed to have arisen by reason of making any lands held under any of the aforesaid muniments of title subject to the aforesaid Act: Provided, nevertheless, that this shall not exempt the said fund from any claim which may arise through any omission, mistake, or misfeasance of any officers of the Land Transfer Department in the execution of their respective duties.

Provided also that nothing herein contained shall be deemed to invalidate any transaction legally entered into for the alienation or other disposition of lands comprised in any of the aforesaid muniments of title before the date of the Proclamation defining and declaring such proclaimed area; and the estate and interest of the Native owners shall be subject only to instruments of disposition legally entered into prior to such date, and such instruments of disposition shall be notified on the Register as outstanding interests: Provided further that until a folium of the Register has been duly constituted for any such land all dealings affecting the same shall be provisionally registered in manner provided by the said Land Transfer Act.

31. Notwithstanding the issue of any Proclamation, when any valid contract or agreement for sale or lease of the interests of Native owners of any land within a proclaimed area has been legally entered into by any person with such Native owners prior to the gazetting of the Proclamation affecting such land, such contract or agreement may in respect of the interests thereby contracted to be purchased or leased, and for the purpose of vesting such interests in the person entitled, be duly completed within six months after the gazetting of such Proclamation, but not afterwards, anything in the provisions of this Act to the contrary notwithstanding.

32. It shall be the duty of the Registrar of the Native Land Court, when land situated within any proclaimed area has reverted, to forward to the District Land Registrar a certificate of the owners of such land at the date of such reverting, and also a list of all the instruments of disposition which have been recorded in the Native Land Court; and the District Land Registrar shall satisfy himself of the nature and extent of the estates and interests created by such instruments, and also the nature and extent of the estates and interests created by such instruments registered in the Deed Registry Office against any land he may be required to deal with under the provisions of section *thirty-three* of this Act, and shall do all such things as he would have been required to do had such estates and interests been registered on the provisional register.

33. In the case of a sale by auction, as aforesaid, of land for cash, or of a lease, the District Land Registrar of the district in which such land is situate is hereby empowered to execute a transfer or lease, as the case may be, in accordance with the provisions of the Land Transfer Acts, in favour of the purchasers or lessees of the land sold or leased, upon satisfactory proof of the payment of the purchase-money or other payments due to the persons legally entitled thereto, or to the Public Trustee in the case of a sale by trustees, or on behalf of a person who refuses to receive the amount payable to him, or who may then be absent or cannot be found; and the execution by the District Land Registrar shall for all purposes be as valid and effectual as if the Native vendors or lessees had executed such transfer or lease.

34. Notwithstanding anything to the contrary contained in this Act, it is hereby provided that in the event of all the Native owners of land held under title within a proclaimed area not consenting to their land being dealt with under the provisions hereof, those owners who dissent therefrom shall be entitled to have their shares or interests partitioned by the Native Land Court on giving notice in writing to the President of the Board to that effect; and it shall be the duty of the Court, on being notified by the Governor, to proceed with the desired partition, and make such orders as may be requisite for that purpose. Owners not giving such notice shall be deemed to have assented to their land being dealt with thereunder; but nothing contained in this section shall be deemed to authorise the owners of such land to deal with it otherwise than in manner provided by this Act.

35. The following sections of "The Land Act, 1892," shall not apply to any land within a proclaimed area which the Native owners

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elect to have dealt with under section *eleven* of this Act: namely, sections one hundred and twenty-six to one hundred and thirty-three inclusive, and one hundred and fifty-seven and one hundred and fifty-eight. No land under this Act shall be let for a longer period than
5 twenty-one years, and the provisions of sections one hundred and eighty-two to one hundred and eighty-six, inclusive, of the aforesaid Act, so far as the same may be applicable, shall apply thereto.

By Authority: SAMUEL COSTALL, Government Printer, Wellington.—1893.

Ko Mekenahi.

HOKO WHAKAWHIWHI WHENUA MAORI.

HE PIRE E HUAINA ANA

HE TURE hei Whakamana i te hokonga Whakawhiwhinga hoki o nga Whenua e mau ana ki nga Maori kia taea ai te Whakanohonoho.

NOTEMEA o tae ana ki te whitu miriona eka nga whenua Maori kei Aotearoa e takoto mangere ana, a hei painga ma nga Maori me era atu o nga taugata o te Kuini e noho ana i roto o te Koroni o Niu Tireni kia taea hoki te mahi whakanohonoho whenua : A e tika ana e pai ana kia whakaritea kia whakawatea tia aua whenua kia ahei ai te tuku, te whakahaere i raro i nga ture whenua o te koroni. A notemea ko te ture e mana ana inaianei mo te whakakore i te take Maori i runga i aua whenua i raro i te mahi hoko kaore i te kaha kaore i te tere kaore i te rite hei whaka ea i nga tono me nga hiahia ki te whenua kia whakanohoia e puke haere ana me te pa mai o te mate nui me te arainga o nga mahi kake haere o te koroni na reira e tino tika ana kia hanga etahi huarahi tikanga hoki e ahei ai te tango i nga whenua a nga Maori kia tukua kia whakahaerea i raro nga ture whenua o te koroni.

Na Reira ka meingatia e te Runanga Nui o Niu Tireni e noho huihui ana i roto o te Paremete, i raro hoki i tona mana enei ritenga e whai ake nei ara :—

1. Te Ingoa Poto o tenei Ture Ko "Te Ture Hoko Whakawhiwhi Whenua Maori, 1893."

2. I roto i tenei Ture mehemea kaore e rere ke ana i enei ritenga i runga ake nei ko te kupu,—

"Poari" ka kiia ko te Poari e whakaturia ana i raro o tenei Ture.

"Whenua" ka kiia ko nga hea whai paanga whai taketanga ki tetahi whenua.

"Whenua" ka kiia ko nga hea whai paanga whai taketanga ki tetahi whenua.

"Minita" ara ko te Minita mo nga Whenua.

"Heretitamate Maori" ka kiia ko nga whenua a nga Maori kua oti te whakatau e Te Kooti Whenua Maori hui atu ki nga whenua e mau ana ki nga Maori i raro i era atu take engari kaore e uru mai nga whenua ka korerotia i muri nei, erangi kia oti ra ano te whakatau i te take o aua whenua, kaore hoki e uru atu nga whenua a nga Maori he mea hoko e ratou i te Karauna, i tetahi tangata, kaporeihana ranei.

"Whenua Maori" ara nga whenua a nga Maori e mau ana kia ratou i raro i o ratou tikanga ritenga Maori engari kaore ano kia oti te whakatau te whai taketanga e te Kooti Whenua Maori.

No. ■■■■.

“Maori” ara nga tangata Maori o Niu Tireni me nga hawkekaihe me a ratou uri.

“Tangata Whai Paanga” ara nga Maori whai hea.

“Te Kooti Whenua Maori,” ara Te Kooti Whenua Maori i whakaturia i raro i “Te Ture Kooti Whenua Maori, 1886.”

“Te Ture Kooti Whenua Maori, 1886,” ara ko taua Ture me ona whakatikatikanga me nga Ture e paahitia ana hei riwhi mo tera.

3. Mo runga mo nga whakahaere ka korerotia i muri ake nei me whakatu tetahi Poari a ka whakaingoatia “Ko Te Poari Hoko Whenua Maori” a ko nga tangata mo taua Poari.

(1.) Te Tumuaki o nga Kai Ruri;

(2.) Te Komihana o nga Taake;

(3.) Te Komihana o nga Whenua Karauna mo te takiwa i raro i “Te Ture Whenua, 1892” kei te wahi e takoto nei nga whenua e meingatia ana kia tangohia i raro o tenei Ture;

(4.) Te Mema Maori o te Paramete mo te Takiwa Pooti Maori kei roto o te takiwa e takoto ana tetahi whenua ka meingatia kia tangohia i raro o tenei Ture.

(5.) Tetahi tangata Maori Whai paanga (ka kiia i muri nei ko Te Komihana Maori) ma te Tiati Tumuaki o Tekooti Whenua Maori e whiriwhiri taua tangata i roto o tetahi rarangi ingoa he mea whakaingoa ratou e etahi mema o te Kaunihera etahi mema tokorua ranei o nga Takiwa Pooti Maori, e tu ana hei mema mo te Iwi Maori.

Kia tokowha nga tangata o te Poari hei Koarama a ka tino mana ratou ki te whakahaere i nga mahi me nga ritenga me nga mana ano ko te Poari tonu.

Me noho te Poari i nga wa me nga wahi e whakaaturia ana e te Kawana ia wa ia wa i raro i nga ture whakahaere.

Ko te Tumuaki o nga Kai Ruri te Tumuaki o te Poari, koia hei upoko i nga huihuinga katoa; a i te mea e ngaro ana ia ko te Komihana o nga Whenua Karauna o taua takiwa hei Tiamana, a koia he upoko i nga huihuinga. Kia rua pooti mo te Tiamana, a ki te rite tonu te maha o nga pooti ka whai mana te tiamana ki te pooti, ki te pooti whakatau hoki.

Ka ahei te Kawana i roto o tona Kaunihera ki te turaki i nga Komihana Maori, a ki te mea ka turakina tetahi, ka mate ranei, ka whakamutu ranei tetahi Komihana Maori i tona tunga, ma te Kawana e whakatu tetahi Maori Whai paanga hei riwhi mo te mema o te Poari kua kore ra.

Ka ahei te Kawana ia wa ia wa ina kitea e ia te tika, ki te hanga i ana ture whakahaere mo nga mahi o te Poari e paingia ana e ia.

E kore e tika kia hoatu tetahi moni utu ranei ki tetahi mema o te Poari, haunga ia te Komihana Maori, erangi ka ahei ano kia utua ki nga mema o te Poari nga moni e pau ana mo a ratou haereeretanga, e tae atu ai e hoki mai ai i nga huihuinga o te Poari.

Ko te utu mo te Komihana Maori, apiti atu ki nga moni e pau ana mo te mahi haereere, kua e nuku atu i te Kotahi rau Pauna i te tau.

Me tango nga moni utu me nga utu o nga haereeretanga i roto o nga moni e pootitia ana e te Paramete mo enei mahi.

4. Ka whai mana tenei Ture i roto anake i nga takawa Maori tera e Panuitia e te Kawana i roto i tona Kaunihera ia wa ia wa, he mea kahiti-marire; a ma te Kawana e whakakore, whakatika, whakarereke etahi wahi, te katoa ranci o aua Panui ia wa ia wa.

5. Ka whakaaturia i runga i nga whakahaere tango whenua kia tukua i raro o "Te Ture Whenua, 1892," ka ahei te Kawana mo te taha kia te Kuini ki te tango i raro o tenei Turc nga Heretitemata Maori me nga Whenua Maori i roto nga wahi ka panuitia.

6. Ki te mahara te Kawana e pai ana i runga i te mahi whakanohonoho me te mahi tuku whenua i raro o "Te Ture Whenua, 1892," e pai ana kia tangohia tetahi poraka, wahi whenua heretitemata Maori, whenua Maori ranei—

(1.) Me whakahau e ia te Poari ki te whakaatu ki aia—

(a.) Te ahua o te whenua e meingatia ana kia tangohia;

(b.) Te ahua paitanga hei whenua whakanohonoho, hei tunga hoki i raro o "Te Ture Whenua, 1892";

(c.) Tona utu e tika ana, he mea whakarite e etahi tangata watea tokotoru kaore a ratou paanga tahi, ma te Poari tetahi e whakatu, ma nga Maori whai paanga ki te whenua e tangohia ana e whakatu tetahi mehemea he kaumatua ratou, a mehema kaore i rite a ratou tau, heoi ma tetahi Tiati o te Hupirimi Kooti e mahi ana mo te taha kia ratou e whiriwhiri, a mehemea he tamariki aua tangata whai paanga, he porangi, he aha ranei, ma tetahi Tiati o te Hupirimi Kooti e whiriwhiri mo te taha kia ratou i runga i te tono a te Minita (a kei nga keehi he heretitemata Maori te whenua e tangohia ana, me tu te kaiwhiriwhiri utu i runga i te tono a tetahi Maori tangata whai paanga ki taua whenua. A ko te tuatoru a aua kaiwhiriwhiri ma nga tangata tokorua e whakahua, otiia ki te kore e rite te whakaaro o taua tokorua ki te tangata hei kaiwhiriwhiri pau noa te ruatekau matahi ra i muri mai o te tunga o te kaiwhiriwhiri whakamutunga kua whakaturia ra, heoi ma tetahi Tiati o te Hupirimi Kooti e whakaingoa te kai whiriwhiri i runga i te tono a te Minita. A ki te mea ka mate tetahi o nga tangata kua tu hei kaiwhiriwhiri utu o te whenua, ki te kore ranei taua tangata e pai ki taua mahi i mua o te whiriwhiringa utu, heoi ka ahei te Poari ki te whakatu i tetahi kaiwhiriwhiri ke hei riwhi, a ki te mate te kaiwhiriwhiri i whakaingoa e te Poari, ki te kore ranei e pai ki taua mahi, ki te pera ranei nga kaiwhiriwhiri i whakaturia e tetahi Tiati o te Hupirimi Kooti, heoi ma te Poari ma te Minita e tono ki tetahi Tiati o te Hupirimi Kooti ia wa ia wa, mehemea e tika ana kia peratia.

Ko te whiriwhiringa o aua kai whiriwhiri, o etahi tokorua ranei o ratou ka kiia koiana te utu mo te whenua kua tuturu i te Poari. I mua o te tunga o tetahi kaiwhiriwhiri ki te mahi penei me whakaatu penei tana kororo ara:—

Ko ahau ko, A.B., o ka tino korero pono inaianei kaore kau rawa oku paanga, tikanga whakahoatanga pewhea ranei mo tetahi whiriwhiringa utu ka whakakahaerea inaianei mo [me whakahua ikonei te ingoa o te whenua ka whiriwhiri me ona ritenga katoa], a tera ahau e mahi i runga i toku kaha, i runga i te tika me te pono me toku mohiotanga, te whiriwhiringa nei i raro i nga ritenga o "Te Ture Hoko Whakawhiwhi Whenua Maori, 1893": A e hanga ana e ahau tenei tino whakaatu pono i runga i te mohiotanga o toku hinengaro e tino tika ana, i raro hoki i te mana o tetahi Ture o te Runanga Niu o Niu Tireni e whakahuatia ana "Ko Te Ture mo nga Hei Pi, 1882."

7. I runga i te ripoata o te Poari ka ahei te Kawana i roto o tona Kaunihera i runga hoki i te kupu whakaatu, i runga i nga ritenga e whai ake nei ki te mea atu ki nga tangata whai paanga o tetahi wheua heretitemata Maori e whakahuatia ra i roto o te ripoata o te Poari i roto o tetahi wa kaua e iti iho i te ono marama i muri mai o te panuitanga tuatahi o taua whakaatu i roto o te *Kahiti*, whakahau i nga tangata whai paanga kia penei—

(1.) Hoko tuku rawa taua whenua ra kia Te Kuini i runga i te utu kua tuturu i te Poari; me,

(2.) Whakaae ranei kia tukua taua whenua i raro i te rihi i raro hoki i nga ritenga o "Te Ture Whenua, 1892."

Ko taua panui whakaatu ka tukua ki nga tangata whai paanga ki te whenua erangi e kore e whakahuatia a ratou ingoa, otiia ka whakahuatia te whenua me ona ritenga katoa kia tino mohio ai nga tangata whai paanga ko ta ratou whenna tonu te whenua e meatia ra i roto o taua panui.

Me whakauru ki roto ki taua panui—

(a.) Ko te ahua o te whenua me ona ritenga katoa kia tino marama ai nga tangata whai take me nga mea e kereme ana ko ta ratou whenua tonu te whenua e meingatia ana kia tangohia ra;

(b.) Tetahi pukapuka whakaatu i te utu o te whenua kua oti te whiriwhiri, te whakatuturu e te Poari;

(c.) Tetahi whakaatu mo te roa o te wa e tu ai te pooti kia hokoa taua whenua ki Te Kuini;

(d.) Me tetahi kupu a te tangata e pootitia ana me te wahi e turia ai te pooti a ma te Kawana e whakatuturu i te tangata me te wahi.

Me hono tonu te perehi o te panui ki roto i te *Gazette* me te Kahiti a taetae noatia te ra whakamutunga e whakamaramatia mai ana e taua panui hei tunga mo te pooti kua kiia ake nei. Me perehi hoki taua panui ki roto i tetahi nuipepa e whakaritea ana e te Kawana a me perehi i te wahi tutata ki te takotoranga o te whenua ki te reo Maori me te reo Pakeha, kia kotahi panuitanga i roto i ia marama i roto hoki i te wa e whakamutua mai ana e taua panui. Mehemea e mohiotia ana nga ingoa me te kainga hei tuhinga atu ki tetahi o nga tangata whai take, me tuku he tauira o te panui, mea perehi ki aua tangata whai take ra roto i te poutapeta me te rehitia ano hoki i taua pukapuka erangi ia ekore e meinga tetahi pohehetanga ki te tuku i aua panui hei take whakakore i tetahi tikanga i raro i tenei tekiona.

8. Ka ahei te whakahaere i tetahi pooti i raro i tenei huarahi e mau iho nei me te whakarereke ano i ia wa i runga ano i ta te Kawana i tohutohu ai:—
ara,

Kia te Kawana.

Ko matou ko te hunga e mau nei nga ingoa i raro iho nei me te hunga hoki e whai take ana e tika ana ranei kia whai hea paanga ranei ki tenei whenua katoa. (Me whakaatu i konei i te whenua) ara ko te whenua i uru ki roto i te panui i perehitia i roto i te Kahiti o te o nga ra o 18 , kua whakaae i konei ki te hoko me te tuku kia te Kuini taua whenua mo nga moni e £ , ara ka nga moni he mea whiriwhiri a i whakataua e te Poari Hoko Whenua Maori i raro i te Ture Hoko Whakawhiwhi Whenua, 1893, mo te tuku ranei i taua whenua i runga i te rihi i raro i nga tikanga o "Te Ture Whenua, 1892," pera ano me nga whakaritenga e "Te Ture Hoko Whakawhiwhi Whenua, 1893," pena ano me te ahua o tena take.

I tuhia i tenei ra i te o nga ra o , 18 .

Kia rua nga taha pooti, kia kotahi ki te reo Pakeha kia kotahi ki te reo Maori. Me haina aua taha e rua e nga tangata e pooti ana, a me titiro e nga tangata tokorua te hainatanga a aua tangata a ko tetahi o aua tokorua me kaiwhakamaori whai raihana a ko tetahi me Hei Pi he Roia ranei o te Hupirimi Kooti, ko te Karaka ranei o te Kooti Kaiwhakawa tuturu, ko te Kairehita ranei o te Hupirimi Kooti ko te Pohimahita ranei. Ko te kaiwhakamaori e titiro ana i te hainatanga a tetahi Maori me whakamarama e ia nga tikanga o te pukapuka i mua i te hainatanga a tetahi Maori, a i te wa e titiro ana taua tangata i te hainatanga me tuhituhi e ia ki runga i taua pukapuka me whakapiri atu ranei

i tana tiwhikete i raro ano i tona ringa i tino whakamaramatia nga tikanga o taua pukapuka i mua o te hainatanga, a ko taua tiwhikete tonu hei ki i ata whakamaramatia taua pukapuka a i mohio te Maori e haina ana i nga tikanga o taua pukapuka a i whakaae hoki ia ki te haina. Ka ahei te mea kia maha nga pukapuka pooti a me haina ia pukapuka pooti e te tangata kotahi e nga tangata tokomaha ranei e pooti ana.

9. A ko aua pootitanga katoa kua kiia ake nei ka meinga hei here kia mana ai ki runga i nga tangata katoa e whai take ana ki te whenua ahakoa he tamariki he porangi tetahi tangata iwi kore ranei, ahakoa e ekengia ana te whenua te hea te paanga ranei o tetahi tangata whai take, e tetahi tono tiaki ranei, e ekengia ana ranei e te here i nga mutunga mai ranei o nga tikanga o nga ritenga ranei kia kua e riro mai taua whenua mehemea kua oti te pooti e nga tangata e whai take ana ki nga hea e neke ake ana o ratou hea paanga ranei o taua whenua ki te mea ranei he whenua kaore ano i whakamaramatia nga hea me nga paanga a nga tangata whai take ki te mea e pera ana me whakatau e te tokonui o nga tangata whai take ki aua whenua. Ka ahei e nga Kaitiaki mo nga tamariki mo nga porangi etahi atu ranei e pangia ana e tetahi mate a mo te taha ki aua tangata, a ahakoa nga tikanga o te tiaki, ka ahei te hanga i tetahi tikanga a ko aua tikanga ka meinga hei here ki runga i aua tangata a ka mana tonu ano i tino whakamana e te ritenga tiaki.

10. Mehemea e mea ana aua tikanga i hanga me hoko me tuku ki a te Kuini kei reira ka ahei e te Kaawna i runga i te Ota a tona Kaunihera te ki he whenua aua whenua kua tukua motuhaketia ki a te Kuini a ka tukua e taua Ota i roto o te Kaunihera taua whenua kia te Kuini me te whakawaha mai i runga i nga tono me nga take me nga paanga katoa a i reira ano ka kiia aua whenua he whenua no te Karauna a ka ahei te tuku atu i raro i "Te Ture Whenua, 1892."

Ko te Ota i roto i te Kaunihera ka ahei te rehitia i raro i "Te Ture Rehitia Tiiti, 1868," ki roto i te Tari Rehitia Tiiti o te takiwa i takoto ai te whenua ara mehemea i tau taua whenua ki raro i taua Ture, a mehemea kihai i tau ki raro i taua Ture, ka ahei te rehitia te Ota i roto i te Kaunihera i raro i "Te Ture Whakawhiwhi Whenua, 1885," ano he tuku whaimana kia te Kuini, a me tono whakakore e te Kairehita Whenua Takiwa nga tuhituhinga katoa i roto i te pukapuka rehitia e pa ana ki nga take ki aua whenua. A i muri i te rehitatanga o tetahi Ota o roto o te Kaunihera kua kii ake nei kahore he rehitatanga e rehitatia haunga ia nga whakahaere a te Karauna.

I muri iho i te ra i tuhia ai te Ota i roto i te Kaunihera i raro i tenei tekiona a e tuku motuhake atu ana i tetahi whenua kia te Kuini i runga i te hoko me te tuku, na ko nga utu mea whiriwhiri i whiriwhiria e te Poari me utu i raro i nga tikanga o tenei Ture ki nga tangata whai take i runga ano i te rahi o ratou hea a me utu he inatarete kia pena te maha i te tau i runga i aua utu i whiriwhiria e te Poari timata mai ano i te ra i tuhia ai te Ota i roto i te Kaunihera a taea noatia te wa i utua ai.

11. Mehemea he whakaaetanga taua pootitanga kia tukuna te whenua i runga i te rihi i raro i nga tikanga o "Te Ture Whenua, 1892," kei reira me ki e te Kawana ra roto i te Ota o te Kaunihera kua tukua taua whenua kia te Kuini i runga i te tiaki mo nga tangata Maori whai take me o ratou uri a ma taua Ota tonu i roto i te Kaunihera e whakatau i taua whenua ki a te Kuini i raro ano ia i te tiaki kua kiiaake nei erangi ka araia i runga i nga tono me nga take me nga paanga i runga i taua whenua a ka kiia taua whenua he whenua no te Karauna.

Ka ahei te rehitā te Ota i roto o te Kaunihera i runga ano i te huarahi a muri nei whakaritea ai ara mo runga i nga pootitanga ki te hoko me te tuku ki a te Kuini a ka pera ano te mana o nga tikanga e whakaritea ana mo aua tikanga.

Mai ano i te ra i tuhia ai i muri iho hoki o te mananga o tau Ota i roto i te Kaunihera kua whakahuatia i muri nei ko te whenua e whakahuatia ana i roto i taua ota ka ahei te tuku i runga i te rihi i raro i taua Ture, a i reira ano ka pa enei tikanga e mau ake nei:—

(a.) Me whiriwhiri e te Poari nga utu o tena wahi o te whenua e ahua rite ana te rahi ki nga moni e whakapaua ana i te ruritanga, hei ruri hei hanga hoki i nga rori kia ahei ai te rihi i aua whenua i runga ano i ta te Minita i whakatau ai a ko taua wahi i ruritanga me tango mai i te whenua i tukua ki a te Kuini i runga i te tiaki; a ka tau motuhake atu ki a te Kuini me te wewete mai hoki i runga i taua tiaki hei utu mo nga moni i whakapaua i te ruritanga me te hanganga o nga rori kua kiia ake nei.

(b.) Ko te toenga o taua whenua ka ahei i runga i nga tikanga katoa te rihi i raro i "Te Ture Whenua, 1892," i raro ano i nga tikanga me nga ritenga e tukua ai nga whenua o te Karauna i runga i te rihi i raro i taua Ture, a hei whakaritenga mo nga tikanga katoa o "Te Ture Reiti, 1882," ko nga kaitango rihi whenua raihana whenua ranei o aua whenua ka kiia he kainoho no nga whenua Karauna; a ko nga moni reti ake me nga hua e puta mai ana i aua whenua me utu ki nga tangata e tika ana kia tau ki a ratou aua hea i runga ano i te rahi o nga hea me nga paanga ki aua whenua a ekore e ahei te whakaeke taake i raro i "Te Ture Take Whenua Moni Hoki, 1891," mo runga i aua moni reti me nga hua e puta mai ana.

Ahakoā tetahi pootitanga e nga Maori kia tukua tetahi whenua i runga i te rihi i raro i tenei Ture, ka ahei e aua Maori i tetahi wa i muri iho i te pooti kia hokona kia tukua taua whenua ki a te Kuini a i reira ano ka pera ano te whakahaere i aua whenua ano kahore rawa i riihitia.

12. Ahakoā etahi atu tikanga o tenei Ture e tau ai tetahi tiaki ki runga i tetahi hea paanga ranei ki tetahi whenua, a ahakoā te ekenga o tetahi here tikanga ranei ki runga i taua whenua, a ko nga tangata whai take e ncke ake ana to ratou maha i te hawhe o aua tangata whai take ki aua hea paanga ranei ki aua whenua, ki te mea ranei he whenua kahore ano i whakatuturutia te rahi o nga hea me nga paanga ki aua whenua, ka ahei e te tokonui o aua tangata whai take i mua i muri iho hoki o taua panui kua kiia ake nei, a i mua ano hoki i te paunga o te wa i whakaritea i mua ake nei kia turia taua pooti ka ahei i runga i te tuhituhi pukapuka mea whakaoti mea ata titiro a kua oti ake nei te whakaatu nga tikanga mo runga i tetahi pootitanga ka ahei te tuku me te whakarere i taua whenua kia te Kuini i runga i nga utu i whiriwhiria i whakataua e te Poari a ko taua pukapuka i whakaotia ra ka meinga hei here ki runga i nga tangata whai take katoa ki aua whenua me era atu tangata katoa o ia ahua ahakoā he tamariki he porangi me era tu tangata ahakoā e whakaae ana ki te tuku ki te whakatau i aua whenua kia te Kuini kahore ranei.

Ko nga Kaitiaki kei a ratou tetahi tiaki mo nga tamariki me nga porangi me era tu tangata ka ahei mo te taha ki aua tangata, a ahakoā nga tikanga o te tiaki me pa tahi ki te tuku i taua whenua, a ko ta ratou whakaotinga i taua pukapuka tuku ka meingata hei here kia mana ai nga tikanga a ka mana tonu. Ko nga utu i whiriwhiria mo te whenua me tuhatu me utu ki nga tangata whai take ki te whenua i runga ano i te rahi o ratou hea me o ratou paanga.

13. Mo runga i nga whenua Maori ka ahei e te Kawana te tohutohu i te Kooti Whenua Maori kia kimihia nga take mo aua whenua a i reira ano me tahuri te Kooti ki te kimi.

Ko nga whakahaere kimihanga take haunga ia etahi tikanga whakahaere ture i whakaritea ai e te Kawana me ahua rite tonu ki nga tono whakawa take i runga i nga tono a nga Maori e ki ana e whai take ana e pa ana ranei ki tetahi whenua pera ano me nga whakaritenga e te Ture Kooti Whenua Maori, 1886, a ko nga tikanga katoa o taua Ture e pa ana ki tetahi whakawakanga take mo tetahi whenua Maori i raro i taua Ture me pa ki nga whakawakanga take i raro i nga tikanga o tenei tekiona; a ka ahei te hanga i nga ota katoa me nga mahi i mahia e taea ana ranei te mahi i runga i tetahi whakawakanga take ki tetahi whenua Maori i raro i te Ture Kooti Whenua Maori, 1886, erangi ia me kauhē wehewehenga erangi ma te tohutohu pera ano e te Kawana te taea ai te wehewehe.

Ko nga tono katoa me nga moni i pau i te whakahaerenga i nga tikanga o tenei tekiona me utu e nga Maori whai take a ka whakaekea aua moni ki runga i aua whenua Maori mo te taha kia te Kuini.

Ka ahei e te Kawana i runga i etahi tikanga whakahaere ture te whakatakoto i nga tikanga whakahaere i roto i te Kooti Whenua Maori i raro i tenei tekiona me te whakarite ano hoki i etahi tikanga whakahaere ture e taea ai te whakamana i nga tikanga o tenei tekiona.

Ka oti te whakawa i te take ki tetahi whenua Maori i whakaritea e tenei Ture ko nga tikanga o tenei Ture e pa ana ki nga herititemata Maori ka pa ki aua take whenua Maori.

14. Ekore tetahi whenua e tangohia i raro i tenei Ture i te mea ko taua whenua katoa ko tetahi wahi ranei o taua whenua kei te nohia mo tena wa hei kainga Maori, ngakinga Maori ranei ko te tikanga o aua kupu nei kainga Maori ko nga whenua e whakamaramatia mai ana e te Kawana o tenei o tena ahua i ia wa he ngakinga Maori, otia ekore rawa tetahi whenua kua ruia ki te karaihe e kiia he ngakinga Maori no te mea kua ruia ki te karaihe.

15. I mua o te whakaotinga o tetahi tuku ki a te Kuini me titiro e te Kawana mehemea e whai whenua ke atu ana nga Maori i nga hea me nga paanga i roto i te poraka, i te wahi whenua ranei e meatia ana kia hokona, a mehemea he whenua ke atu to aua Maori hei oranga mo ratou, a ki te mea kahore he whenua ke atu me rahui tetahi wahi o taua poraka wahi whenua ranei kia pena te rahi i runga ano i ta te Kawana i whakaaro ai e rahi ana hei oranga mo ratou a ko nga utu whiriwhiri o te whenua e rahutia peratia ana me tango i roto i nga moni hoko, ka ahei ranei te Kawana te tango i te poraka katoa me te utu i nga moni katoa mo taua poraka, a mehemea kahore e rahuitia etahi wahi o taua poraka i tangohia me wehe etahi whenua i roto i nga whenua Karauna i pai ai ia hei oranga mo aua Maori.

Ko te rahi o te whenua hei oranga mo nga Maori ka kiia mo runga i nga tane Maori katoa me nga wahine me nga tamariki ranei,—

(1.) Whenua tuatahi ara tino pai rawa e rua tekau ma rima eka ma ia tangata;

(2.) Whenua tuarua hoki iho te pai e rima tekau eka ma ia tangata.

(3.) Whenua haerenga kararehe kotahi rau eka ma ia tangata.

Ko tetahi whenua e rahuitia peratia ana e wehea ana ranei ka ahei te whakatau aua hea panga ranei ki aua whenua ki aua Maori i raro ano i ena here me ena tikanga i pai ai te Kawana ka ahei ranei e te Kawana te whakatau aua whenua ki tetahi hunga ropu a e whai mana ana i runga i te ture ki te whaka-

haere rahui Maori me te whakahaere ano e taua hunga ropu hei painga mo nga Maori.

16. Ka oti te hanga tetahi Ota i roto i te Kaunihera a e ki ana e taua Ota me tuku tetahi whenua i runga i te rihi i raro i nga tikanga o te "Ture Whenua, 1892," a mehemea kihai i taea te tuku taua whenua i runga i te rihi i roto i nga marama e ono timata mai i te ra i tuhia ai taua Ota i roto i te Kaunihera, kei reira ko te wahi kihai i riihitia ka ahei e te Kuini i ia wa te whakaputa ki nga tangata e tika ana kia riro i a ratou nga moni reti o aua whenua a mehemea kei te rihi ko nga moni reti e utua ana mo nga whenua kihai i riihitia me kaua e neke ake i te wha pauna i roti i te rau pauna o nga moni i whiriwhiria i runga i aua whenua kihai i retia, a ko aua utu me whakataui i runga i te utu mo te eka, i runga ranei i te utu o te eka i whakataua ai e te Poari i te whiriwhiringa tuatahi.

Ko aua moni katoa hei taumahatanga ki runga i te whenua a ka ahei te tango mai aua moni i roto i nga moni reti o te whenua ina riihitia i roto ranei i nga moni hoko ina hokona te whenua.

Mehemea e rereke ana nga utu whiriwhiri i runga i te eka e whakataua ana e te Poari kei reira ko nga whakataunga i nga utu i raro i tenei tekiona ko aua utu whiriwhiri mehemea e rereke ana nga whiriwhiringa, me whakataui e te tangata kotahi maha atu ranei i whakaturia e te Tiati Tumuaki o te Kooti Whenua Maori i runga i te tono a te Minita tetahi tangata ranei e tika ana kia riro i aia nga moni reti mehemea e riihitia ana taua whenua.

17. Ahakoa etahi tikanga o tenei Ture ka ahei e te Kawana mo runga i nga moni e puta mai ana i tetahi whenua i riro mai i raro i tenei Ture te tohutohu kia utua ki te Kaitiaki o te Katoa nga moni kaua e neke ake i te hawhe o aua moni, me te pupuri ano me te tuku i nga moni ahakoa he moni takoto kau he hua ranei, i runga nga tikanga i raro ano hoki i nga ritenga hei painga mo nga tangata e tika ana kia riro i a ratou, i runga ano i ta te Kawana i pai ai, a ka ahei ano hoki te Kawana i ia wa te whakakore te whakarereke i nga tikanga me nga ritenga.

18. Ka ahei te Kooti Whenua Maori i ia wa i runga i te tono a te Kawana a te Minita ranei a tetahi tangata ranei e ki ana e whai take ana ki tetahi hea paanga ranei ki etahi moni ahakoa he moni takoto kau he hua ranei a mehemea he tokomaha nga tangata e ki ana e whai take ana ratou ki aua moni ka ahei e te Kooti Whenua Maori te whakataui i nga hea ma ia tangata me te hanga ano hoki i te ota whakatuturu i taua whakataunga.

Ko nga tikanga o te Kooti Whenua Maori e pa ana ki te kimihanga o nga hea me nga take Maori ara i nga heritemate Maori i raro i tenei Ture ka pa te tetahi whakahaerenga take a te Kooti Whenua Maori i raro e tenei tekiona.

19. Mehemea tera etahi moni ahakoa he moni, topu pewhea ranei hei utu ki tetahi tangata tamaiti nei porangi ranei etahi atu tangata pera ranei ka ahei te utu aua moni ki te Kaitiaki o te Katoa. A ka ahei ano hoki e te Kaitiaki o te Katoa te tuku i tetahi moni hua ranei kihai i hiahia kia tukuna inatou nei aua moni i runga i nga punga i whakamana ai ia ki te tuku i aua moni e te tekiona tekau o "Te Ture Whakatikatika i te Ture Tari Tiaki o te Katoa, 1891." Ka ahei e te Kaitiaki o te Katoa te tuku i tetahi moni ara moni hua hei orangea hei tukunga ki te kura hei whakanui i te matauranga o tetahi tamaiti, porangi ranei tetahi atu tangata pera ranei i ruuga i tena huarahi i pai ai te Kaitiaki o te Katoa e kore ia tetahi he e tau ki aia i runga i te tukunga i aua moni.

20. Ko nga tikanga katoa o "Te Ture Hoko Whenua Maori, 1892," a muri nei whakahuatia ai ko te Ture kua huia ki roto ki tenei, haunga ia te tekiona rua me te tekau, ka hui mai nga tikanga o taua Ture a ka pa nga tikanga o nga tekiona tekaumawha me te tekauwarima me te hui mai ki tenei Ture, haunga ia nga tikanga o taua Ture kahore nei e rite ki nga tikanga o tenei Ture ka whakatikatikaia a muri ake nei ara.

Kei te whakahuatanga o nga kupu nei nga whenua Maori, i roto i te Ture huihui ko aua kupu i te mea e pa ana ki te Ture huihui ki nga tikanga hoki o tenei Ture, ka kii ko tona tikanga ko tetahi whenua i whakamana kia tangohia kia hokona i raro i tenei Ture.

Ko te panuitanga e te Kawana i roto i tona Kaunihera o te panui e whakahuatia ana i roto i te tekiona whitu o tenei Ture mo te tono i nga Maori whai take kia turia tetahi pooti ka rite tonu tona mana ki te panui i panuitia e te Kawana i raro i te tekiona tekaumaono o te Ture huihui haunga ia te panui i panuitia i raro i nga tikanga o tenei Ture a ka timata mai tona mana i te panuitanga tuatahi i roto i te *Gazette* i te *Kahiti* ranei i runga ano i te ahua ano o tena kechi, ekore ia nga kupu whakamntunga o te tekiona tekaumaono e pa ki tenei Ture, a ko nga tekiona takauma whitu me te tekaumawaru o te Ture huihui me korero me whakamarama i reira ano.

Ko nga whakahuatanga e mau ana i roto i te tekiona tekaumawaru o te Ture huihui ki te tekiona tekaumaono o taua Ture me ki e pa ana ki tetahi panui i raro i nga tikanga o tenei Ture.

21. Ko tetahi moni topu e ahei ana te utu ki tetahi Maori ki tetahi Maori ki tetahi tangata ranei i raro i tenei Ture ka ahei te utu ki te tupenetua hei riwhi mo nga moni i whakaputaina i raro i te Ture huihui ara mehemea e whakaae ana nga Maori ki taua tikanga.

22. Ko te Maori e koni ake ana ona tau i te tekaumawhitn tau ka kii hei whakaritenga mo nga tikanga o tenei Ture he kaumatua ia a ka ahei e ia te whakatu i tetahi pooti me te whakaoti i tetahi pukapuka me nga raruraru me te mahi i nga mea katoa e taea e tetahi Maori ano he tino kaumatua ia.

23. Ahakoa tena tetahi tangata chara nei i te Maori a e whiwhi ana ki tetahi whenua ekore te whakaaetanga a taua tangata e meinga hei whakamana i tetahi pootitanga ki tetahi mea i mahia i runga i te kore tunga o tetahi pooti te tukunga ranei o tetahi whenua ki a te Kuini i raro i tenei Ture a ko tetahi pootitanga tetahi mea ranei i mahia i runga i te kore pooti, tetahi tapaenga ranei whakarereanga atu ranei ka mana tonu ahakoa whakaae taua tangata kahore ranei ki taua tukunga, a ka riro katoa nga whenua nga take nga paanga i a tu Kuini i runga i te Ota a te Kaunihera i runga i nga tapaenga o aua take.

A mo te taha ki aua whenua ki aua tono paanga ranei a tetahi kua kii ake nei a i tongohia, me utu e te Kuini ki aua tangata nga utu o aua whenua, a mehemea kahore e tino rite nga tikanga i waenga i aua hunga me te Kuini mo runga i aua take, ma te Tiati o te Kooti Hupirimi e whakatau i runga i te tono a te Minita o tetahi tangata ranei a ko nga utu i whakataua me utu e te Kaitiaki o nga moni o te Koroni.

24. Ko nga Ota i roto i te Kaunihera me nga tukunga whenua ki a te Kuini i raro i tenei Ture ka ahei i runga i te rehitanga ahakoa te rehitanga o nga pukapuka i mua atu o te rehitanga o tetahi whenua, tono, take, paanga ranei ka mana tonu taua Ota i runga i aua rehitanga. Ko tetahi Ota i roto i te Kaunihera e ki ana he mea hanga i raro i te mana o tenei Ture he tino whakaaetanga tena kua mahia katoatia nga mahi me te whakamana i taua Ota o te Kaunihera kia hanga, a ekore e tukuna tetahi kupu whakahe mo taua Ota i roto i te Kaunihera.

25. Mehemea tera he moni i raro i tenei Ture e tika ana kia utua ki tetahi tangata e turi ana ki te tango, mehemea ranei tera he tangata e tika ana kia tango ia, a kahore e tono i roto i nga marama tekau ma rua kia utua mai i te wa i tika ai kia utua, mehemea ranei kahore e mohiotia te tangata mana aua moni, kua mahue ranei te koroni i aia, ka ahei e te Kuini e te tangata ranei e tika ana kia utua mai aua moni e ia, ka ahei te utu e taua tangata e te Kuini ranei aua moni ki te Tari Tiaki o te Katoa, a ka ahei e te Kaitiaki te tuku aua moni i runga i te huarahi i whakamana e te tekiona tekau o te Ture Whakatikatika i te "Ture Tari Tiaki o te Katoa, 1891," a ka ahei e te Kaitiaki o te Katoa te utu i aua moni me nga hua o aua moni ki tetahi tangata i ki ai te Tiatia o te Kooti Whenua Maori e whai take ana ki aua moni me te tuku mana hoki kia utua aua moni me te haina ano i taua mana hei whakamana i te Kaitiaki o te Katoa ki te utu i aua moni.

26. Kua panutia i konei kua kiia kei runga ake te mana o te Kuini i nga tangata ki te hoko i tetahi whenua Maori i tetahi herititemata e takoto ana i waho o tetahi whenua Maori i panuitia i raro i tenei Ture a mehemea e hiahia ana nga Maori whai take ki aua whenua ki nga herititemata ki te hoko ki te rihi ranei i aua whenua me tono ratou ki te Poari kia hokona aua whenua me te ki atu ano i taua wa i nga utu e hiahia ana mo te eka kia riro motuhake mai taua whenua, ranei me ki mai i nga utu mo te tau mo te rihi i aua whenua.

I reira ano me whakahau e te Poari kia whiriwhiria nga utu o te whenua me te tuku i te ripoata ki te Kawana mo nga utu i kiia mai e nga Maori mo te hoko mo te rihi i aua whenua pera ano me te whakaaturanga mai e te tekiona ono pera ano mehemea nei he whenua aua whenua e takoto aua i tetahi wahi kua panuitia, a mehemea kahore te Poari e whakaae ki nga utu i whakapuakina mai e nga Maori mo te hoko me te rihi ka ahei aua Maori whai take i muri iho ara me matua whakaae auo hoki te Poari katahi ka ahei te tuku i aua whenua i paunitia i mua kia hokona kia rihitia ki tenei ki tena tangata ahakoa ko wai ma aua tangata.

E rangi mehemea kua whakaae te Poari ki nga utu i whakina mai i te tuatahi i reira ano i muri iho hoki ka pa katoa nga tikanga o tenei Ture ki nga whenua Maori ki nga herititemata Maori i uru ki aua utu i whakapuakina mai hei utu ano i uru aua herititemata ki roto i te wahi i panuitia i raro i te tekiona wha o tenei Ture.

27. Ka ahei e te Kawana i ia wa te whakahaere i nga mana i tukua e te tekiona rua rau toru tekau ma rima o "Te Ture Whenua, 1892," ki te hanga rahui mo tetahi tikanga mo te katoa i roto i nga whenua i hokona i tukuna ki a te Kuini, a ka ahei ano hoki te wehe kia kua e neke ake i te eka kotahi i roto i nga eka kotahi tekau o te whenua katoa i hokona e te Kuini hei whenua whakawhiwhi moni mo te hunga rawakore.

WHAKAMARAMATANGA.

MO TE TURE HOKO, WHAKAWHIWHI WHENUA MAORI 1893.

E WHAKAATU ana te Matua Korero i te nui rawa o te Whenua Maori kei Aotearoa e whitu miriona eka kei te takoto mangere, kei te takoto mahi kore, a notemea ko te tino mahi pono mo te whakahaere i nga whenua takoto kau o te koroni he tango he tuku i aua whenua i runga i tetahi tikanga e puta ai te pai ki nga iwi e rua; Na reira e tika ana kia hanga etahi tikanga hou hei tango whenua kia taea ai te whakanohonoho ta te mea ko te whakahaere hoko whenua inaianei e ahua ture kore ana, e kore ano e ngata te hiahia me nga tono whenua i raro i aua tikanga tango whenua Maori koia i tika ai kia mahia he tikanga ke e tere ai te tango, te whakahaere whenua Maori i raro o nga ture Whenua o te Koroni.

Na mo nga mahi ritenga o tenei. Ture e meingatia ana enei tikanga e whai ake nei ara;—

Kia hanga tetahi Poari Whakahaere kia tokorima nga tangata, ara :—

1. Te Tumuahi onga Kai Ruri.

2. Te Komihana o nga Taake.

3. Te Komihana o nga Whenua Karauna o te takiwa e takoto ana te whenua e meingatia ana kia tangohia.

4. Ko te Mema Maori o te Paremete. Mo te Takiwa Pooti e takoto nei te whenua ka tangohia ra i raro o tenei Ture.

5. Kia kotahi te tangata Maori whai paanga.

ma tetahi Tiati o te Hupirimi Kooti e whiriwhiri i roto o tetahi rarangi ingoa tangata, he mea whakaingoa e nga mema toko rua o te Kaunihera, o te Whare o Roro ranei e tu ana hei mema mo te Ture Maori. A ka kiia tana i whiriwhiria nei he Komihana Maori.

Kia tokowha nga mema o te Poari hei koarama me te whai mana hoki ki te whakahaere i nga mana katoa o te Poari. Ma Te Kawana e whakarite te wahi me te wa e noho ai te Poari i raro i nga ture whakahaere.

Ko te Tumuaki o nga Kai Ruri hei Tumuaki mo te Poari hei upoko mo nga huihuinga katoa, mehemea e ngaro ana ia, heoi ma te Komihana o nga Whenua Karauna o taua takiwa e whakahaere. Koia hei tiamana, erangi kia rua ngapooti ma te Tiamana, ko te pooti huri me te pooti whakatau.

Ka ahei te turaki te Komihana Maori e te Kawana i roto o tona Kaunihera, a i te mea ka whakakorea taua tangata. Ka mate ranei ka whakamutu ranei i aia. Ka taea e te Kawana te whakatu i tetahi tangata maori whai paanga hei riwhi mona.

Nga ture whakahaere mo te Poari, ma te Kawana e hanga.

Heoi te moni e utua ki nga mema o te Poari, ko a ratou moni anake e pau ana i runga i nga haereere tanga, haunga te Komihana Maori, e ahei ana te utu ki aia te moni kua e nuku atu i te £100 mo te tau apiti atu ki tona moni i pau i nga haereeretanga.

Ko nga moni katoa mo enei tu mahi me pooti e te Paremete.

Ka whai mana tenei Ture i roto anake i nga takiwa whenua Maori e panuitia ra e te Kawana i roto o te Kaunihera ia wa ia wa, me kahiti marire te nui o aua takiwa, a ka ahei te Kawana ki te whakakore, ki te whakatika ki te whakarereke ia panui e maharatia e ia he tika.

I te mea ka panuitia aua takiwa whenua ka whai mana te Kawana mo te taha kia Te Kuini ki te tango i ena atu whenua Maori, Heretitameta ranei mo runga mo nga mahi whakanohonoho me te tuku hoki i aua whenua kua tangohia nei i raro i "Te Ture Whenua, 1892."

I te mea ka kitea e te Kawana e tino pai ana i runga i te mahi whakanohonoho kia tangohia tetahi whenua poraka, wahi ranei ahakoa whenua Maori, heretitemata Maori ranei kia whakahaerea kia tukua i raro i nga ritenga o "Te Ture Whenua 1892," ka whakahaua e ia te Poari kia tuku ripoata mai ki aia penei ara :—

(1.) Mo te ahua o te whenua e hiahiaia ana kia tangohia.

(2.) Mo te ahua paitanga mo te mahi whakanohonoho, tuku hoki.

(3.) Te utu e rite ana, ko taua utu he mea whakarite e nga tangata watea tokotoru. Kotahi he mea wbakatu na nga tangata Maori whai paanga ki te poraka e tangohia ana, a ki te kore ratou e whakatu i taua tangata ma tetahi Tiati o te Hupirimi Kooti e whakatu he tangata a ko te tangata tuatoru, ma nga tangata tokorua o runga ake nei e whiriwhiri e whakatu ta raua i pai ai.

I te mea ko nga tangata whai paanga ki te poraka e tangohia ana, he tamariki, he porangi, he pewhea ranei, ma tetahi Tiati o te Hupirimi Kooti e whakatu tetahi Kaiwhiwhiri utu mo te taha kia ratou i runga i te tono a te Minita, a i te mea e tangohia ana he whenua herititemata ma tetahi tangata whai paanga ki taua whenua e tono ki tetahi Tiati kia whakaturia tetahi Kaiwhiriwhiri utu.

Ko te utu ka whakataua e nga kai whiriwhiri, e etahi tokorua ranei o ratou, ka kii koiana te utu kua tuturu a te Poari mo te whenua e tangohia ana.

Me tuhituhi nga kai whiriwhiri utu i mua o ta ratou whiriwhiringa i tetahi kupu whakaari ka whiriwhiria e ratou te utu i runga i te ngakau tahi, i te tika me te pono.

I te mea ka puta te ripoata o te Poari ka tuku whakaatu te Kawana i roto o tona Kaunihera ki nga tangata whai paanga ki tetahi whenua herititemata e korerotia ra i roto o taua panui i roto i nga marama e ono i muri o te panui tuatahi o te *Kahiti* kia tahuri ki te :—

(1.) Hokoiki te tuku i taua whenua kia Te Kuini mo te utu kua whakataua e te Poari.

(2.) Me whakaae ranei kia riihitia i raro i nga ritenga o "Te Ture Whenua 1892."

Me tuku atu te whakaatu ki nga tangata whai paanga ki te whenua, erangi e kore e whakahautia a ratou ingoa otiia ka whakahuatia te ingoa o te whenua me tona ahua kia mohio ai nga tangata whai paanga ko ta ratou whenua rawa te wahi e tangohia.

Me whakahua te panui ra, (1) i te ahua o te whenua, (2) ko te utu kua oti te whiriwhiri, (3) te roa o te wa e waiho ana hei whakaaronga ma nga tangata whai paanga mo te tuku whakarere ranei, (4) te ingoa o te tangata hei tukunga mai ki aia te kupu whakamutunga a te hunga whai paanga me te wahi me te wa e tu ai te pootitanga. Ma te Kawana ano e whakarite te tangata me te wahi e tu ai.

Me panui tonu i roto o *Gazette* me te *Kahiti* taea noatia te ra e tu ai te pootitanga, me panui hoki ki te reo Ingarihi me te reo Maori ki roto ki tetahi Nupepa e perehitia ana i roto i te takiwa o taua poraka ia marama, ia marama.

Mehemea e mohiotia ana nga ingoa me nga kainga o nga tangata whai paanga. Ka tuku atu kia ratou he kape o te panui i roto i te reta, he mea rehitia marire, otiia e kore e waiho te korenga e tuku atu he panui hei take whakahaere i nga whakahaere mo taua whenua ra.

Me whakahaere te pootitanga i raro i te ahua me nga ritenga ka whakaaturia e te Kawana.

Ko taua whakaatu, me reo Pakeha me reo Maori hoki, me haina nga tangata i nga kape o nga reo e rua e nga tangata e pooti ana. Ko nga tangata whai mana tonu hei kai titiro i aua hainatanga. Ma nga Kaiwhaka Maori e whakamarama ki ia tangata e tuhi ana i tona ingoa te ritenga o nga pukapuka me tuhi tuhi hoki e, taua Kaiwhaka Maori tana whakaatu i te pono o tana whakamaramatanga.

Ka mana tonu taua pootitanga ki runga ki nga tangata katoa e whai paanga ana ahakoa he tamariki he porangi pewhea ratou, mehemea koa kua uru te nuinga o nga tangata whai paanga me te wahi nui o te whenua ki taua pootitanga i nga keehi kua oti te whakatau te rahi o nga hea, a ki te mea kaore ano kia oti te wehewehe nga hea, heoi kei te pooti o te tokomaha te tikanga.

Me uru nga kaitiaki mo nga tamariki me nga porangi me era atu tangata ki nga pootitanga, ahakoa pewhea te ritenga o ta ratou mahi tiaki.

Mehemea ka pooti nga tangata whai paanga ki te hoko kia Te Kuini heoi ka ahei te Kawana i runga i te Ota o te Kaunihera ki te whakaatu kua whakapumautia taua whenua kia Te Kuini a kua watea tonu taua whenua i nga here me nga taumahatanga katoa a ka kii he whenua Karauna a ka taea hoki te tuku tonu i raro i "Te Ture Whenua, 1892."

Ka ahei te rehitia taua Ota o te Kaunihera penei, ara :—

(a.) I roto i te Tari Rehitia Tiiti o te takiwa Karauna Karaati e takoto nei taua whenua.

(b.) A i raro hoki i te Ture Tuku Whenua mo nga whakahaere mo era atu whenua kaore e rehitaha etahi atu whakahaere mehemea e hara i te mahi o te Karauna,

Mehemea ka tuturu te Kupu a nga tangata whai paanga kia hokona kia whakapumautia taua whenua kia Te Kuini mo te utu kua oti te whiriwhiri e te Poari, ka utua

taua moni ki taua hunga i raro i nga ritenga o tenei Ture mai ano i te ra o te Ota o te Kaunihera a me utu he inatarete e paiheneti i te tau taea noatia te ra e puta ai taua moni.

Mehemea ka tuturu e te hunga whai paanga, me rihi te whenua me panui paanga e te Kawana i runga i te Ota o te Kaunihera he whenua Karauna taua whenua engari ka eke mai te tikanga Tiaki mo te taha ki nga Maori whai paanga tuku iho ki a ratou uri, a ka ahei te tuku i taua whenua i runga i te rihi i raro i nga ritenga me nga whakahaere me nga tikanga katoa o "Te Ture Whenua 1892," pena me nga whenua Karauna e whakahaerea nei i raro o taua Ture.

Mehemea ka tuturn te kupu o te hunga whai paanga kia riihitia taua whenua, ma te Poari e whiriwhiri i tetahi wahi rahi o te whenua hei whakaea i te moni tera e pau mo te ruritanga o taua whenua, me te whakatakotanga me te hanganga o nga rori kia ahei ai te rihi i taua whenua, a ko taua wahi ka kowhiria nei ka tangohia i roto i te auinga o te poraka, ka whakapumautia kia Te Kuini.

A ko te toenga katoa o taua whenua me rihi i raro i "Te Ture Whenua 1892," pena me nga Whenua Karauna. Ko nga Reiti me nga Taake ma te hunga e noho ana i runga i aua whenua e utu, a ko te tino moni e puta mai ana me hoatu ki te hunga whai paanga e kore e kowhakiria tetahi wahi i raro i "Te Ture Taake Moni 1891."

Mehemea he Whenua Maori te whenua, ka ahei te Kawana ki te tohu ki te Kooti Whenua Maori kia kimihia te whaitaketanga a kei reira ka tahuri tonu te Kooti ki taua whakahaere i raro i nga ritenga o "Te Ture Kooti Whenua Maori, 1886." I te mea ka oti te whakatau e Te Kooti te take o nga Maori, heoi hei reira pa atu ai nga ritenga o te Ture mo nga heretitemata Maori.

Ma nga Maori whai paanga e utu nga moni e pau ana mo nga whakawakanga. E kore e tangohia i raro o tenei Ture tetahi wahi whenua e turia e tetahi Pa Kainga Maori, Mahinga kai ranei e nohoia tuturutia ana, erangi e kore e tenei kupu mahinga kai ki nga whenua kua ruia ki te karaihe, ma te Kawana e whakatan nga ritenga o tenei kupu whenua mahinga kai.

Nga Maori kaore kau he whenua hei nohoanga hei oranga ma ratou a kua hoko ratou i o ratou hea whai paanga kia Te Kuini, ka ahei te Kawana ki te rahui mo ratou etahi wahi e whakaarotia ana e ia te tika hei oranga ma ratou erangi me kowhaki te utu o nga wahi ka rahuihia nei i roto i te moni topu e utua ana mo te hokonga o te whenua, me tango ranei e te Kawana tetahi wahi Whenua Karauna. Ka kii ko te whenua e rite ana mo ia tangata, mo ia tangata kia Ruatekau ma rima eka whenua pai rawa. Kia Rimatekau eka whenua ahua tuarua, ara he whenua ahua tupuhi. Kia Kotahi rau eka whenua ahua tuatoru ara whenua tupuhi.

Ko nga whenua e rahuihia peneitia ana ma nga Maori, ka ahei te whakatau ki nga Maori i raro i nga here me nga ritenga e maharatia ana e te Kawana. Ma te Kawana ranei e whakatau aua whenua ki tetahi ropu whai mana i raro o te ture ki te whakahaere i nga Rahui Maori.

I te mea kaore e riro taua whenua kua tukua kia riihitia i roto i nga marama e ono i muri mai o te Ota o roto o te Kaunihera ka ahei kia whakaputaina e Te Kuini ki nga tangata whai paanga, te inatareti i runga i te ritenga kia wha pauna mo te rau i te tau i runga i te utu o te whenua mo te wa katoa kaore e riro taua whenua. Ko taua utu me whiriwhiri i runga i nga eka me te ahua o te whenua me tona utu kua oti te whakatau e te Poari i te whiriwhiringa tuatahi. Ko aua moni inatareti ka utua nei ki nga tangata whai paanga, ka waiho hei punga hei moni tutura ki runga ki te whenua, a me tango enei moni i roto i nga moni e puta mai a te wa e e riro ai te whenua i muri i runga i te rihi te hoko tonu atu ranei.

Mehemea ka whakataua e te Poari te utu e rite ana mo taua whenua i runga i te ahua toputanga, a ka ara ake he tautohetohe mo taua whiriwhiringa utu, heoi ma te Tiati Tumuaki o Te Kooti Whenua Maori e whakatu i tetahi kai whiriwhiri ke, maha atu ranei i runga i te tono o te Minita, i runga ranei i te tono o tetahi tangata whai paanga e whai take ana ki taua moni mehemea kua riihitia te whenua.

Ka ahei te Kawana, ahakoa tera etahi tikanga arai pewhea ranei, whai kupu tohutohu kia hoatu tetahi wahi o te moni e puta mai ana mo aua hoko, rihi ranei ki te Kaiitiaki o te Katoa ki aia takoto ai a mana e whakahaere i runga i nga ritenga e paingia ana e te Kawana a ma te Kawana e whakakore, e whakatika, e whakarereke aua ritenga whakahaere.

Ka ahei te Kooti Whenua Maori i runga i te tono o te Kawana, o tetahi Minita ranei, o tetahi tangata ranei e whai kereme ana ki te whakatau i nga hea me nga whai paanga tonu.

Nga moni topu, moni reti, pewhea ranei, e tika ana kia utua ki tetahi tangata, tamariki, porangi, pewhea ranei, me hoatu ki te Kai Tiaki o te Katoa, a mana e hoatu

etahi wahi o taua moni hei oranga, hei whakakaakonga hei pewheatanga ranei mo taua tangata i kitea e te Kai Tiaki o te Katoa te pai.

Ko nga tikanga o te "Ture Hoko Whenua Maori, 1892," e uru mai ana ki tenei haunga ia etahi tekiona ara mehemea kahore e rereke ana nga tikanga o taua Ture.

Ko nga panui a te Kawana i roto i tona Kaunihera o nga panui e whakahuatia ana i roto i te tekiona 7 o tenei e tono ana i nga Maori whai take kia pooti ka pena ano te mana me te mana e tukuna ana ki tetahi panui a te Kawana i raro i te tekiona 16 o te Ture huihui otia ka timata tona mana i te panuitanga tuatahi ki roto i te *New Zealand Gazette* kahiti ranei.

Ko tetahi moni topu e tika ana kia utua ki tetahi Maori ki tetahi tangata ranei i raro i te Ture ka ahei mehemea e whakaae ana te tangata e whai take ana ki aua moni me utu ia ki te tipenetua haunga te moni i whakaputaina i raro i te Ture huihui.

Ko tetahi Maori whai take ka tekau ma whitu ona tau ka kii hei whakaritenga mo nga tikanga o tenei Ture kua tino kaumatua ia, a ka ahei e ia te mahi te whakahaere i nga mea katoa e tika ana kia mahia e te tangata kua tino pakeke.

Ko te whakaaetanga a tetahi tangata ehara nei i te Maori kahore e hiahiaia hei whakamana i tetahi pootitanga ki tetahi mea ranei i mahia notemea kihai i turia tetahi pooti ki tetahi tukunga whakarereanga atu ranei kia te Kuini i raro i tenei Ture.

Otira ka tika ano kia utua ki taua tangata nga utu ona paanga a mehema kihai i rite te whiriwhiringa o nga utu ma tetahi Tiati o te Kooti Hupirimi e whakatau.

Ka ahei tetahi Ota i roto i te Kaunihera ahakoa etahi atu pukapuka te rehita a ka mana taua Ota i runga i era atu pukapuka ekore ano hoki tetahi kupu mo te mana o taua Ota i roto i te Kaunihera i hanga i raro i taua Ture e ahei te whakarereke.

Mehemea e turi ana tetahi tangata e whai take ana ki tetahi moni e tika ana kia utua ki aia i raro i te Ture, a kahore ranei e tono kia utua aua moni ki aia i roto i nga marama 12 i muri iho i te ra i tika ai kia utua ki aia, mehemea ranei kahore e mohiotia taua tangata kei te ngaro atu ranei i te koroni ka ahei aua moni te utu ki te Tari Tiaki o te Katoa, a ka ahei ano hoki te Kaitiaki o te Katoa te tuku atu i aua moni i runga i te huarahi i whakamana e te tekiona 10 o "Te Ture Whakatikatika i te Ture Tari Tiaki o te Katoa, 1891." Ko aua moni, hua ranei e puta mai ana i aua moni ka ahei te utu ki tetahi tangata i ki ai tetahi Tiati o te Kooti Whenua Maori e tika ana kia riro i aia aua moni a ka mana tonu taua whakamananga.

Kei a te Kuini tonu te mana tuatahi i runga i nga tangata katoa ki te hoko i tetahi whenua Maori i tetahi herititemate ranei i waho o tetahi whenua i panuitia, a mehemea e whakaae ana nga tangata whai take ki aua whenua ki te hoko ki te riihi ranei me whakamatau e ratou ki te hoko ki te Poari me te ki mai ano e ratou i nga utu mo te eka e hiahiaia ana e ratou mo taua whenua tuku whakarere atu, nga utu ranei e hiahiaia ana mo te riihi i te tau, a mehemea kahore to Poari e whakaae ki nga utu e tona mai ana e nga Maori i muri iho i te uiuinga o nga utu o taua whenua ka ahei e nga Maori whai take te tuku i te whenua i kii mai kia hokona, kia riihitia ranei ki tetahi tangata ke atu.

Mehemea e whakaae ana ki nga utu i tonoa mai ka pa katoa nga tikanga o te Ture ki te whenua i uru ki aua whenua e whakahaerea ra ano he whenua e takoto ana i roto i tetahi wa e panuitia ana nga whenua.