

Hon. Major Steward.

EAST COAST NATIVE LAND BOARD.

[LOCAL BILL.]

ANALYSIS.

<p>Title.</p> <p>1. Short Title.</p> <p>2. East Coast Native Land District.</p> <p>3. Incorporation of East Coast Native Land Board.</p> <p>4. Lands and interests in Carroll and Wi Pere's trust estate may be vested in the Board by Order of the Governor in Council.</p> <p>5. Powers of Board.</p> <p>6. Making and authentication of contracts by Board.</p> <p>7. Power to Natives to assign to Board tribally or individually in trust.</p> <p>8. Board to be entitled to 10 per cent. of net revenue for insurance and sinking fund and other purposes.</p>	<p>9. Board to keep account in the Bank of New Zealand, Gisborne.</p> <p>10. Accounts of Board to be audited by the Auditor-General.</p> <p>11. Board to make annual report to Parliament.</p> <p>12. Power of Board to borrow and of Government to lend.</p> <p>13. Duty of Board to throw open for settlement 75 per cent. of lands.</p> <p>14. Board to make regulations subject to approval of Governor in Council.</p> <p>15. Disqualification.</p> <p>16. Duty of Board to make reserves. Schedule.</p>
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A BILL INTITULED

AN ACT to create a Corporate Body to be called the East Coast Native Land Board, and to confer upon such Body Power to accept by way of Trust, and to control, use, manage and deal with Land now or formerly owned by Persons of the Native Race upon the East Coast of the North Island of New Zealand, and to borrow Money for the purpose of paying off Existing Mortgages and Debts and improving and opening such Lands for Settlement. Title.

10 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 East Coast Native Land Board Act, 1898." Short Title.

15 2. There shall be a district called the East Coast Native Land District as described in the Schedule hereto. East Coast Native Land District.

20 3. For the purposes hereinafter mentioned there shall be a Board called the East Coast Native Land Board (hereinafter called "the Board") which shall be a body corporate with succession and a common seal, and shall consist of five members, of whom three shall form a quorum. Such members shall be nominated by the Govern- Incorporation of East Coast Native Land Board.

ment, and two of such members shall belong to the Native race resident on the East Coast, and such members shall receive such remuneration as shall be fixed by the Governor in Council.

- Lands and interests in Carroll and Wi Pere's trust estate may be vested in the Board by Order of the Governor in Council. 4. All properties of whatever kind, both real and personal, including lands, titles, claims, interests, and demands, comprising the trust estate known as the trust estate of Carroll and Wi Pere, shall be vested in the Board, subject to all existing encumbrances, claims, and contracts concerning or affecting the same, when an Order by the Governor in Council shall be made to that effect, which Order may be made at any time on the written application of the Honourable James Carroll and Mr. Wi Pere, members of the House of Representatives. 5
- Powers of Board. 5. The Board shall have power to take, hold, manage, work, use, for farm, station, or other purposes, and deal with by way of sale, mortgage, or lease, all or any lands assigned to it in trust, subject always to the provisions of clause *thirteen*. 10
- Making and authentication of contracts by Board. 6. All contracts entered into by the Board shall be made and authenticated in the same manner as contracts are made and authenticated by corporate bodies registered under "The Companies Act, 1882," and the amendments thereof. 15
- Power to Natives to assign to Board tribally or individually in trust. 7. All properties held by Maoris under any Act of incorporation, including Mangatu Number One, and lands held by Maoris and Europeans as tenants in common, and all lands in which Maoris hold any interest, whether legal or equitable, may be assigned in trust to the Board, and if the whole of the owners where unincorporated do not assent to such assignment, then that portion of such land as shall be found by a Court of competent jurisdiction to belong to the assenting owners shall pass to the Board, and no stamp or Native duty shall be payable upon such deeds, nor in any way until the Board shall sell or lease such lands. 20
- Board to be entitled to 10 per cent. of net revenue for insurance and sinking fund and other purposes. 8. The Board shall be entitled to set aside over and above all working-expenses a percentage of ten per centum per annum on the net revenue arising out of the properties vested in it from time to time, which sum shall form a fund for insurance of all moneys borrowed by the Board, and a sinking fund for the redemption of debentures issued by the Board from time to time, and for such other general purposes of utility as the Board may from time to time determine, and, after the payment of all working-expenses and interest, and deduction of the ten per centum aforesaid, the Board shall distribute the revenue of each block among the owners thereof, in accordance with the interests therein of the individual owners. 25
- Board to keep account in the Bank of New Zealand, Gisborne. 9. The Board shall keep an account at the Bank of New Zealand, Gisborne, to be called "The East Coast Native Land Board Account," into which all moneys received by it or its officers on its behalf shall be paid within twenty-four hours of the receipt of such moneys, or so soon thereafter as may be possible, and all moneys paid by the Board shall be paid by cheque upon the said account, signed by one member of the Board and countersigned by the secretary or other executive officer for all sums of forty shillings and upwards. 30
- Accounts of Board to be audited by the Auditor-General. 10. The Board shall have full power and authority to appoint such officers as may be necessary to carry on its work, and shall keep full and proper books of account of all receipts and expenditure, and its accounts shall be audited at least once in every year by the Auditor- 35

General of the colony, or some officer appointed by him for the purpose, and the Auditor-General or such officer shall have all the powers in relation to the Board as the Auditor-General now possesses in relation to any department of the Government in the colony.

5 11. It shall be the duty of the Board on the thirty-first day of March in each year, or in case of such day being Sunday, then on the thirtieth day of March, to make a full report of all its transactions for the past year, showing the moneys borrowed or received by way of purchase-money, rent, or in any other way or manner whatever, all  
10 disbursements of every kind, and contracts entered into, the areas and descriptions of all lands assigned to it during the past year, or leased, sold, occupied, and used or conveyed by it by way of mortgage, which report shall be certified by the chairman, and laid upon the tables of  
15 liament in each and every year.

Board to make annual report to Parliament.

12. It shall be lawful for the Board to borrow upon debentures secured upon the properties or any of them which may hereafter become vested in the Board, for a period not exceeding fifty years, any moneys necessary to pay off existing mortgages upon the same,  
20 or liabilities thereon, in which shall be included all costs, expenses, and charges attendant upon the passing of this Act, and for the utilisation of such land so vested in the Board; and all such debentures issued by the Board shall be secured in the first place upon the lands respectively liable, and then upon the fund to be raised under  
25 the *eighth* section hereof; and the Government is hereby authorised to advance upon such debentures to the extent of three-fourths of the capital value of such lands for the above purpose.

Power of Board to borrow and of Government to lend.

13. It shall be the duty of the Board, as speedily as possible, to throw open for *bona fide* settlement, in accordance with regulations  
30 to be approved by the Governor in Council, at least seventy-five per centum in area of the land held by the said Board: Provided always that no money shall be expended by the Board on improvements other than for surveys and roading, save on the lands already used by the Trustees, or which at the time of being taken over by the  
35 Board may be in use.

Duty of Board to throw open for settlement 75 per cent. of lands.

14. The Board may from time to time make regulations for the better enabling this Act to be given effect to, and alter and vary the same; and such regulations, when approved by the Governor in Council, and published in the *New Zealand Gazette*, shall have the  
40 same effect as if the matter thereof had been enacted herein, provided that such regulations be in no way contrary to the provisions and intentions of this Act.

Board to make regulations subject to approval of Governor in Council.

15. The seat of a member on the Board shall be vacated—  
45 (1.) If he hold any office or place of profit under the Board other than his membership of the Board itself;  
(2.) If he becomes bankrupt or insolvent;  
(3.) If he is concerned in or participates in the profits of any contract with the Board;  
50 (4.) If he participates in the profits of any work done for the Board.

Disqualification.

But the above rules shall be subject to the following exceptions: No member of the Board shall vacate his office by reason of his being

a shareholder in any incorporated company, entering into contracts, or doing work for the Board. Nevertheless he shall not vote in respect of such contract or work ; and, if he does so vote, his vote shall not be counted. Nor shall any Native member vacate his seat by reason of his being an owner in any lands assigned to and managed by the Board. 5

Duty of Board to  
make reserves.

16. It shall be the duty of the Board, on the application of the owners of any block, to make such reserves as may be necessary for the personal use, abode, and occupation of the owners of such block, such reserves to be limited to the area sufficient for the cultivations of the individual owners. 10

Schedule.

### SCHEDULE.

#### EAST COAST NATIVE LAND DISTRICT.

COMMENCING at the mouth of the Whakatane River ; thence by a straight line to the mouth of the Wairoa River, at the Township of Clyde, in Hawke's Bay ; thence along the East Coast to Portland Island, Mahia ; thence by Poverty Bay and the East Cape to the point of commencement.

By Authority : JOHN MACKAY, Government Printer, Wellington. --1898.