

## New Zealand.



### ANALYSIS.

- |  |   |
|--|---|
| <p>Title.</p> <ol style="list-style-type: none"> <li>1. Short Title.</li> <li>2. Interpretation.</li> </ol> <p style="text-align: center;"><i>Amendments of Maori Land Laws.</i></p> <ol style="list-style-type: none"> <li>3. Compensation under Public Works Act.</li> <li>4. Restraining orders under section 14 of Native Land Court Act.</li> <li>5. Section 62 of the Native Land Court Act amended.</li> <li>6. Execution of instruments under Chattels Transfer Act. Repeal.</li> <li>7. Urewera Native Reserve to be subject to Mining Act.</li> <li>8. Uninvestigated Native land in the Urewera District to be investigated.</li> <li>9. Jurisdiction of Native Land Court.</li> <li>10. Leases under West Coast Settlements Reserves Act.</li> <li>11. East Coast Native trust land.</li> <li>12. Vacancies on Board.</li> <li>13. Amendments of Maori Land Settlement Act, 1905.</li> <li>14. Registrar to issue certificate of title to Maori Land Board in certain cases.</li> <li>15. Land vested in Board to be surveyed and subdivided.</li> <li>16. Land to be classified.</li> <li>17. Maximum area of land that may be held by any one person.</li> <li>18. Purchaser or lessee to make statutory declaration.</li> <li>19. Except in case of lands formerly owned by Europeans or by the Crown.</li> <li>20. Extension of time for making declaration under section 26 of Maori Lands Administration Act, 1900.</li> </ol> | <ol style="list-style-type: none"> <li>21. Repeals.</li> <li>22. Power to road blocks vested in Board.</li> <li>23. Land for Maori Settlement may be dealt with under Part II of the Native Land Settlement Act, 1907.</li> <li>24. Sites for dairy factories, &amp;c.</li> <li>25. Leases by trustees.</li> <li>26. Limited alienation of timber, flax, and other usufructs.</li> <li>27. Alienation by way of mortgage.</li> <li>28. Native Minister may apply that land be incorporated.</li> <li>29. Reserves may be acquired for scenic purposes.</li> <li>30. Board may provide sinking fund.</li> <li>31. Cost of roading, &amp;c., may be subsidised.</li> </ol> <p style="text-align: center;"><i>Adjustment of Claims.</i></p> <ol style="list-style-type: none"> <li>32. Ohinemutu Pa roads.</li> <li>33. Kopuatarakihi Nos. 2B and 2c.</li> <li>34. Te Kopuni Block.</li> <li>35. Succession to Miria Papako.</li> <li>36. Waipiro No. 2B Block.</li> <li>37. Okahukura Block.</li> <li>38. William Rogers's petition.</li> <li>39. Compensation for lands taken by Johnsonville Town Board.</li> <li>40. Anaura Block.</li> <li>41. Waiohiki Native Reserve.</li> <li>42. Section 132, Mungaroa District.</li> <li>43. Part Section 13, Ohariu District.</li> <li>44. Hinakitaka Block to be dealt with by Validation Court.</li> <li>45. Tutira Block.</li> <li>46. Validation of leases granted to Gertrude Ellen Meinertzhagen.</li> <li>47. Wi Pere trust lands. Schedules.</li> </ol> |
|--|---|

1907, No. 76.

AN ACT to adjust and protect Claims and Interests in and to further amend the Laws relating to Maori Lands. Title.

[25th November, 1907.]

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

- Short Title. 1. This Act may be cited as the Maori Land Claims Adjustment and Laws Amendment Act, 1907.
- Interpretation. 2. In this Act, if not inconsistent with the context,—  
 “Court” means the Native Land Court, and “Appellate Court” means the Native Appellate Court:  
 “Chief Judge” and “Judge” mean respectively the Chief Judge and a Judge of the Native Land Court:  
 “Board” means the Maori Land Board of the district to which the reference to the Board relates.

*Amendments of Maori Land Laws.*

Compensation under Public Works Act. 3. Where by any order, direction, or decision of any Court of law money payable to Maoris under the Public Works Act, 1905, as compensation for land subject to restrictions has been or is hereafter directed to be paid to the Public Trustee, the Court shall have jurisdiction, on the application of any person entitled to any such money, to direct payment of such money to such persons.

Restraining orders under section 14 of Native Land Court Act. 4. A restraining order under the provisions of subsection nine of section fourteen of the Native Land Court Act, 1894, may be made by any Judge of the Court, on the application of any person, either *ex parte* or otherwise, as the Judge deems the urgency of the case requires.

Section 62 of the Native Land Court Act amended. 5. Section sixty-two of the Native Land Court Act, 1894, is hereby amended by inserting after the word “Minister” the words “and shall, when directed by the Minister.”

Execution of instruments under Chattels Transfer Act. 6. (1.) Any instrument which may be registered under the Chattels Transfer Act, 1889, if executed after the coming into operation of this Act by a grantor who is a Maori residing in the North Island, shall be void as against such grantor unless it is executed in manner hereinafter set forth:—

(a.) If the grantor has a knowledge of the English language sufficient to enable him to understand the effect of such instrument, his signature thereto shall be attested by a solicitor not concerned in the transaction, or a Justice, who shall at the same time certify in writing on the instrument that the grantor has a knowledge of the English language sufficient to enable him to understand, and that he does understand, the effect of such instrument.

(b.) If the grantor has not such knowledge of the English language, his signature shall be attested by a solicitor not concerned in the transaction, or a Justice, and by a licensed interpreter of the first grade, who shall, previous to the execution of the instrument, certify in writing thereon that the effect of such instrument was explained by him to the grantor and that the grantor understood the effect thereof.

Repeal. (2.) Section one hundred and ten of the Native Land Court Act, 1894, and paragraph (h) of section forty-one of the Native Land Claims Adjustment and Laws Amendment Act, 1901, are hereby repealed.

7. (1.) The Urewera District Native Reserve, as defined by the Urewera District Native Reserves Act, 1896, and its amendments, shall be deemed to be a Native reserve within the meaning of section twenty-four of the Mining Act, 1905, notwithstanding that such reserve is not situate within a mining district.

Urewera Native Reserve to be subject to Mining Act.

(2.) The Governor may, in regulations made under paragraph (b) of section twenty-four of the Mining Act, 1905, give effect to the intention of the memorandum of the late Right Honourable R. J. Seddon, referred to in the Second Schedule of the Urewera District Native Reserve Act, 1896, so far as the said memorandum relates to prospecting and mining for gold.

8. Whereas the experts appointed by the Minister of Native Affairs under section ten of the Urewera District Native Reserve Act, 1896, to inquire and report upon the appeals of persons feeling aggrieved by the orders made by the Commissioners appointed under the said Act, have reported to the said Minister that the title to certain land within the Urewera District was not investigated by the said Commissioners, and that such land is still Native land as defined by the Native Land Court Act, 1894, and it is expedient that the title to such land should be investigated and ascertained: Be it therefore enacted that, notwithstanding anything in the Urewera District Native Reserve Act, 1896, the said Minister may empower and direct a Judge of the Court, or any fit person and an Assessor of the Court, to investigate the title to any land in the Urewera District hitherto uninvestigated, with all the powers of the Court under subsections one and two of section fourteen of the Native Land Court Act, 1894, subject to appeal to the Appellate Court.

Uninvestigated Native land in the Urewera District to be investigated.

9. Where under any Act Native land is vested in a Board or trustees on behalf of the owners of the land, the Court may exercise with respect to such land the jurisdiction conferred on it by paragraphs (1) to (5) and (10) of section fourteen of the Native Land Court Act, 1894, in the same manner as if such land had not been so vested, save that no partition or exchange shall be made without the consent of the Board or trustees in whom the land is vested.

Jurisdiction of Native Land Court.

10. Notwithstanding anything to the contrary in the West Coast Settlements Reserves Act, 1892, the Public Trustee is empowered to lease land vested in him under that Act by public sale or public tender, for a term not exceeding twenty-five years, with or without compensation for improvements.

Leases under West Coast Settlements Reserves Act.

11. The East Coast Native Trust Lands Act, 1902 (hereinafter in this section referred to as the Act), and section twenty-two of the Maori Land Claims Adjustment and Laws Amendment Act, 1906, are hereby amended as follows:—

East Coast Native trust land.

(a.) Every Commissioner heretofore appointed and hereafter to be appointed pursuant to the said section twenty-two shall be deemed to have held and shall hold office during the pleasure of the Governor, and during the term of his office shall be deemed to have had and shall have vested in him in fee-simple in possession all lands and property formerly vested in the Board, and shall be registered as proprietor thereof by the name of the East Coast Com-

- missioner, and may exercise all powers and authorities conferred upon the Board by the Act.
- (b.) Notwithstanding the discharge of the debt to the Bank of New Zealand, the Act shall be deemed to have continued and to continue in full force and effect, except only the provisions thereof conferring powers of control and management on the said bank, the words "the Commissioner" being substituted for the words "the Board" throughout the Act.
- (c.) The Commissioner shall be deemed to have had and to have power to raise money upon the security of the lands vested in him, and to expend moneys so raised for the purposes defined in the Act or in this section.
- (d.) The Commissioner shall be deemed to have had and to have power to farm lands, and to fell and dispose of timber, and to make roads and drains, and generally to manage and improve any lands vested in him.
- (e.) The Validation Court, in the exercise of its jurisdiction under the said section twenty-two, is hereby empowered to direct the Commissioner to raise moneys upon the security of any lands collectively, though held by different owners under different titles, and to authorise the application and disposition by the Commissioner of moneys so raised.
- (f.) The blocks known as Paremata Nos. 3 and 4, containing together one thousand three hundred and thirteen acres and eighteen perches, are hereby vested in the Commissioner, and the Validation Court is hereby empowered to determine the trusts, terms, and conditions upon which the said lands are to be held and administered by the Commissioner.
- (g.) In respect of any lands vested in the Commissioner the Native Land Court may, upon the application of the Commissioner, finally settle the lists of the Native beneficiaries, and may determine their relative interests, and may appoint successors to any deceased beneficiary and trustees for any infant beneficiary.
- (h.) The Commissioner, with the approval of the Minister, may set apart any lands vested in him as Native villages, and may lease allotments in such villages upon such terms and conditions as the Validation Court directs.
- (i.) Every order made by the Validation Court under this section shall take effect immediately upon the sealing thereof.
- (j.) No person lending money upon the security of lands vested in the Commissioner or of which the Commissioner is registered proprietor shall be concerned to inquire as to the necessity for the loan or as to the application by the Commissioner of such money, and every such security executed by the Commissioner shall be as valid and effectual for the protection of the mortgagee and his

assigns as if the Commissioner had been entitled in his own right to the lands comprised in such security. In any such security a power of sale may be granted.

(k.) Subsection three of section twenty-two of the Maori Land Claims Adjustment and Laws Amendment Act, 1906, is hereby repealed, and the following is substituted in lieu thereof:—

“(a.) The Validation Court shall prepare a scheme showing the adjustment proposed.

“(b.) Such scheme shall be laid before Parliament not later than the first day of August, nineteen hundred and nine.

“(c.) No proceedings to give effect to such scheme shall be taken until after the expiry of that session of Parliament before which such scheme was so laid.”

12. (1.) Where in any case a member of the Board is unavoidably absent from any meeting of the Board, or is disqualified from acting at any such meeting, or a vacancy exists on the Board, the Minister may temporarily fill the vacancy so caused by appointing some officer of the public service in the case of a European member, or some Assessor of the Court in the case of a Maori member, to act at such meeting in the place of the member whose seat is so vacant.

Vacancies on Board.

(2.) During the time for which such person is appointed he shall have and may exercise all the powers which might have been exercised by the member in whose place he is so appointed.

13. (1.) Section eight of the Maori Land Settlement Act, 1905, is hereby amended as follows:—

Amendments of Maori Land Settlement Act, 1905.

(a.) By omitting paragraphs (b), (d), and (e) thereof.

(b.) By omitting the words “for any term or terms not exceeding in the whole fifty years” in paragraph (f), and substituting the words “either with or without a right of renewal; but so that every such lease and renewal shall determine on the expiration of fifty years from the date of the first such lease.”

(c.) By omitting the words “proposed to be” in paragraph (h).

(2.) Section thirteen of the same Act is hereby amended by omitting paragraph (a), and substituting in lieu thereof the following:—

“(a.) In defraying half the cost of the administration of such land by the Board:

“Provided that such cost shall be apportioned fairly according to the expenses properly incurred in respect to each block.”

(3.) Section sixteen of the same Act is hereby amended by adding at the end of subsection two the following paragraph:—

“(e.) By statutory declaration of the proposed lessee that he is legally qualified to become the lessee of the land, and that he is acquiring the land solely for his own use and benefit and not directly or indirectly for the use or benefit of any other person.”

(4.) The said section sixteen is hereby also amended by omitting all words of subsection three thereof after the word "years."

(5.) Section twenty of the same Act is hereby amended by omitting the words "or from a majority in value of such owners if more than ten," and also by repealing subsection two thereof.

Registrar to issue certificate of title to Maori Land Board in certain cases.

14. (1.) Whenever any land is vested in the Board by virtue of the Maori Land Settlement Act, 1905, the District Land Registrar of the district in which such land is situated shall, on the deposit of a copy of the said Order in Council certified under the hand of the Native Minister, register the Board in which the said land is vested as the registered proprietor thereof under the Land Transfer Act, 1885, and shall issue a certificate of title to the said Board accordingly.

(2.) There shall be written on such certificate of title a statement that it is issued under the authority of this Act and is subject to the provisions thereof.

(3.) The said District Land Registrar shall at the same time cancel any other certificate of title already issued in respect of the said land, and shall transfer to the certificate so issued to the Board all entries which are contained in any certificate so cancelled and which affect the title of the Board.

(4.) No contribution to the Assurance Fund shall be made by any Board when land vested in it by virtue of this Act is so brought under the provisions of the Land Transfer Act, 1885.

(5.) No person who is deprived of any right, title, or interest in any such land by reason of any sale or lease made by the Board in pursuance of this Act shall have any claim against the said Assurance Fund.

(6.) All dealings with any land vested in the Board by virtue of any such Order in Council, and all rights, titles, and interests acquired in any such land, shall be subject to the provisions of the Land Transfer Act, 1885, so far as those provisions are consistent with the provisions of this Act.

Land vested in Board to be surveyed and subdivided.

15. (1.) A Board shall cause all land vested in it by virtue of the Maori Lands Administration Act, 1900, or the Maori Land Settlement Act, 1905, to be surveyed and subdivided into allotments of such areas as the Board, with the approval of the Native Minister, thinks suitable for the purposes of settlement.

(2.) In making any such subdivision the Board may lay off and dedicate all roads upon the said lands which in the opinion of the Board are required for the opening-up and settlement thereof.

Land to be classified.

16. Every Board shall classify all land vested in it by virtue of the Maori Lands Administration Act, 1900, or the Maori Land Settlement Act, 1905, as being either first-class land, second-class land, or third-class land, in accordance with the provisions of the Land Act, 1892, and its amendments.

Maximum area of land that may be held by any one person.

17. (1.) No person shall be capable of acquiring, whether by way of lease, sublease, or contract of purchase, or by way of assignment of any such lease, sublease, or contract, any land owned by Maoris, whether vested in a Board or not, which, together with all land of any description (whether owned by Maoris or not) owned,

held, or occupied under any tenure, either severally or jointly or in common with any other person, exceeds a total area of five thousand acres, calculated in manner hereinafter provided.

(2.) For the purposes of this section the interest of a Maori in any land that has not been partitioned shall not be deemed to be land owned, held, or occupied by such Maori.

(3.) Nothing in this section shall prevent the acquisition of any land by any executor, administrator, trustee, or beneficiary under any will or intestacy.

(4.) Nothing in this section shall prevent an assignment to any person by way of mortgage.

(5.) In estimating for the purposes of this section the area of land already owned, held, or occupied by any person no account shall be taken of land vested in such person as a trustee, mortgagee, executor, or administrator only.

(6.) For the purpose of computing the total area mentioned in this section every acre of first-class land shall be reckoned as seven and a half acres, and every acre of second-class land shall be reckoned as two and a half acres.

(7.) For the purposes of this section the class to which any land belongs shall be determined as follows:—

(a.) In the case of Crown land which is classified by a Land Board in accordance with the Land Act, 1892, and its amendments, then in accordance with such classification:

(b.) In the case of Maori land which is classified by a Maori Land Board in pursuance of this Act, then in accordance with such classification.

(c.) All other land, if of an unimproved value of not less than four pounds per acre, shall be deemed to be first-class land, and if of an unimproved value of less than four pounds but not less than two pounds per acre shall be deemed to be second-class land, and if of an unimproved value of less than two pounds per acre shall be deemed to be third-class land.

(8.) Land held under lease the term of which expires within nine months shall not be deemed to be land held or occupied within the meaning of this section, unless the lessee has a right to a renewal of such lease.

(9.) Nothing in this section shall prevent the acquisition by any person of any land which in the opinion of the Board is broken or suitable for pastoral purposes only or of such poor quality that it cannot be profitably worked in areas of less than five thousand acres, and which may therefore be acquired in areas exceeding that extent.

18. Every purchaser or lessee of land owned by Maoris shall, before executing the contract of purchase or the lease, make a statutory declaration in the prescribed form that he is legally qualified to become the purchaser or lessee of the said land, and that he is acquiring the said land solely for his own use and benefit and not directly or indirectly for the use or benefit of any other person.

Purchaser or lessee  
to make statutory  
declaration.

Except in case of lands formerly owned by Europeans or by the Crown.

19. Nothing in the two last preceding sections shall be construed to prevent the acquisition or to require a statutory declaration on the acquisition of any land owned by a Maori if such land has been acquired by a Maori by way of purchase, lease, gift, or testamentary disposition from any European, or by purchase for valuable monetary consideration, or by lease from the Crown.

Extension of time for making declaration under section 26 of Maori Lands Administration Act, 1900.

20. (1.) Where on or before the passing of this Act any applicant for approval of a lease has made and deposited with the Board a declaration in accordance with the provisions of section twenty-six of the Maori Lands Administration Act, 1900, but of subsequent date to the execution of the lease, he may, upon making a declaration as required by the law in force at the date of the execution of the lease, apply to the Board for approval of his lease within two months of the passing of this Act, and the Board may deal with such application.

(2.) Such lease, if approved of by the Board, shall be postponed and subject to all estates, rights, or interests in or to the lands comprised in such lease (whether the same are complete or may thereafter be completed under the provisions of this or any Act passed during this or any prior session of Parliament) which, or the right to apply to complete which, may prior to the approval of such lease by the Board have been acquired by the Crown or any person.

Repeals.

21. Section twenty-six of the Maori Lands Administration Act, 1900, paragraphs (8), (9), and (10) of section eight of the Maori Lands Administration Amendment Act, 1901, and section fifteen of the Maori Land Laws Amendment Act, 1903, are hereby repealed.

Power to road blocks vested in Board.

22. (1.) Where land is vested in a Board under the Maori Land Administration Act, 1900, or the Maori Land Settlement Act, 1905, then for the purpose of carrying into effect the provisions of such Act the Board, subject to the regulations for the time being of the Survey Department, may subdivide any blocks, and lay off and make any roads or streets.

(2.) Any road or street so laid off shall, upon publication in the *Gazette* and *Kahiti* of a notice under the hand of the Native Minister stating that the same has been laid off as a road or street, be deemed to be a public highway, and shall vest in His Majesty.

(3.) Out of any moneys standing to the credit of the Board's account the Board may at any time advance or pay, without the necessity of any authority other than is hereby conferred, such sums of money as may be necessary for the purpose of giving effect to and carrying out the provisions of this section.

(4.) Any sum or sums so advanced or paid shall be a charge upon the land upon which such roads or streets are situate, and shall be repayable, together with interest thereon not exceeding five pounds per centum per annum, out of the rents received or accruing due from the lessees of such land:

Provided that it shall be optional with the Board to make such repayments out of the first seven years' rents received in respect of the said land, or to extend the same over a period not exceeding forty-two years.



23. (1.) Maori land suitable for Maori settlement which is vested in a Board by virtue of section four of the Maori Land Settlement Act Amendment Act, 1906, may be dealt with by the Board in the same manner, *mutatis mutandis*, as if such land was land available for leasing to Maoris under Part II of the Native Land Settlement Act, 1907.

Land for Maori settlement may be dealt with under Part II of the Native Land Settlement Act, 1907.

(2.) Section sixty of the last-mentioned Act shall apply to any lessee of such land.

24. Any portion of any block of Maori land, not exceeding in any one case an area of five acres, which in the opinion of the Native Minister is suitable as a site for a fruit-preserving factory, dairy factory, cheese-factory, or creamery, or for any building required for any religious, charitable, educational, or public purpose, may be dealt with subject to the provisions following:—

Sites for dairy factories, &c.

(a.) The Governor may by Order in Council declare that such portion as aforesaid is vested in the Board for an estate in fee-simple in possession, subject to all valid incumbrances, liens, and interests affecting the same, to be held and administered by the Board for the benefit of the Maori owners, and the said land shall vest in the Board accordingly.

(b.) For the purposes of this section the Registrar, whenever requested by the Native Minister so to do, is empowered and directed to do all things necessary in order to duly record the title of the Board in such manner as is prescribed.

(c.) The Board may dispose of such land by way of sale in fee-simple or lease the same at a nominal rental without public competition, or by competitive public tender at an upset rental to be determined by the Board, for any term not exceeding twenty-one years, with such provision for right of renewal for one term of twenty-one years, at such rental as shall be deemed adequate, and upon such conditions as to erection of buildings and expenditure of capital as the Board deems expedient to insure that the said portion shall be utilised for the purpose contemplated.

25. (1.) Notwithstanding anything to the contrary in section five of the Maori Real Estate Management Act, 1888, trustees may, without the formalities required therein, in cases where the trust estate consists of an undivided interest in land, lease or let such trust estate or any part or parts thereof for any term not exceeding fifty years:

Leases by trustees.

Provided that such leases shall not be valid unless there is indorsed thereon the approval of the Board of the terms thereof, as provided by section sixteen of the Maori Land Settlement Act, 1905.

(2.) This section shall be deemed to have had effect as from the coming into operation of the Maori Land Settlement Act, 1905.

(3.) Section two of the Maori Land Settlement Act Amendment Act, 1906, is hereby repealed as from the date of the passing thereof.

26. Whereas it is desirable to permit the limited alienation of timber, flax, and other such indigenous usufructs upon Native lands, it is hereby enacted that where prior to the passing of this Act any

Limited alienation of timber, flax, and other usufructs.

instrument of alienation or partial alienation of such said usufructs has been executed, any party thereto may apply to the Board within two months from the passing of this Act for its approval of such alienation; and thereupon, after due inquiry, the said Board shall report to the Minister whether such alienation, having regard to the date or dates of the execution of the same, should be permitted, or permitted with such modifications of the terms and conditions thereof as in such report suggested; and upon the receipt of such report the Minister (if he thinks proper so to do) may refer such report to the Governor in Council, who may authorise the Board to approve, by minute indorsed thereon, of the instrument evidencing such alienation modified as appeared in the report of the Board, or otherwise as by order the Governor in Council directs; and any approval so made by the Board pursuant to this Act shall render the said transaction and the instrument evidencing the same valid as from the date of such instrument, and the said instrument may be registered in the Land Transfer Office, or in the Deeds Registry Office, as the case may be; and if the said approval shall be subject to modifications of the terms and conditions of the said instrument, then and in such case such instrument shall thenceforth be read and construed and take effect as if such modifications were contained in the said instrument, without the necessity of the parties re-executing the same.

Alienation by way  
of mortgage.

27. Section six of the Native Land Laws Amendment Act, 1895, is hereby amended by omitting the words "mortgage, charge"; and inserting, after the word "howsoever," the words "(other than by way of mortgage)."

Native Minister  
may apply that  
land be  
incorporated.

28. (1.) The Native Minister may, if in his opinion it is desirable that any Maori land as defined by the Maori Land Administration Act, 1900, should be administered, managed, farmed, and improved by a committee of the owners, apply to the Court for an order of incorporation under section one hundred and twenty-two of the Native Land Court Act, 1894.

(2.) Such application shall be deemed to be an application duly made with the consent of a majority of the owners, and may be dealt with by the Court accordingly.

(3.) The provisions of sections one hundred and twenty-three, one hundred and twenty-four, and one hundred and twenty-five of the Native Land Court Act, 1894, shall apply to the nomination and appointment of the committee.

(4.) The committee shall have the powers conferred upon the committee of an incorporated block by section twenty-three of the Maori Land Claims Adjustment and Laws Amendment Act, 1906.

Reserves may be  
acquired for  
scenic purposes.

29. Where any land set apart by a Maori Land Board as a reserve, other than as a papakainga reserve, is in the opinion of the Scenery Preservation Board suitable for scenic purposes, the Maori Land Board may, with the consent of the Native Minister, having due regard to the interests of the beneficiaries, transfer such reserve by way of sale to the Crown for such purposes.

30. (1.) For the purpose of providing a fund for paying off any charges for surveys, roading, and opening up for settlement any land vested in it, or for paying the amount of the valuation of the improvements on any land leased by the Board with right to compensation for improvements, the Board may from time to time during the currency of the lease set aside, out of the revenues received from the said land, such sum as the Native Minister directs.

Board may provide sinking fund.

(2.) Moneys so set aside shall from time to time be invested, together with any interest arising from such investment, in such manner as may be prescribed, and shall at the expiration of the lease be applied in payment of such charges.

(3.) If on the expiration of the lease the amount so set aside, together with the accumulations of interest thereon, exceeds the amount of the valuation of improvements or the amount of such charges, the amount of such excess shall be paid by the Board to the persons entitled to the revenues of the land.

31. The amount expended by a Board in making surveys, laying off and forming roads, and constructing bridges may be subsidised out of moneys from time to time to be appropriated by Parliament.

Cost of roading, &c., may be subsidised.

#### *Adjustment of Claims.*

32. Whereas the Court and the Appellate Court have issued orders in regard to the lands comprised in the land known as Ohinemutu Pa (the boundaries whereof are described in the Schedule hereto): And whereas by such orders roads and right-of-ways have been provided for: And whereas such roads and right-of-ways have in many parts been built upon and not used, and in other parts have become impracticable: And whereas the Survey Department has advised that such roads and right-of-ways be cancelled, and new roads and right-of-ways be substituted: And whereas it is desirable that the Chief Judge should place such roads in their proper position, and amend all titles accordingly: Be it therefore enacted that the Chief Judge may upon a hearing in open Court order that the whole or any part of any such road or right-of-way shall be cancelled as a road or right-of-way, and that the land the subject thereof be vested in such persons as he by such order adjudges, and that such roads, streets, or right-of-ways as he deems necessary be vested in the Crown; and the Chief Judge may annul or amend any order or orders of the Court or the Appellate Court heretofore issued, in order to give due effect to this section and to his decision herein.

Ohinemutu Pa roads.

33. To give effect to the recommendation of the Native Affairs Committee of the House of Representatives on the Petition No. 828/1907 of Hone Paerata and others, praying for rectification of error in the partition orders of Kopuatarakihi Nos. 2B and 2c Blocks, it is hereby enacted that the Chief Judge may empower and direct a Judge to inquire into the allegations of the said petition, and report to the Chief Judge thereupon. Upon such report the Chief Judge may, if he deem fit, amend the said partition orders and all subsequent proceedings, and may amend or cancel the order of

Kopuatarakihi Nos. 2B and 2c.

incorporation made in respect of Kopuatarakihi No. 2c Block, and direct that the same be made in respect of Kopuatarakihi No. 2b Block, and whenever required so to do by the Chief Judge the District Land Registrar shall amend the title of the said blocks accordingly.

Te Kopuni Block.

34. (1.) Section ten of the Maori Land Claims Adjustment and Laws Amendment Act, 1904, is hereby repealed, and the Crown grant and all orders of the Court made previous to the passing of that section shall be and be deemed to be unaffected or in any way disturbed or interfered with by that section, and shall be deemed to be and be still in existence as if that section had not been passed.

(2.) The Court shall, on reference by the Chief Judge, have jurisdiction to inquire and report to him as to whether Karauria Pahura or Arapera Pahura intended at any time to admit other persons as owners of the lands therein mentioned, also for what interest.

(3.) On receipt of such report from the Court (if the same is not appealed against within the time required by the Native Land Court Act, 1894, and if the same is so appealed against, then on the receipt of the report from the Appellate Court) the Chief Judge shall, if necessary, have power under the provisions of section thirty-nine of the last-mentioned Act to amend the said Crown grant and all orders of the Court mentioned in section ten aforesaid so as to give effect to such report.

Succession to Miria Papako.

35. To give effect to the recommendation of the Native Affairs Committee of the House of Representatives, bearing date the eighth day of August, nineteen hundred and five, on petition No. 90 of Reita Weka, of Moeraki, Hillgrove, it is hereby declared that, notwithstanding any Act to the contrary, Reita Weka or any other person claiming an interest may, within three months after the passing of this Act, appeal to the Appellate Court against the orders of the Appellate Court appointing successors to the late Miria Papako in respect of the lands known as Kaiapoi 2B and Moeraki No. 1, and the said Appellate Court may hear and determine the appeal as if it had been presented within the prescribed time :

Provided that before the Appellate Court shall proceed to hear and determine the appeal the appellants shall lodge with the Court a sum of money sufficient, in the opinion of the Chief Judge, to cover the costs.

Waipiro No. 2E Block.

36. Notwithstanding anything to the contrary in any Act, the Court may, on the application of any person claiming to be interested in the land known as Waipiro No. 2E Block, ascertain what compensation ought to be paid in respect of portions of the said land taken for roads and reserves, and who are the persons entitled to be paid such compensation, and by whom the same should be paid ; and, after hearing such evidence as may be produced before it or may be thought necessary, may make such order or orders as it thinks fit, and such orders shall have effect.

Okalukura Block.

37. (1.) The Appellate Court shall have jurisdiction, on the application of any Maori claiming to be interested in the lands referred to in the Second Schedule hereto, to inquire and ascertain the boundaries, whether ancestral or as the same may have been agreed

to between the hapus to which the said lands were awarded on investigation of title, as set out in the minutes of the proceedings of the Court recorded in Volume IV, page 107 and following pages of the minutes of the Native Land Court for the Taupo District, and for the purposes aforesaid shall have power to confirm, amend, or vary all or any of the orders made on subdivision of the said lands, or to cancel all or any of such orders and to issue partition orders in lieu of such orders as may be cancelled; and the Appellate Court may by such partition orders, or by separate orders, ascertain and declare the relative interests of the Native owners, and all such orders shall be final and conclusive.

(2.) Nothing herein shall authorise the Appellate Court to vary or amend the award of the Court on investigation of title as recorded in the said minutes; and the said award is hereby declared to be conclusive as to the hapus entitled to the said lands, and as to the persons constituting such hapus, as if a valid and final order on investigation of title in favour of the persons constituting the said hapus had been completed in accordance with the said minutes at the date of the said investigation of title.

(3.) No order to be made by the Appellate Court under the foregoing provisions shall prejudicially affect the rights of any persons who have entered into contracts for the purchase or milling of flax on the said block.

(4.) In case any alteration is made by the Appellate Court in the boundaries or ownership of any subdivision of the said lands, all rents, royalties, or other moneys now or hereafter to become payable under any such contract to the owners of any such subdivision shall be paid to the person or persons found by the judgment of the Appellate Court to be entitled as owners of such subdivision, instead of to the person or persons who but for such judgment would have been entitled to receive the same.

38. (1.) To give effect to the petition of William Rogers it is hereby enacted that, on payment to the Public Trustee of the sum of three hundred pounds by the said William Rogers, he shall be entitled to a certificate of title for Section 92 of the Waitara West District, containing sixty acres, and the District Land Registrar is hereby authorised to issue the same.

William Rogers's  
petition.

(2.) The sum so paid to the Public Trustee shall be held in trust for such person or persons as is decided by the Chief Judge of the Native Land Court to be beneficially entitled thereto, and subject to such restrictions as the Chief Judge may impose.

39. Whereas Lots 7, 8, 9, 10, 11, 12, 22, and 25, Section 8, Porirua District, were, by Order in Council dated the third day of April, nineteen hundred and six, taken under the provisions of the Public Works Act, 1905, and vested in the Johnsonville Town Board for the purpose of pleasure-grounds, and, on the sitting of the Compensation Court set up for the purpose of ascertaining the compensation payable in respect thereof, the sum of four thousand pounds was duly awarded by the said Court to the Native owners of the said lands: And whereas it is desirable to make provision for the payment by the said Board of the said compensation: Be it therefore enacted as follows:—

Compensation for  
lands taken by  
Johnsonville Town  
Board.

- (a.) The said Board, in satisfaction of the said award, may forthwith pay to the Public Trustee the sum of one thousand pounds, and issue debentures to the Public Trustee for the sum of three thousand pounds, with interest thereon from the thirtieth day of November, nineteen hundred and seven, at the rate of five per centum per annum. Such debentures when issued shall be deemed to have been duly and lawfully issued under the provisions of the Local Bodies' Loans Act, 1901, and all the provisions of that Act shall be deemed to have been duly complied with. The debentures shall be in the form, as near as may be, provided by the said Act, and shall be payable within ten years from the issue thereof, and shall bear interest at the rate of five per centum per annum (payable half-yearly), and shall be charged within the meaning of section fifteen of such last-mentioned Act on the said land, or on so much thereof as for the time being is unsold. The Board may levy a special rate for the purpose of providing for the payment of the said debentures and interest, but shall not be required to do so unless and until it makes default in the payment of the principal or interest moneys thereby made payable.
- (b.) The said Town Board may subdivide and sell for an estate in fee-simple such portions of the said land as the said Board may deem necessary, and dedicate, form, and construct roads thereout, and deduct from the moneys received from such sale the costs of so subdividing and the construction of the said streets and roads and the expenses of sale, and pay any balance in the hands of the said Board to the Public Trustee in or towards the redemption of any debentures issued under the authority hereof.
- (c.) The said Town Board may lease any part of the said land under and subject to the provisions of sections one hundred and ninety-one to one hundred and ninety-four of the Municipal Corporations Act, 1900, and the said Board shall have all the powers of a Borough Council acting under the said sections.

Anaura Block.

40. Whereas it is alleged that upon the investigation of title of a block of land called Anaura, situate in the Poverty Bay Registration District, certain of the proper owners were inadvertently omitted from the orders of the Court evidencing the title of the said block of land: And whereas the said land has since been vested or intended so to be for an estate in fee-simple in the Maori Land Board of the Tai-Rawhiti Maori Land District, and it is expedient that the Court should be empowered to deal with the said matter as hereinafter appearing: Be it therefore enacted as follows:—

The Court is hereby authorised to inquire and determine if any persons have been omitted from the original title, and may at its discretion amend such title and the subsequent proceedings by the insertion of the names of such persons as shall prove their right

to inclusion, substituting, where necessary, the successors of such persons as shall have died :

Provided always that no valid alienation of any portion of the said land, nor a lease validated by decree of the Validation Court of the tenth day of September, eighteen hundred and ninety-four, shall be prejudiced by any such amendment. Any order for amendment shall be subject to appeal, but shall otherwise be final and conclusive.

41. Whereas by order of the Native Land Court dated the twenty-sixth day of August, eighteen hundred and eighty-six, it was ordered that the parcels of land described in the Third Schedule to this Act should be vested in the Public Trustee as Native reserves on behalf of certain Native owners : And whereas by a subsequent order of the said Court dated the nineteenth day of July, eighteen hundred and ninety-five, it was ordered that certain other Natives should be included as owners of certain of the said parcels of land : And whereas the Public Trustee has since the date of the said first-mentioned order dealt with the said lands as Native reserves for the benefit of the several owners mentioned in the said orders : And whereas on or about the twenty-first day of March, nineteen hundred and six, the Public Trustee, with the consent and approval of the several Native owners of the said lands, called for tenders for leases of the said several parcels of land : And whereas the Napier Golf Club (Registered) was the successful tenderer for so much of the said lands as are mentioned in the Fourth Schedule to this Act, and in accordance with such tender the Public Trustee made and executed in favour of the said Napier Golf Club (Registered) a memorandum of lease whereby the said lands mentioned in the Fourth Schedule to this Act were leased to the Napier Golf Club (Registered) for the period of twenty-one years from the first day of March, nineteen hundred and six, at the rents therein mentioned in respect of the several blocks specified in the said Fourth Schedule : And whereas doubts have arisen as to the regularity of some of the proceedings in the Native Land Court with reference to the making of the said orders, and the Public Trustee has agreed that the said several lands mentioned in the said Third Schedule should be re-vested in the Native owners absolutely, but subject to the said memorandum of lease : Be it therefore enacted as follows :—

Waiohiki Native  
Reserve.

- (a.) The said memorandum of lease dated the twentieth day of September, nineteen hundred and six, made and executed by the Public Trustee in favour of the Napier Golf Club (Registered), shall be a valid and effectual lease, and shall be registrable against the several titles affecting the lands thereby leased in the same manner as if such lands had been effectually vested as Native reserves in the Public Trustee prior to the making of the said lease.
- (b.) The said order of the Native Land Court, of date the twenty-sixth day of August, eighteen hundred and eighty-six, in so far as it purports to vest the said parcels of land in the Public Trustee as a Native reserve, shall, as from

and after the passing of this Act, be deemed to be void and of no effect :

Provided that all acts done by the Public Trustee in reliance upon the said order shall be of full force and effect so far as the same were done prior to the passing of this Act.

Section 132,  
Mungaroa District.

42. (1.) Notwithstanding anything in any Act to the contrary, the Public Trustee shall, subject to any existing liens, charges, or incumbrances, transfer to the Native beneficiaries as ascertained by the Native Land Court the Native reserve known as Section No. 132, Mungaroa District, containing one hundred acres, more or less, now vested in the Public Trustee by virtue of section two of the Native Reserves Act Amendment Act, 1896, and the said Native beneficiaries shall thereafter hold the land as an estate of inheritance in fee-simple under and subject to the provisions of the Native Land Court Act, 1894, but free from the restriction imposed by section one hundred and seventeen thereof.

(2.) Any alienation of such land by way of sale shall, prior to confirmation, be approved by the Public Trustee.

Part Section 13,  
Ohariu District.

43. (1.) Notwithstanding anything in any Act now in force to the contrary, the Public Trustee shall, subject to any existing liens charges, or incumbrances, transfer to the Native beneficiaries as ascertained by the Native Land Court the Native reserve being the ungranted portions of Section No. 13 on the plan of the Ohariu District, containing forty-seven acres two roods thirty-three perches, more or less, now vested in the Public Trustee by virtue of section two of the Native Reserves Act Amendment Act, 1896; and the said Native beneficiaries shall thereafter hold the land as an estate of inheritance in fee-simple as Maori land as defined by the Maori Lands Administration Act, 1900, owned by more than two owners at the time of the coming into operation of that Act, but free from the restriction imposed by section one hundred and seventeen of the Native Land Court Act, 1894.

(2.) Any alienation of such land by way of sale shall, prior to confirmation, be approved by the Public Trustee.

Hinakitaka Block to  
be dealt with by  
Validation Court.

44. Whereas the Native owners of the block of land known as Hinakitaka, in the Pencarrow Survey District, containing two hundred acres, more or less, did by transfer bearing date the seventh day of February, eighteen hundred and ninety-eight, transfer to Mary Anne Eglinton their interest in the said block: And whereas the said transfer was duly confirmed by the Court, and the purchase-money was paid to the Native owners: And whereas the District Land Registrar has refused to register the said transfer on the ground that the said land was subject to the restriction imposed by section one hundred and seventeen of the Native Land Court Act, 1894: And whereas the said Mary Anne Eglinton is thus through a purely technical defect unable to obtain a title to the said block of land: Be it therefore enacted that the Validation Court shall have jurisdiction to hear and determine the claim of the said Mary Anne Eglinton under the said transfer, and to make such order as the Validation Court deems just.



45. (1.) The Board of the Ikaroa Maori Land District is hereby authorised to act for and on behalf of the Native owners of the lands in the Hawke's Bay Provincial District known as Tutira Block, and to give effect to certain recommendations (set forth in Parliamentary Paper G.-1D, session 1907) of the Commissioners appointed by the Governor on the twenty-first day of January, nineteen hundred and seven, to make certain inquiries regarding Native lands as to the said Tutira Block by executing leases of the portions of the said Tutira Block proposed by such recommendation to be leased to the persons, for the terms, and on the conditions specified in such recommendations, with such other usual or necessary conditions as the Board may require.

(2.) Such leases when executed by the Board shall be conclusive evidence that the same are in accordance with such recommendations and that all requirements of the law as to the same have been complied with.

(3.) The rent, royalties, and other moneys payable under such leases shall be paid to the Native owners and not to the Board.

(4.) The costs of the Board of, and incidental to, such leases and to all matters necessary in order to give effect to the recommendations aforesaid shall be paid by the lessees, who may deduct the same from the moneys payable under such leases.

(5.) The Board may, with due regard to the wishes of the Native owners, agree with the lessees, or any of them, as to the location of the area of five hundred acres recommended by the said Commissioners to be taken out of the area to be leased, and may authorise a surveyor to survey the same and the Native reserve of one thousand acres referred to in the report of the said Commissioners.

46. To give effect to a portion of the report of the Commission appointed by the Governor on the twenty-first day of January, nineteen hundred and seven, for the purpose of making inquiries as to areas of Native land which are unoccupied, or not profitably occupied, and as to the mode in which such lands can best be utilised and settled, it is hereby enacted as follows:—

(a.) The Governor may by Order in Council validate as from the date or respective dates thereof certain leases granted to Gertrude Ellen Meinertzhagen by the Native owners of Waimarama No. 3A, in the Hawke's Bay District, dated the eighth day of March, nineteen hundred and six, and subsequent dates, and reported upon by the said Commission, so far as the same relate to the area of five thousand acres recommended for lease to the said Gertrude Ellen Meinertzhagen by the Commission, such area to be more particularly defined by the said Commission so far as is necessary to give effect to the purpose of this section, and the said Order in Council shall be sufficient authority to the District Land Registrar at Napier to register the said leases against the land in respect of which they are so validated; and upon such validation all such leases, so

Validation of leases  
granted to  
Gertrude Ellen  
Meinertzhagen.

far as they relate to any area or areas in excess of the said area of five thousand acres, shall be and be deemed to have been of none effect.

- (b.) In respect of such shares in the said area as have been purchased by the Crown the Governor may grant a lease thereof to the said Gertrude Ellen Meinertzhagen for the same term and subject to the same conditions as the said leases so validated, and at the rate of six shillings per acre per annum.
- (c.) The rent payable under the leases so validated shall be the sum of six shillings per acre per annum, instead of the sum of five shillings expressed to be reserved in the said leases.
- (d.) For the purpose of carrying out the foregoing provisions the Governor may agree with the Native owners of any parts of the area included in the leases so validated to acquire such parts as Crown land in exchange for Crown land of equal value situated elsewhere.

Wi Pere trust  
lands.

47. Whereas by deed dated the fourteenth day of April, eighteen hundred and ninety-nine, made between Wi Pere, Arapera Pere, Hetekia Pere, Moanaroa Pere, Riria Mauaranui, and Riripeti Rangikohera (hereinafter referred to as the beneficiaries) of the one part, and Walter George Foster of the other part, certain real and personal property in the Poverty Bay District was conveyed and transferred to the said Walter George Foster upon certain trusts declared in the said deed: And whereas by deed dated the fifteenth day of August, eighteen hundred and ninety-nine, and made between Mangatu No. 1, a corporation incorporated under the Mangatu No. 1 Empowering Act, 1895, of the one part, and the said Walter George Foster of the other part, the said corporation did convey, assure, and set over to the said Walter George Foster a parcel of land in the Poverty Bay District containing twenty thousand acres, more or less, being Subdivision 1 of Mangatu No. 1 Block, upon the trusts declared in the said deed of the fourteenth day of April, eighteen hundred and ninety-nine: And whereas the beneficiaries, or such of them as are now surviving, desire to appoint a new trustee in place of the said Walter George Foster, and to alter the trusts upon which the said property is held, and it is expedient to give effect to such desire: Be it therefore enacted as follows:—

- (a.) On the application of the said Wi Pere on behalf of such beneficiaries as are surviving, and of the successors of such of them as are dead, the Governor may by Order in Council remove the said Walter George Foster from his position as trustee under the said deeds and appoint some other fit and proper person as trustee in his place, and may by such Order declare fresh trusts in respect of the residue of the real and personal estate now remaining subject to the trusts of the said deeds.
- (b.) On making such Order in Council, and notice thereof being given to the said Walter George Foster, he shall forth-

- with, at the cost of the beneficiaries, execute such deeds and instruments and do all such acts and things as may be necessary to vest the real and personal property subject to the trusts of the said deeds in such new trustee.
- (c.) On the making of the said Order in Council, and on the execution by the said Walter George Foster of the instruments necessary for the purpose of the last preceding paragraph, all liabilities, contracts, and engagements of the said Walter George Foster incurred or entered into by him as trustee under the said recited deeds shall become liabilities, contracts, and engagements of the new trustee so to be appointed as aforesaid; and the said Walter George Foster shall be released and discharged therefrom and from all actions, claims, and demands for or in respect of any act, matter, or thing whatsoever done, omitted, or suffered by him as trustee under the said recited deeds, or arising out of his administration of the trusts thereof, or otherwise howsoever happening for or by reason or in respect of the premises.
- (d.) The obligations created by the deed dated the seventh day of November, eighteen hundred and ninety-eight, expressed to be made between the said Wiremu Pere, Riria Mauaranui, Arapera Pere, Hetekia Pere, and Moanaroa Pere of the one part, and Mangatu No. 1 of the other part, and adopted by the said Walter George Foster by memorandum dated the eleventh day of July, nineteen hundred and ninety-nine, shall become binding on such new trustee in the same manner as if the same had been originally executed by him.
- (e.) The said Arapera Pere and Moanaroa Pere shall be entitled to a charge upon the estate and interest of the said Wi Pere in the lands remaining subject to the trusts of the said deed of the fourteenth day of April, eighteen hundred and ninety-nine, in respect of a sum due to them on account of the fact that considerable parts of their estate have been sold for the purpose of paying the debts of the said Wi Pere. Such amount shall be ascertained in accordance with the following principle:—
- (i.) The value of the whole of the real and personal estate subject to the trusts of the hereinbefore-recited deeds (except Mangatu No. 1 Block, Subdivision No. 1) shall be taken as at the fourteenth day of April, eighteen hundred and ninety-nine, as set out in the books kept for the purpose of the trust.
- (ii.) The value of the share of each of them the said Wi Pere, Arapera Pere, Hetekia Pere, Moanaroa Pere, Riria Mauaranui, and Riripeti Rangikohera shall be taken, and its proportion to the total amount of the above value ascertained.

(iii.) The properties remaining unsold shall be taken as at the valuation made thereof in June, nineteen hundred and seven, and the excess or difference between their values in April, eighteen hundred and ninety-nine, and June, nineteen hundred and seven, shall be taken; to the total surplus as at June, nineteen hundred and seven, shall be added the net amount realised by the sale of all properties, and this sum when ascertained shall be apportioned among all owners in the ratio of their original interests.

(iv.) The difference between the shares so ascertained of the said Arapera Pere and Moanaroa Pere and the amounts of their original shares shall be the amounts deemed to be due by the said Wi Pere to them respectively.

(v.) The said amounts shall respectively carry interest at the rate of five pounds per centum per annum from the dates of the sales of the properties of the said Arapera Pere and Moanaroa Pere; and the new trustee to be appointed in place of the said Walter George Foster aforesaid shall execute in favour of Arapera Pere and Moanaroa Pere proper legal mortgages of the interest of the said Wi Pere in the real and personal estate in his hands, subject to the trusts of the said hereinbefore-recited deeds.

## Schedules.

## SCHEDULES.

## FIRST SCHEDULE.

## BOUNDARIES OF OHINEMUTU PA.

BOUNDED towards the east by Lake Rotorua; towards the north by the Utuhina Stream; towards the west and south-west by the main Tauranga-Rotorua road, commencing where the said road crosses the Utuhina Stream, and continuing past Lake House to where the road passes down to the public wharf at Rotorua; and thence by the south by the last-said road to Lake Rotorua.

## SECOND SCHEDULE.

ALL those blocks or parcels of land, situate in the Taupo District, known as Okahukura Nos. 1 to 6 inclusive, and No. 8m 2, Papakai Nos. 1 and 2, and Ngapuna.

## THIRD SCHEDULE.

ALL that parcel of land in the Provincial District of Hawke's Bay, containing by admeasurement 1,190 acres, more or less, and situate in the Heretaunga Survey District: bounded towards the north-west, north, and north-east by the Tutaekuri River; towards the south-east by a public road, 3000 links and 4800 links; towards the south by a public road, 7850 links; towards the east by Section No. 50, Papakura, 1004 links, 684 links, and 608 links; again towards the south and towards the west by the Tutaekuri-Waimate Stream; towards the south-west, crossing that

stream and by the Koropiko Block, 414 links; again towards the south-east by the said Koropiko Block, 1892 links; again towards the south-west by a public road, 241 links and 1300 links, and by the Rahuirua Block, 448 links; and again towards the south by the said Rahuirua Block and by a public road, 2165 links: be all the aforesaid linkages more or less.

---

FOURTH SCHEDULE

1. THAT piece of land containing 31 acres 2 roods 19 perches, be the same a little more or less, being the river-side and northern portion of Subdivision 2 of the Waiohiki Block.

2. That piece of land containing by admeasurement 58 acres 2 roods, more or less, being Subdivision 1B of the said block.

3. That piece of land containing by admeasurement 15 acres 2 roods, more or less, being northern portion of other part of Subdivision 2 of the said block, situated south-east of Omahu-Taradale Road.

4. That piece of land containing by admeasurement 54 acres 2 roods, more or less, being the western portion of Subdivision 1c of the said Waiohiki Block.

5. That piece of land containing by admeasurement 2 acres 1 rood 30 perches, more or less, being portion of Subdivision 1D of the said Waiohiki Block.