

4-1

*Rt. Hon. R. J. Seddon.*

## EAST COAST NATIVE LAND ADMINISTRATION.

### ANALYSIS.

Title. Preamble. 1. Short Title. 2. Trustees may raise moneys to pay debt. 3. Administration of trust estate. 4. Trustees to submit scheme of administration to Validation Court. 5. Validation Court to inquire into same and report to Governor.	6. Governor in Council may make regulations. 7. Application of provisions of "The West Coast Settlement Reserves Act, 1892." 8. Regulations, scheme, and report to be laid before Parliament. 9. Power to exempt from restrictions affecting Native lands. 10. Trusts modified.
--	---

### A BILL INTITULED

AN ACT to provide for the Administration and Settlement of certain Native Lands in the East Coast District of the North Island. Title.

WHEREAS large areas of Native land, situate in the East Coast District, and commonly known as "the Carroll and Wi Pere Trust Estate" (hereinafter called "the trust estate"), are now held in trust for the Native owners by trustees, consisting in some cases of the Honourable James Carroll and Wi Pere, and in other cases of the Honourable James Carroll and Wi Pere together with one or more other co-trustees (all hereinafter, with their successors, referred to as "the trustees"): And whereas it has been found impracticable to advantageously administer the said trust estate by reason of the restrictions and encumbrances affecting the title thereto: And whereas during the present session of Parliament a Bill was introduced for the purpose of facilitating the administration of the trust estate by vesting the same in a Board with special powers: And whereas the said Bill was referred to the Native Affairs Committee of the House of Representatives, and the Committee reported that it was not advisable to create any special Board, but that in lieu thereof the trustees should be empowered to dispose of a sufficient portion of the trust lands to liquidate the debt owing to the Bank of New Zealand, and that the residue of the trust estate should be dealt with by special Act, in such manner as the Validation Court may recommend, after ascertaining the wishes of the beneficiaries: And whereas it is expedient to give effect to such report in manner hereinafter appearing: Preamble.

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

Short Title.

1. The Short Title of this Act is "The East Coast Native Land Administration Act, 1898."

Trustees may raise moneys to pay debt.

2. (1.) The trustees may, with the consent of the Governor in Council, raise, by sale or mortgage of any specified portion of the trust estate, whatever moneys may be necessary in order to pay the aforesaid debt to the Bank of New Zealand and defray the expenses of such sale or mortgage; and may, with the like consent, execute all such instruments as are necessary in the premises. 5

(2.) All moneys raised under this section shall be applied by the trustees for the purposes for which the same are authorised to be raised. 10

Administration of trust estate.

3. Subject to the provisions of the *last-preceding* section hereof, the trust estate shall be held and administered by the trustees upon the existing trusts as modified and extended by this Act and the regulations to be made thereunder by the Governor in Council as hereinafter provided. 15

Trustees to submit scheme of administration to Validation Court.

4. The trustees shall prepare and submit to the Validation Court a scheme of administration setting forth—

(1.) The lands comprising the trust estate, and the trusts affecting the same; 20

(2.) The debts and liabilities of the trust estate, and the proposed provisions for the payment thereof;

(3.) The names of the Native beneficiaries and their relative shares and interests, as far as ascertained;

(4.) The powers which in the opinion of the trustees they should possess for the purpose of leasing the lands and opening them up for settlement, and generally administering the trust estate, including such of the provisions of "The West Coast Settlement Reserves Act, 1892," or any other Act relating to the administration of Native lands, as the trustees think desirable. 25 30

Validation Court to inquire into same and report to Governor.

5. The Validation Court, after ascertaining in such manner as it thinks fit the wishes of the Native beneficiaries, shall determine whether, and to what extent, and with what modification or additions, the scheme of administration should be adopted, and shall report thereon to the Governor. 35

Governor in Council may make regulations.

6. After considering the trustees' scheme of administration, and the report of the Validation Court thereon, the Governor in Council may from time to time make regulations for all or any of the following purposes:— 40

(1.) Prescribing the mode in which the trust estate shall be leased and otherwise opened up for settlement, and generally be administered for the benefit of the beneficiaries;

(2.) Prescribing the powers, functions, and duties of the trustees in the administration of the trust estate: 45

(3.) Generally, whatever else he deem expedient in order to give effect to the report of the Committee referred to in the preamble to this Act.

Application of provisions of "The West Coast Settlement Reserves Act, 1892."

7. In such regulations the Governor in Council may apply such of the leasing and other provisions of "The West Coast Settlement Reserves Act, 1892," with such modifications or additions as he think fit. 50

*East Coast Native Land Administration.*

---

8. All such regulations shall be gazetted, and, within three days thereafter if Parliament is sitting, or, if not, then within ten days after the commencement of the first ensuing session thereof, a copy of the regulations, as also of the trustees' scheme of administration  
5 and the report of the Validation Court thereon, shall be laid before both Houses of the General Assembly.

Regulations, scheme, and report to be laid before Parliament.

9. For the purposes of this Act the Governor in Council may from time to time exempt the said trust estate, or any part thereof, from all or any of the restrictions, limitations, or provisions of "The  
10 Native Land Court Act, 1894," or any other Act affecting Native lands or land owned or held by Natives.

Power to exempt from restrictions affecting Native lands.

10. The trusts affecting the trust estate at the time of the coming into operation of this Act are hereby modified in so far as they are inconsistent with this Act, or the regulations for the time  
15 being in force thereunder, but not further or otherwise.

Trusts modified.