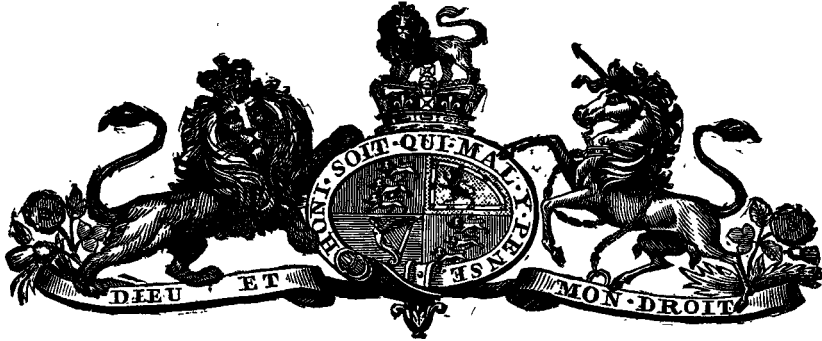


NEW ZEALAND.



TRICESIMO OCTAVO

VICTORIÆ REGINÆ.

No. LXXV.

ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Interpretation of expression "repealed Acts."</p> <p>3. Former transactions. Section 4 amended.</p> <p>4. Fees to certain interpreters. Section 12 amended.</p> <p>5. Repeal of section 15. Judge to sit with Assessors.</p> | <p>6. Custody of Court Rolls, &c. Section 19 amended.</p> <p>7. Meaning of word "claimants" in the 44th section.</p> <p>8. Provision for rehearings in certain cases.</p> <p>9. Partition may be made although there are no dissentients, and although lands not proposed to be sold or leased.</p> <p>10. Plans need not be furnished in duplicate.</p> |
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AN ACT to amend "The Native Land Act, 1873." Title.
[31st August, 1874.]

BE IT 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 shall be "The Native Land Act Amendment Act, 1874;" and it shall be construed and read with "The Native Land Act, 1873." Short Title.

2. In this Act, the expression "the repealed Acts" shall mean the several Acts mentioned in the fourth section of "The Native Land Act, 1873," and thereby repealed. Interpretation of expression "repealed Acts."

3. The proviso to section four of "The Native Land Act, 1873," (hereinafter called "the said Act,") is hereby repealed, and in lieu thereof it is enacted as follows:— Former transaction Section 4 amended.

And provided also that the said repealed Acts shall, notwithstanding the repeal thereof hereby, continue and be in force for the purpose of continuing and perfecting under any of the said repealed Acts any proceedings commenced or in progress thereunder; and under the said repealed Acts all such proceedings shall be continued and perfected.

And the said Act shall be read and construed as if this proviso had been originally set forth in the fourth section thereof, in lieu of the proviso repealed hereby; and the said repealed Acts shall, for the purposes aforesaid, be deemed to have continued in force from the passing of the said Act.

Native Land Act Amendment.

Fees to certain interpreters. Section 12 amended.

4. So much of the twelfth section of the said Act as provides that the salaries payable to interpreters shall be appropriated by the General Assembly shall be deemed and construed to be limited to such interpreters acting as Clerk or Secretary to a Judge of the Court as may have been or may be appointed under the eleventh section of the said Act. And to all other interpreters appointed under the twelfth section of the said Act there shall be payable by the person or persons liable to pay the same, for any work done by such interpreters in their official capacity, such fees as may from time to time be fixed by regulations to be made by the Governor in Council, who may also from time to time similarly diminish increase abolish or vary any such fees.

Repeal of section 15. Judge to sit with Assessors.

5. The fifteenth section of the said Act is hereby repealed. One or more Assessors shall sit at every Court held under the said Act, and assist in the proceedings; and there shall be no decision or judgment on any question judicially heard before the Court unless the Judge presiding and at least one Assessor concur therein.

Custody of Court Rolls, &c. Section 19 amended.

6. In the nineteenth section of the said Act the words "under the custody of the officer appointed for such district as hereinafter mentioned," are hereby repealed, and the following words substituted in lieu thereof: "under the custody of the Judge's Clerk or Secretary attached to the district, as is provided in section eleven;" and the said nineteenth section shall be read and construed as if these substituted words had been originally inserted in the said nineteenth section of the said Act.

Meaning of word "claimants," in the 44th section.

7. The word "claimants" in the forty-fourth section of the said Act shall mean not only the persons preferring any claim to land dealt with or intended to be dealt with under the said Act, but also the person or persons having any counter-claim to any such land.

Provision for rehearings in certain cases.

8. In any case where an application for a rehearing of any matter heard and decided under the repealed Acts shall have been made subsequently to the first day of July, one thousand eight hundred and seventy-three, the Governor in Council may, in the manner provided by the fifty-eighth section of the said Act, order a rehearing of any such matter so heard and decided as aforesaid, and all the provisions of the said Act respecting rehearings, so far as applicable, shall extend to any rehearing ordered under this Act: Provided that such application shall in each case have been made within six months from the date of the decision of the Court in such case.

Partition may be made although there are no dissentients, and although lands not proposed to be sold or leased.

9. Whenever the owners of any land shall be desirous that a subdivision or partition of such land shall be made for any purpose or in any manner provided by the said Act, it shall be lawful for the Court to proceed and act in the matter of such subdivision or partition, although there may be no dissentients thereto, and although the owners are not desirous to sell or lease the land proposed to be subdivided or partitioned.

Plans need not be furnished in duplicate.

10. Notwithstanding anything contained in the seventy-first section of the said Act, it shall not be necessary that the plan of the land comprised in any memorial of ownership shall be furnished in duplicate, but in lieu thereof one plan shall, after certificate as by the said section provided, and after the Inspector of Surveys shall have made a true copy thereof, be recorded in the Court of the district, and the Inspector of Surveys shall transmit such copy to the Native Minister, in the manner provided by the said section.