

New Zealand.



ANALYSIS.

- | | |
|--|---|
| <p>Title.
 1. Short Title.
 2. Interpretation.
 3. Native Land Court Judges may be appointed Judges of Validation Court.</p> | <p>4. Such Judges to be deemed to have been appointed under the said Act. Proviso.
 5. Validation.
 6. Stay of proceedings in any other Court. Proviso.
 7. Amendment of section 3 of said Act.</p> |
|--|---|

1894, No. 46.

AN ACT to amend "The Native Land (Validation of Titles) Act, 1893." Title.
[24th October, 1894.]

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 is "The Native Land (Validation of Titles) Act Amendment Act, 1894." Short Title.

2. In this Act, "the said Act" means "The Native Land (Validation of Titles) Act, 1893." Interpretation.

3. Notwithstanding anything in the said Act contained, it shall be lawful for the Governor from time to time to appoint any person or persons, being a barrister or barristers of the Supreme Court of New Zealand, holding, or who hereafter may hold, the office of Judge of a District Court or of Judge of the Native Land Court, to be also a Judge or Judges of the Validation Court as established by the said Act (hereinafter called "the said Court"), and to hold and exercise such offices concurrently during the pleasure of the Governor, either without additional salary or with such salary and allowances as the Governor shall direct, or as shall from time to time be appropriated for that purpose. Any appointment made under the authority of this Act may at any time be cancelled by the Governor. Native Land Court Judges may be appointed Judges of Validation Court.

4. Subject as aforesaid, every Judge of the said Court appointed under the authority of this Act shall be deemed to have been appointed under the said Act, and shall have and exercise all jurisdiction, powers, and authorities accordingly: Provided that the appointment shall not necessarily be for a fixed period or at a fixed salary, anything in the said Act to the contrary notwithstanding: Provided further that nothing herein contained shall restrict the power of the Governor to appoint Judges under and by virtue of the said Act; and any Judge Such Judges to be deemed to have been appointed under the said Act.
Proviso.

heretofore appointed, or who hereafter may be appointed, under the said Act, may hold and exercise concurrently with such appointment the office of a Judge of the Native Land Court.

Validation.

5. And whereas doubts have arisen as to the power of George Elliott Barton, Esquire, to sign and complete orders made by him as a Judge of the Native Land Court prior to his appointment as a Judge of the said Court, and some of such orders have been signed by the Chief Judge of the Native Land Court on behalf of the said George Elliott Barton as a retired Judge: Now, therefore, it is hereby declared and enacted that the said George Elliott Barton shall have and shall be deemed to have had power to sign and complete all orders heretofore made by him, or which may be necessary to give effect to any proceedings heretofore taken before him, as a Judge of the Native Land Court, as if he had not been appointed a Judge of the said Court. All orders heretofore signed by the Chief Judge on behalf of the said George Elliott Barton as a retired Judge are hereby confirmed.

Stay of proceedings
in any other Court.

6. The commencement in due form of proceedings in the said Court in respect of any claim, matter, or thing within the jurisdiction of the said Court shall operate as a stay of proceedings in any other Court in respect of the same claim, matter, or thing, or of any cause of action arising thereon. And after the commencement of any proceedings as first aforesaid no suit or action shall be commenced in any other Court in respect of the same claim, matter, or thing, or of any cause of action arising thereon:

Proviso.

Provided that if from any cause the proceedings in the said Court shall lapse or be withdrawn, or otherwise cease or be discharged from the consideration of the said Court, before final decision or determination of the matters at issue therein, the stay of proceedings or prohibition hereinbefore contained shall thereupon cease and determine.

Amendment of
section 3 of said
Act.

7. Section three of the said Act shall be read as if the words "Native Land Court" in the third line thereof had been omitted therefrom.