

Private Bill (Hon. Mr Mitchelson).

NIRAMONA PINI LAND.

ANALYSIS.

- Title.
- Preamble.
- 1. Short Title.

- 2. Antevesting date of land to re-date back to date of original order.
- 3. Thermal-springs District Act not to affect transmission of land.

A BILL INTITULED

AN ACT to validate a Devise of Land at Ohinemutu, made by Niramona Pini in favour of Jane Stephenson Graham.

WHEREAS on 20th July, 1881, the Native Land Court ordered a title for certain land, hereinafter described, to issue in favour of Niramona Pini, of Ohinemutu, who on the subsequent 8th August, 1881, executed his will, devising the said land to Jane Stephenson Graham: And whereas the said land is situated within a district proclaimed under "The Thermal-springs District Act, 1881:" And whereas the aforesaid Niramona Pini died on the 9th November, 1885, without altering his will in respect of the said land; and on the 22nd December, 1885, probate of the will was granted to the said Jane Stephenson Graham, who thereupon entered into possession of the said land, and has so continued until the present time:

And whereas after the date of the execution of the above will, but before the death of the testator, the Native Land Court, on the 10th July, 1883, made an order for the commutation of the Native title to the aforesaid land, upon which a Land Transfer certificate of title for such land was issued on the 26th November, 1883, in favour of the said Niramona Pini, and antevesting such land as from the 10th July, 1883, and not from the 20th July, 1881:

And whereas doubts have arisen whether, under the circumstances, the aforesaid devise by Niramona Pini is valid, and it is expedient to remove such doubts:

BE IT THEREFORE ENACTED by the General Assembly of New Zealand, in Parliament assembled, and by the authority of the same, as follows:—

1. The Short Title of this Act is "The Niramona Pini Land Act, 1892."

2. The Land Transfer certificate of title issued by the Auckland District Land Registrar on the 26th November, 1883 (Reg. Vol. xxxviii., folio 32), in favour of Niramona Pini, of Ohinemutu, for a certain parcel of land in the Tarawera Survey District, called or known by the name of Utanga No. 9, containing thirty-four perches, more or less, shall operate and shall be deemed to have operated from the date thereof as if the antevesting date inserted in the said certificate had originally been the 20th July, 1881, instead of the 10th July, 1883.

The said District Land Registrar is hereby authorised to make such corrections in the register of the said district as shall be necessary to give effect to this Act.

3. The transmission of the aforesaid land under the will aforesaid shall not be affected in any manner howsoever by the provisions of "The Thermal-springs District Act, 1881."

[AS AMENDED AND REPORTED BY THE COMMITTEE ON THE BILL,
6TH SEPTEMBER, 1893.]

Hon. Mr. Mitchelson.

NIRAMONA PINI LAND.

[PRIVATE BILL.]

ANALYSIS.

Title.
Preamble.
1. Short Title.

- 2. Thermal-springs District Act not to affect transmission of land.
- 3. Antevesting date to be date of original order.
- 4. Upon surrender of certificate lease to issue and register corrected.

A BILL INTITULED

AN ACT to validate a Devise of Land at Ohinemutu, made by
Niramona Pini in favour of Jane Stephenson Graham. Title.

WHEREAS on the twentieth day of July, one thousand eight hundred Preamble
 5 and eighty-one, the Native Land Court ordered a title for certain land,
 hereinafter described, to issue in favour of Niramona Pini, of Ohine-
 mutu, who on the subsequent eighth day of August, one thousand eight
 hundred and eighty-one, executed his will, devising the said land to
 Jane Stephenson Graham: And whereas the said land is situated
 10 within a district proclaimed under "The Thermal-springs District
 Act, 1881": And whereas the aforesaid Niramona Pini died on the
 ninth day of November, one thousand eight hundred and eighty-five,
 without altering his will in respect of the said land; and on the twenty-
 15 second day of December, one thousand eight hundred and eighty-five,
 probate of the said will was granted to the said Jane Stephenson
 Graham, who thereupon entered into possession of the said land, and
 has so continued until the present time:

And whereas after the date of the execution of the above will,
 but before the death of the testator, the Native Land Court, on the
 20 tenth day of July, one thousand eight hundred and eighty-three, made
 an order for the commutation of the Native title to the aforesaid land,
 and by such order vested the said land from such date, upon which a
 Land Transfer certificate of title for such land was issued in favour of
 the said Niramona Pini, on the ~~twenty-sixth day of November, one~~
 25 ~~thousand eight hundred and eighty three, and antevesting such land as from~~
~~the tenth day of July, one thousand eight hundred and eighty three, and~~
~~not from the twentieth day of July, one thousand eight hundred and eighty~~
~~one, sixth day of October, one thousand eight hundred and eighty-five.~~

And whereas doubts have arisen whether, under the circumstances, the aforesaid devise by *the said* Niramona Pini is valid, and it is expedient to remove such doubts :

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, 5
as follows :—

Short Title.

1. The Short Title of this Act is "The Niramona Pini Land Act, 18923."

Thermal-springs District Act not to affect transmission of land.

2. The transmission of the aforesaid land, mentioned in the Preamble to this Act, under the will aforesaid, shall not be affected in any manner howsoever by the provisions of "The Thermal-springs District Act, 1881." 10

Antevesting date to be date of original order.

3. The Land Transfer certificate of title issued by the Auckland District Land Registrar on the ~~twenty-sixth day of November, one thousand eight hundred and eighty-three,~~ sixth day of October, one thousand eight hundred and eighty-five (Register Volume xxxviii., folio 32, xli., folio 44), in favour of Niramona Pini, of Ohinemutu, for a certain parcel of land in the Tarawera Survey District, called or known by the name of Utanga No. 9, containing thirty-four perches, more or less, shall operate and shall be deemed to have operated from the date thereof as if the antevesting date inserted in the said certificate had originally been the twentieth day of July, one thousand eight hundred and eighty-one, instead of the tenth day of July, one thousand eight hundred and eighty-three. 20

~~The said District Land Registrar is hereby authorised to make such corrections in the register of the said district as shall be necessary to give effect to this Act.~~ 25

New clause.

Upon surrender of certificate lease to issue and register corrected.

4. The said District Land Registrar is hereby authorised, on receiving from the above-mentioned Jane Stephenson Graham a surrender to Her Majesty of the land described in the aforesaid certificate, to deliver to her a lease from the Crown of the said land for a term of not exceeding forty-two years, to be reckoned from the next first day of January or July following the date thereof, at a nominal rent only, but otherwise subject to such terms and conditions as the Minister of Lands shall think fit; and thereupon only the aforesaid Registrar shall make such corrections in the register of the said district as shall be necessary to give effect to this Act. 30 35