

# Supplementary Order Paper.

## HOUSE OF REPRESENTATIVES.

Wednesday, the 28th Day of October, 1931.

### NATIVE PURPOSES BILL.

Hon. Sir APIRANA NGATA, in Committee, to move the following new clauses:—

Authorizing  
Court to  
determine  
matters with  
regard to section  
at Mangere.

79A. Whereas by deed of conveyance dated the twenty-seventh day of September, eighteen hundred and seventy-five, and registered under Number 52582 in the Deeds Registry Office, at Auckland, and made between one Matire Toha of the one part and one Hone Kawhena (therein described as husband of the said Matire Toha) of the other part, the said Matire Toha in consideration of her natural love and affection for the said Hone Kawhena purported to convey to the said Hone Kawhena all the lands described in the said conveyance absolutely: And whereas it is alleged that the said conveyance, although in form absolute, was intended by the said Matire Toha to be for a life estate only: And whereas the parties to the said conveyance were Natives, and it is desirable to authorize all matters in dispute concerning or arising out of the said conveyance to be determined by the Native Land Court: Be it therefore enacted as follows:—

(1) The said Court is hereby authorized to hear and determine any claim arising in any way out of or concerning the said conveyance, and to make any order which the Supreme Court could make in similar circumstances if an action was brought in the Supreme Court for and concerning such matters by parties competent to bring such action, and any order made by the Native Land Court under this section may be enforced in the Supreme Court under the provisions of section forty-one of the principal Act as fully and effectually as if it was a judgment made or given by the Supreme Court under proceedings taken before that Court.

(2) Nothing in the provisions of the Deeds Registration Act, 1908, or of any statute of limitation limiting the periods within which actions or proceedings may be brought, shall be a bar to or prevent the hearing and determination of any claim under this section, nor shall the parties be estopped from proceeding by the fact that proceedings were previously taken in the Supreme Court, or by any judgment thereunder.

(3) Notwithstanding that she may not have been appointed a successor of the said Matire Toha, who is now deceased, in any of the lands affected by the said conveyance, one Sophia Barlow (or Te Pare Pare) may commence and prosecute proceedings under this section, and the Court may in the course of such proceedings ascertain and determine the rightful successors to the said Matire Toha (deceased).

(4) Nothing in this section shall affect any part of the land comprised in the said conveyance which has been alienated for valuable consideration by Hone Kawhena, or any person claiming through or under him since the twenty-seventh day of September, eighteen hundred and seventy-five.

(5) Pending the determination of the Native Land Court under this section, no part of the land comprised in the said conveyance, excepting so much thereof as is affected by the *last preceding* subsection, shall be alienable without the leave of the Court first obtained.

93D. In order to give effect to a recommendation of the Native Affairs Committee of the House of Representatives, any person (except as herein mentioned) aggrieved by a final order of the Native Land Court made on the sixteenth day of August, nineteen hundred and twenty-three, in respect of the will of Heni Parekuta Ahuroa (deceased) may, notwithstanding any statutory provision to the contrary, appeal against such final order by notice of appeal given in the prescribed manner within *six* months after the commencement of this Act, and the Appellate Court is hereby authorized to hear and determine any such appeal. Nothing in this section contained shall apply to any person who has already brought an appeal against the said final order.

Authorizing  
appeal respecting  
will of Heni  
Parekuta Ahuroa  
(deceased).