

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES and having this day passed as now printed is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

*House of Representatives,
15th August, 1878.*

Hon. Mr. Stout.

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

Land Claims.

ANALYSIS.

Title.	5. Commissioners shall determine claims in certain cases.
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1. Short Title.	7. Commissioners may admit hearing under restrictions.
2. Interpretation clause.	8. Act to be advertised in London.
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4. Selections of land to be made in prescribed time, or right of selection to lapse.	

A BILL INTITULED

AN ACT to make further Provision for the Final Settlement of Land Claims. itle.

WHEREAS there yet remain *certain* unsettled various claims to Preamble.
land within the Colony of New Zealand, arising out of dealings with the aboriginal inhabitants thereof: (~~which claims are enumerated in the Schedule hereto~~), and it is expedient to make further provision for the final settlement thereof:— And whereas sundry Crown grants of doubtful validity have been issued in respect of some of the aforesaid claims under the Public Seal of the Colony of New Zealand, prior to the passing of the Act of one thousand eight hundred and fifty six:— And whereas all such Crown grants were called in under the provisions of the Act of one thousand eight hundred and fifty six in order that new grants might be issued in lieu thereof:— And whereas in some cases no claim for the issue of a new grant has been made, and in other cases, although a claim for a new grant has been made, the claim has not been prosecuted to a final issue: And whereas it is not expedient that any such claims should be allowed to Short Title.
remain open for an indefinite period:

BE IT THEREFORE 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 Land Claims Final Settlement Act, 1878.” Short Title.

2. The terms “Act of one thousand eight hundred and fifty six,” and “Act of one thousand eight hundred and fifty eight,” *said Acts* herein used, shall mean “The Land Claims Settlement Act, 1856,” and “The Land Claims Settlement Extension Act, 1858.” respectively. Interpretation clause.

3. The term “Commissioners” shall mean any Commissioner appointed under “The *Land Claims Settlement Act, 1856.*” Act of one thousand eight hundred and fifty six, and every such Commissioner shall be deemed to have the powers hereby vested in the Commissioners.— The provisions of this Act shall be of force, anything in the Act of one thousand eight hundred and fifty six and the rules established thereunder, or in the Act of one thousand eight hundred and fifty eight, to the contrary notwithstanding.

Claims not prosecuted to lapse.

3. Any of the *Every* claims in the Schedule hereto capable of being prosecuted under the said Acts which shall not be prosecuted before the thirty-first day of December, one thousand eight hundred and seventy-nine, shall be deemed to have lapsed, and the Commissioners shall adjudge such claims to have lapsed, and notice of such adjudication shall be published in the New Zealand Gazette:—Provided always that the Commissioners may, in their discretion, in any case, upon reasonable grounds being shown, extend such period, such extension not to exceed six months.

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4. The land in any claim so adjudged to have lapsed shall be freed from the right, title, or interest of any claimant whomsoever.

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Selections of land to be made in prescribed time, or right of selection to lapse.

5. 4. Whenever any selection of land is required to be made under the provisions of the said Acts of one thousand eight hundred and fifty-six, or the Act of one thousand eight hundred and fifty-eight, the Commissioners may prescribe a period within which such selection shall be made, and if the selection be not made within such period, such right of selection shall lapse and be deemed abandoned, and the claimant or claimants shall have no further right, title, or interest in respect of such claim, or in respect of any land the subject of such claim.

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Commissioners shall determine claims in certain cases.

6. 5. In any claim in which difficulties exist in the way of obtaining quiet possession of the land to which the claimant is entitled, and in which the survey of the claim cannot be made in a reasonable time, to be fixed by the Commissioners, the Commissioners shall determine the claim by directing a grant of other land in exchange, or by the issue of scrip, as provided in section three of "The Land Claims Settlement Act, 1858." of one thousand eight hundred and fifty-eight.

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Forty-third and forty-fourth sections of Act of 1856 repealed.

7. 6. The forty-third and forty-fourth sections of "The Land Claims Settlement Act, 1856," are Act of one thousand eight hundred and fifty-six is hereby repealed, and in lieu thereof it is enacted as follows:—In all cases of surveys and maps required by the said Acts of one thousand eight hundred and fifty-six the Commissioners shall order such surveys or maps to be made under their own direction; but such repeal shall not apply to any case in which a claimant shall have made surveys under the said Acts.

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Saving clause.

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New clauses.

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Commissioners may admit hearing under restrictions.

7. Notwithstanding anything in the said Acts contained, the Commissioners may admit to hearing the claimants in claims sixty-four and one thousand one hundred and twenty-eight, subject to the following restrictions:

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In claim one thousand one hundred and twenty-eight, the claimant shall not obtain any higher award than such claimant would have received if the claim had been capable of being notified under the said Acts:

In claim sixty-four, the claimant shall be admitted to hearing on the following conditions:

(1.) If the claim be made under any original purchase from the Natives by the claimant, or any agent for him, other than the purchase reported on by Commissioner Godfrey in cases seventy-three and seventy-three B, the claim shall be heard and determined on the same terms, and subject to the same restrictions, as all other original claims under the Land Claims Ordinance, session ten, number one.

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(2.) If the claim be made under or in respect of any share in the purchase in cases seventy-three and seventy-three B of W. E. Cormack, then the claimant shall, on proof of such share, be entitled to receive scrip entitling him to select such a number of acres of rural land in the Provincial District of Auckland as shall bear the same proportion to the maximum grant of two thousand five hundred and sixty acres recommended by Commissioner Godfrey in

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respect of the said cases seventy-three and seventy-three B, as the number of acres comprised in the original claim case forty-three bears to the total number of acres comprised in all the cases admitted before Commissioner Godfrey to have shared in the purchases in respect whereof such maximum grant was recommended.

8. For the purpose of giving due publicity to this Act, and to all claimants affected by the same, a notification of the provisions of this Act relating to notices to be given, compensation awarded, and time limited for the exercise of scrip issued hereunder, shall be published in the London *Times* newspaper, or in such other newspaper in London, and in such manner, as the Secretary for Crown Lands shall appoint.

Act to be advertised in London.

Struck out.

8. The forty-fourth section of the Act of one thousand eight hundred and fifty-six is hereby repealed.

9. And whereas the claimants in claims numbers sixty-four and one thousand one hundred and twenty-eight were unable, through circumstances over which they had no control, to prosecute their claims within the time prescribed by the Act of one thousand eight hundred and fifty-eight, and it is expedient that relief should be given in respect of the said claims:

Be it therefore further enacted that the Commissioners are hereby empowered to investigate the said claims numbers sixty-four and one thousand one hundred and twenty-eight, and to make such orders and adjudication therein as they shall deem to be just.

10. Sections seven and eight of this Act shall not apply to any case in which a claimant shall have made surveys under the sections repealed by the said sections seven and eight.

11. Nothing contained in this Act shall be deemed to revive any claim that may have been considered to have lapsed, although the same may be included in the Schedule hereto or mentioned in this Act.

SCHEDULE.

Number of Claim.	Claimant.	Locality.	Area Claimed.		
			A.	R.	P.
68	Edward Brady	Stewart Island	690	0	0
79	James Bruce	Otago	2	0	0
101	George Thomas Clayton	Kororarereka	2	2	0
103	Ditto	"	3	0	0
111	Ditto	"	8	0	0
271	Thomas Joyce	Bay of Islands	4	0	0
392	Cornelius Prout	Coromandel	100	0	0
436	Thomas Spicer	Kororarereka	4	2	0
438	Ditto	"	0	2	0
451	William Sturley	Bay of Islands	100	0	0
535	Thomas Wing	" "	120	0	0
536	Samuel Allan Wood	" "	100	0	0
763	Jeremiah Nagle and John W. Renn	Piako	150	0	0
113	George Thomas Clayton	Bay of Islands	2	0	0
140	John Terry Hughes	Hokianga	301	2	0
181-3	John Evans	Bay of Islands	30	0	0
231	Thomas Hipkins and William Tutty Pearse	" "	305	0	0
249	James Johnson	" "	100	0	0
250	James Johnson and William Jackson	" "	10	0	0
283	William Lillicoe	Whangaroa	35	0	0
334	John Macquarie Palmer	Bay of Islands	20	0	0
340	Isaac Moore	Stewart Island	240	0	0
347	David Edward Munro	Thames	550	0	0
348-9	John Murray	Hokianga	504	0	0
356	James Scott Odeland	"	300	0	0
357	Ditto	"	300	0	0
358	Ditto	"	500	0	0
363	John Macquarie Palmer and Charles Campbell	Whangaruru	250	0	0

Number of Claim.	Claimant.	Locality.	Area Claimed.		
			A.	R.	P.
377	Thomas Honan	Hokianga	30	0	0
393	Frederick Reid	Bay of Islands	335	2	0
394	John Reid	" "	30	0	0
452	Henry Swain	" "	300	0	0
542	William Young	Hokianga	100	0	0
550	William Baker	Whangaroa	15	0	0
616	Mary Robertson	Bay of Islands	400	0	0
643	John Scott	Kororareka	1	0	0
644	William Jeffray and John Whytlaw	Bay of Islands	22	0	0
729	Rev. Benjamin Yates Ashwell ...	" "	20	0	0
762	Vincent Wanostrocht	Piako	250	0	0
811	Robert Annoyl	Hokianga	359	0	0
819	Kororareka Land Company ..	Bay of Islands	160	0	0
820	Ditto	" "	180	0	0
821	Ditto	Kororareka	2	0	0
822	Ditto	" "	2	0	0
823	Ditto	" "	20	0	0
824	Ditto	" "	3	1	0
825	Ditto	" "	1	0	0
826	Ditto	" "	2	0	0
827	Ditto	" "	0	0	16
833	James Joss	Bluff	106	2	0
834	Ditto	Stewart Island	30	0	0
835	Ditto	" "	150	0	0
973	John Grant	Hokianga	50	0	0
1003	Donald Mackay	" "	40	0	0
1028	Robert A. Murphy and George Ennis	Milford Sound	612	0	0
149-154	James Coutts Crawford... ..	Cape Farewell and Blind Bay	Not stated.		
207	John Guard and — Wymen ...	Cloudy Bay	Not stated.		
359	Polynesian Company (Rolla, O'Farrell, and others)	New River	64,000	0	0
360	Polynesian Company (Rolla, O'Farrell, and others)	Bluff	384,000	0	0
145	William Eppes Cormack	Waipa	5,500	0	0
146	Ditto	" "	12,000	0	0
147	Ditto	Waikato	2	0	0
930	William Mayhew	Mangawai	20,000	0	0
1315	James Maclean	Croixelles Harbour	150	0	0
2	George Green	Stewart Island	198	0	0
288	Lachlan Allan McCaskill	Thames	1,047	0	0
521	Henry Williams	Bay of Islands	652	0	0
287	Lachlan Allan McCaskill, Allan McCaskill, and Samuel McDonald Martin	Ohinemuri	902	0	0
288	Rev. Angus Martin	Thames River	1,254	0	0
289	Ditto	" "	141	0	0
726	William Webster (Fredk. Whitaker)	Piako	12,855	0	0
961	W. Devlin (Sir Stuart Donaldson)	" "	1,464	0	0
539	R. Kent (by William Young) ...	Hokianga	640	0	0
97-98	John Church	Bay of Islands	100	0	0
129	Couper, Holt, and Rhodes	Kapiti Island	Not stated.		
130	Ditto	Otaki and Waikanae	Not stated.		
132	Ditto	Hawke's Bay	Not stated.		
133	Ditto	" "	345,000	0	0
134	Ditto	Cape Turnagain	883,000	0	0
228	William G. C. Hingston	Bay of Islands	500	0	0
230	Ditto	" "	300	0	0
327	John Martin	Hokianga	53	0	0
652	Henry Day	Bay of Islands	1,600	0	0
710	George William White (A. Willis)	Bay of Plenty	723	0	0
842	Scott, Russell, and Anderson (Malcolm Brown)	Whangarei	20	0	0
924	Thomas Black	Tauranga Harbour	300	0	0
1086-7	Thomas Jackson (Brown and Campbell)	Onehunga	50	0	0
1276	John Ruby Hatfield	Weiti	104	0	0
1296	Daniel Clucas (A. Rooney) ...	Lucas Creek	137	0	0
1314A	Laurie and Joseph	Kawhia	Not stated.		