

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

*Legislative Council,
4th September, 1889.*

POUTUTU JURISDICTION.

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A BILL INTITULED

AN ACT to provide for the Determination of Titles to the Blocks of Land known as Poututu A, B, and C, Gisborne District. Title.

WHEREAS there is now pending in the Native Land Court sitting at Gisborne an inquiry into the rights of several parties, Natives and Europeans, claiming interests in certain blocks of land known as Poututu A, B, and C, Gisborne District: And whereas there are involved in the said litigation the interests of other parties not now before the Court, both Europeans and Natives, claiming adversely to the aforesaid parties, and also some of them claiming interests in other blocks described in a certain deed dated the twenty-third day of June, one thousand eight hundred and eighty-five, hereinafter called the said deed, made between Wiremu Paraone of the one part and Percival Barker of the other part, and purporting to be pledged by that deed as a security for the performance of the contract therein described as made between Wiremu Paraone and Percival Barker respecting the said Poututu Blocks A, B, and C: And whereas it is desirable that the said Court should be empowered to settle the whole of the litigation and claims arising out of the transactions recorded in the said deed, and to make all such orders and decrees and issue all such land-titles as shall be required for the settlement of all the said conflicting interests, and for determining all debts, claims, and demands existing or claimed to exist between the parties asserting any of the aforesaid rights or claims: Preamble.

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

1. The Short Title of this Act is "The Poututu Jurisdiction Act, 1889." Short Title.

Native Land Court
to have jurisdiction.

2. The Native Land Court shall have full jurisdiction to inquire into, adjust, and settle all accounts, claims, and matters in dispute between the parties, whether Natives or Europeans, making claims, to all or any of the several blocks of land mentioned and described in the said deed, and to make all such orders and decrees as shall be necessary for such purpose, and for the purpose of giving such titles to the land described in the said deed as the said Court shall think fit, which orders and decrees shall be final and conclusive, and binding upon all the said parties and upon the said lands; and the said Court is hereby empowered to make orders declaring such of the parties as shall appear to be entitled thereto to be owners of such estate or interest in any of the said lands as to the said Court shall appear just. 5 10

Form and effect of
orders.

3. Every order declaring any person to be the owner of any of the said lands shall be prepared and executed and dealt with in the same manner and have the same effect as an order made by the Court in partition in the exercise of its ordinary jurisdiction; and when such order has been made and issued it shall thereupon be lawful for the Governor by warrant under his hand to direct the Land Registrar of the district within which the land is situate to issue to the person in whose favour such order is made a certificate of title. 15 20

Costs.

4. All costs of and incidental to any proceedings under this Act shall be in the discretion of the Court, who may order the same to be paid by or to any of the parties brought before it, and may impose on any of the said parties such hearing and other fees payable to the Court as may now be imposed in proceedings within its ordinary jurisdiction. 25

Certificates of title.

5. When a certificate of title shall have issued in pursuance of an order made under this Act all other or previous titles to the same land, whether vested in the same or in any other persons, shall thenceforth cease and be void.