

## MAORI PURPOSES BILL

### EXPLANATORY NOTES

*Clause 3 :* Section 25 (3b) of the Maori Trustee Act, 1930, empowers the Maori Trustee, with the consent of the Board of Maori Affairs, to appoint managers of farms under his control at a salary fixed by the Maori Trustee with the approval of the Board. Although not in fact employed by the Government, nor paid by the Government, such managers are in law so employed and paid. The managers of farms controlled by the Maori Land Boards are in the same position, but are appointed with the approval of the Public Service Commission at a salary approved by the Commission. The purpose of this clause is to place the Maori Trust station managers on the same footing as Maori Land Board station-managers.

*Clause 4 :* The Ngaitahu Trust Board Act, 1946, limits the right to participate in the benefits thereunder to beneficiaries ascertained by the Maori Land Court and their descendants." Thus if a beneficiary were to die without leaving direct descendants the next-of-kin could not be included as beneficiaries and the right would lapse. The purpose of this clause is to enable the Court, in such circumstances, to appoint persons other than direct descendants of the deceased to succeed to his rights. By providing for the appointment of successors in accordance with the provisions of section 176 (2) of the Maori Land Act, 1931, it is ensured that such successors will be relatives of the original beneficiary through whom the rights are derived, but not relatives by marriage alone.

*Clause 5 :* This amendment is rendered necessary by the preceding clause.

*Clause 6 :* At the present time the Member of the Executive Council representing the Maori race is a member of the Board of Maori Affairs by virtue of his having been specifically appointed by the Governor-General in Council. It is considered proper that his membership should be *ex officio*, and this clause provides accordingly. The clause further provides that in the absence of the Chairman, who is the Minister of Maori Affairs, from a meeting of the Board, the Member of the Executive Council representing the Maori race shall preside at such meeting.

*Clause 7 :* In several places, particularly in the South Island, Tribal Committees have been formed in isolated districts which are so distant from other Maori communities that it is impracticable to link them with any Tribal Executive. As a Tribal Committee can only exercise the powers delegated to it by a Tribal Executive these isolated Committees are unable to function. The purpose of this clause is to enable the powers of a Tribal Executive to be conferred upon such Committees by Order in Council.

*Clause 8 :* At present the funds of a Tribal Executive or a Tribal Committee must be paid into a bank account, or, with the consent of the Minister, a Post Office Savings-bank account. Some Executives and Committees have expressed the desire to open accounts with Maori Land Boards, which exist largely for the purpose of controlling Maori funds, and there appears to be no objection.

*Clause 9 :* This clause authorizes payments to be made by the Maori Trustee and the Waiariki District Maori Land Board, from their respective accumulated funds, to assist in the erection of a guesthouse for Maoris at Rotorua. The guesthouse has been erected under the auspices of the Maori Women's Health League for the temporary accommodation of Maoris visiting Rotorua to attend hospital, Maori Land Court sittings, &c.

*Clause 10:* This clause is to give effect to a recommendation of the Maori Land Court in respect of Petition No. 19 of 1947. The petitioner's dwelling is situated on lands left to her in the will of the deceased. Through ignorance of the legal position the petitioner was too late in filing an application for probate of the will and has been unable to succeed to the land. This clause will empower the Court to hear an application for probate, notwithstanding the fact that more than two years have elapsed since the date of death of the deceased.

*Clause 11:* In 1931 some of the owners of Te Kuiti 2B 1A 8 Block sold their interests to the Crown, it being understood at that time that the area of the block was 2 acres 2 roods 25.9 perches. Since then it has transpired that a road-line which was thought to be a public road running along one boundary of the block has not been declared a public road and is part of the block. The true area of the block, therefore, is 3 acres. The remaining owners have recently sold the whole of their interests to the Crown, but an area of 30.056 perches remains outstanding in respect of the 1931 purchases.

The value of this area is £5 Os. 2d., and the owners are so numerous that the interest of each is worth a very small sum.

To avoid the delay and the expense which would be occasioned to all parties by purchasing each individual interest, it is deemed desirable to declare the whole block to be Crown land and to arrange for payment of the value to the persons found by the Court to be entitled.

*Clause 12:* Section 22 of the Maori Purposes Act, 1938, reserves the fishing-rights in Lake Roto-Aira and part of the Poutu Stream to members of the Tuwharetoa Tribe and provides penalties for illegal fishing, but no authority is empowered to exercise control over fishing in these waters. The purpose of this clause is to appoint the Tuwharetoa Trust Board, a representative body controlling tribal funds, to be the controlling authority with power to employ a ranger. The ranger is to be appointed by the Board with the approval of the Minister of Maori Affairs and will have the powers usually conferred upon rangers, except the power of arrest.

Power is also given to the Tuwharetoa Trust Board to commence proceedings in its own name.

*Clause 13:* Under many leases of areas of Maori land which are vested in Maori Land Boards for administration the lessees have a right to compensation for improvements. Some of the leases have recently fallen in and others will shortly fall in. Questions have arisen in relation to the valuations which are required to be made for the purpose of ascertaining the value of the improvements for which the lessees are entitled to compensation, and to afford time in which these questions and other points can be considered and determined, and to keep the lands in production, it is proposed to extend the term of the expiring leases until the end of June, 1950.

*Clause 14:* As a result of the widespread flooding in the Gisborne and Wairoa districts in May, 1948, a number of Maori settlers suffered heavy losses. To provide immediate relief to some of these settlers pending general relief measures, the Tairāwhiti District Maori Land Board made available a sum of £500. The purpose of this section is to validate payments made from this fund.

*Clause 15:* Certain persons claim to have been wrongly excluded from the title to Lake Waikaremoana in consequence of their being omitted from a list of the descendants of one Paora Rakau, handed into the Maori Land Court on the investigation of title of the lake. As the result of a petition the Court has inquired into the matter and has reported that a *prima facie* case has been established. This clause empowers the Maori Appellate Court to investigate the claim and amend the title to the lake by inserting such of the descendants of Paora Rakau as they find are entitled to be owners, and to define their interest therein.

*Clause 16 :* The land referred to in this clause was set aside for the common use of the Ngati Whakaterere tribe pursuant to section 20 of the Maori Purposes Act, 1933, which provides that the land shall be absolutely inalienable while so vested. The tribe is anxious to effect improvements to the pa and wishes to lease the land to raise funds for that purpose.

*Clause 17 :* The acquisition of any interest in land on Kapiti Island other than by the Crown was made unlawful by the Kapiti Island Public Reserve Act, 1897. The family home of Mrs. Utauta Webber, which was situated on the island was burned down several years ago. It is now desired to rebuild the house, but it has transpired that the site, which is the only suitable building-site on the northern part of the island, is not part of Mrs. Webber's property, but part of Waiorua Kapiti No. 5A Block, the interests in which are owned by other Maoris and the Crown. One of the Maori owners is prepared to sell his interest to Mrs. Webber, and it is proposed to transfer the Crown interests to her in exchange for a right-of-way over her land to give access to other Crown lands. The purpose of this clause is to enable Mrs. Webber to acquire interests in the land which formed her house-site.

*Clause 18 :* The Palmerston North Reserves comprise land in Palmerston North which was granted to certain Maoris of Waiwhetu, Lower Hutt, in exchange for a Maori reserve at Lowry Bay. The original list of owners compiled in 1876 included one Wi Hapi Pakau, but when a declaration of trust relative to the reserves was executed by the Public Trustee in 1887 the schedule of beneficial owners contained no reference to Wi Hapi Pakau. The successors to Wi Hapi Pakau allege that his name was wrongly omitted from the schedule. The purpose of this clause is to enable the Court to inquire into the matter.

*Clause 19 :* Certain funds payable to the estate of Pukepuke Tangiora, deceased, were directed by the will to be accumulated during the lifetime of certain persons. Some of the presumptive beneficiaries, including two ex-servicemen, are desirous of leasing part of the estate lands for farming purposes. This clause is to empower the trustees to expend portion of the accumulated funds in stocking the farms and paying expenses incidental to the establishment of the beneficiaries as farmers.

*Clause 20 :* Section 12 of the Maori Purposes Act, 1941, provided that upon the death of the survivor of five persons named in the will of Hemi Matenga, deceased, the residue of the estate should vest in trustees and be administered for the benefit of the residuary beneficiaries named in the will. In a recent petition to Parliament the residuary beneficiaries unanimously prayed for the repeal of this section to enable the residue of the estate to be distributed on the death of Utauta Webber, the survivor of the five persons mentioned above. At the same time the residuary beneficiaries asked that legislation be enacted to enable the issue of any of them who should die before the said Utauta Webber to take the share which would have gone to their parent. This is not provided for in the will, but as all persons interested are in agreement there can be no objection.

*Clause 21 :* During the financial year ended the 31st March, 1947, the Maori Trustee made a contribution of £500 from assurance and reserve funds to assist in the revision of the Maori translation of the Bible. No statutory authority for such payment existed at the time, and it is desirable that the payment be validated.

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[AS REPORTED FROM THE MAORI AFFAIRS COMMITTEE]

House of Representatives, 24th November, 1948

Right Hon. Mr. Nash

MAORI PURPOSES

ANALYSIS

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| <p><b>Title.</b></p> <ol style="list-style-type: none"><li>1. Short Title.</li><li>2. Provisions of Maori Land Act, 1931, to apply to this Act.</li></ol> <p style="text-align: center;"><b>PART I</b></p> <p style="text-align: center;">AMENDMENT OF LAWS</p> <ol style="list-style-type: none"><li>3. Public Service Commission to consent to appointment of farm-managers.</li><li>4. Court to determine successors to Ngaitahu beneficiaries.</li><li>5. Amending definition of "Ngaitahu beneficiary".</li><li>6. Member of Executive Council representing Maori Race to be member of Board of Maori Affairs.</li><li>7. Powers of Tribal Executive may be conferred on Tribal Committees.</li><li>8. Money of Tribal Executive or Tribal Committee may be deposited with Maori Land Board.</li></ol> <p style="text-align: center;"><b>PART II</b></p> <p style="text-align: center;">MISCELLANEOUS POWERS</p> <p style="text-align: center;"><i>Wairariki District</i></p> <ol style="list-style-type: none"><li>9. Maori Trustee and Wairariki District Maori Land Board authorized to contribute to cost of guest house in Rotorua.</li><li>10. Court may hear and determine application for grant of probate of will of Maea Rakapurua.</li></ol> | <p style="text-align: center;"><i>Waikato-Maniapoto District</i></p> <ol style="list-style-type: none"><li>11. Vesting certain Maori land, wrongly assumed to be public road, in His Majesty the King.</li></ol> <p style="text-align: center;"><i>Aotea District</i></p> <ol style="list-style-type: none"><li>12. Conferring powers on Tuwharetoa Trust Board to appoint rangers in respect of Lake Roto-Aira.</li><li>13. Limited extension of term of leases of vested lands.</li></ol> <p style="text-align: center;"><i>Tairarwhiti District</i></p> <ol style="list-style-type: none"><li>14. Tairarwhiti District Maori Land Board authorized to make grants to Maoris suffering loss from floods.</li><li>15. Authorizing Appellate Court to inquire into and make orders relating to title to Lake Waikaremoana.</li></ol> <p style="text-align: center;"><i>Ikaroo and South Island Districts</i></p> <ol style="list-style-type: none"><li>16. Authorizing leasing of Suburban Section 113, Foxton, set aside as reserve.</li><li>17. Authorizing alienation of part of land on Kapiti Island.</li><li>18. Provisions as to title to Palmerston Maori Reserve.</li><li>19. Provisions relating to the estate of Pukepuke Tangiora, deceased.</li><li>20. Altering provisions relating to Hemi Matenga trust. Repeals.</li></ol> <p style="text-align: center;"><i>General</i></p> <ol style="list-style-type: none"><li>21. Validation of payment by Maori Trustee in respect of translation of the Bible into the Maori language.</li></ol> |
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## A BILL INTITULED

Title.	AN ACT to Amend the Laws Relating to Maoris and Maori Land, to Adjust Certain Claims and Disputes in Relation to Maori Land, to Confer Jurisdiction Upon the Maori Land Court, and for Other Purposes.	5
	BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—	
Short Title.	1. This Act may be cited as the Maori Purposes Act, 1948.	10
Provisions of Maori Land Act, 1931, to apply to this Act. See Reprint of Statutes, Vol. VI, p. 103	2. Words and expressions used in this Act shall, unless the contrary intention appears, have the same meaning as in the Maori Land Act, 1931 (hereinafter referred to as the principal Act), and the provisions of the principal Act, so far as applicable, shall extend and apply to the cases provided for by this Act in as full and ample a manner as if this Act had been incorporated with and formed part of the principal Act.	15

## PART I

## AMENDMENT OF LAWS

	3. Section twenty-five of the Maori Trustee Act, 1930, as amended by section eight of the Maori Purposes Act, 1933, and by section eleven of the Board of Maori Affairs Act, 1934-35, is hereby further amended by omitting from paragraph (b) of subsection three the words " Board of Maori Affairs " wherever they occur, and substituting in each case the words " Public Service Commission ".	25
Public Service Commission to consent to appointment of farm-managers. See Reprint of Statutes, Vol. VI, p. 382 1933, No. 50 1934, No. 44	4. (1) Section twenty-one of the Ngaitahu Trust Board Act, 1946, is hereby repealed, and the following section substituted therefor:—	30
Court to determine successors to Ngaitahu beneficiaries. 1946, No. 33	" 21. (1) The Court may from time to time ascertain and determine the persons entitled to succeed, for the purposes of this Act, to the rights of any of the Ngaitahu beneficiaries who die or who have died since the twelfth day of March, nineteen hundred and twenty-five.	35
	" (2) The persons so entitled to succeed shall in all cases be determined in the same manner as are the persons entitled to succeed on the intestacy of a Maori	

to his beneficial freehold interests in Maori land as provided in subsection two of section one hundred and seventy-six of the Maori Land Act, 1931."

See Reprint of Statutes, Vol. VI, p. 170

5 (2) Any succession order made by the Court before the commencement of this Act in respect of any of the Ngaitahu beneficiaries shall be deemed to have the same force and effect as if this section had then been in force.

10 5. Section two of the Ngaitahu Trust Board Act, 1946, is hereby amended by adding to the definition of the term "Ngaitahu beneficiary" the words "or the successors to any such person as determined by the Court".

Amending definition of "Ngaitahu beneficiary". 1946, No. 33

15 6. (1) Section three of the Board of Maori Affairs Act, 1934-35, is hereby amended by repealing paragraph (g) of subsection one, and substituting the following paragraphs:—

Member of Executive Council representing Maori Race to be member of Board of Maori Affairs. 1934, No. 44

“(g) Any person who is a Maori and who is for the time being a member of the Executive Council representing the Maori Race:

20 “(h) Three other persons to be appointed by the Governor-General in Council.”

(2) Section five of the Board of Maori Affairs Act, 1934-35, is hereby amended by repealing subsection two, and substituting the following subsection:—

25 “(2) The Chairman shall preside at all meetings of the Board of Maori Affairs at which he is present. In the absence of the Chairman from any meeting of the Board the person holding office under paragraph (g) of subsection one of section three of this Act shall be the  
30 Chairman for the purposes of that meeting. In the absence of both the Chairman and the person holding office under the said paragraph (g) the Under-Secretary of the Department of Maori Affairs shall be the Chairman for the purposes of that meeting.”

35 7. Notwithstanding the provisions of section nineteen or section twenty of the Maori Social and Economic Advancement Act, 1945, the Governor-General may, by order in Council, where, by reason of the isolation of a Tribal Committee area or otherwise he  
40 considers it expedient to do so, confer upon a Tribal Committee all or any of the powers conferred upon a Tribal Executive, including the power to make by-laws, by the said Act.

Powers of Tribal Executive may be conferred on Tribal Committees. 1945, No. 43

Money of Tribal Executive or Tribal Committee may be deposited with Maori Land Board.  
1945, No. 43

8. Section twenty-four of the Maori Social and Economic Advancement Act, 1945, is hereby amended as follows:—

- (a) By inserting in subsection three, after the words “ Post Office Savings-bank ”, the words “ or with a Maori Land Board ”: 5
- (b) By inserting in the proviso to the same subsection, after the words “ savings-bank account ”, the words “ or an account with a Maori Land Board ”.

## PART II

10

## MISCELLANEOUS POWERS

*Waiariki District*

Maori Trustee and Waiariki District Maori Land Board authorized to contribute to cost of guest house in Rotorua.  
See Reprint of Statutes, Vol. VI, p. 395

9. (1) Notwithstanding the provisions of section forty-nine of the Maori Trustee Act, 1930, the Maori Trustee is hereby authorized to expend from the Assurance and Reserve Fund referred to in that section the sum of five hundred pounds towards the cost of erecting and equipping a guest house for Maoris in Rotorua for the Women's Health League, Incorporated. 15

(2) The Waiariki District Maori Land Board is hereby authorized to expend from its funds a sum not exceeding two thousand pounds towards the cost of erecting and equipping the guest house for Maoris referred to in subsection *one* hereof. 20

Court may hear and determine application for grant of probate of will of Maea Rakapurua.

10. Notwithstanding anything contained in section one hundred and seventy-five of the principal Act the Court is hereby empowered, upon application in that behalf being made to it not later than six months after the passing of this Act, to hear and determine an application for a grant of probate of the will of Maea Rakapurua, late of Tauranga, a Maori woman. 25 30

*Waikato-Maniapoto District*

Vesting certain Maori land, wrongly assumed to be public road, in His Majesty the King.

11. Whereas certain Maoris, by memorandum of transfer, purported to convey the whole of their respective interests in the land known as Te Kuiti 2b 1A8 Block to His Majesty the King: And whereas it has since transpired that part of the said land is not a public road as it was assumed and that the memorandum of transfer aforesaid was not effective to pass all the interests of the said Maoris in the said land: And 35 40

whereas it is expedient that the land described in subsection *four* hereof, being the land wrongly assumed to be a public road, should be vested in His Majesty the King: Be it therefore enacted as follows:—

5 (1) The land described in subsection *four* hereof shall, as from the passing of this Act, be deemed to be vested in His Majesty the King freed and discharged from any Maori title thereto.

10 (2) The Minister of Lands shall, as soon as may be after the commencement of this Act, cause to be paid to the Waikato-Maniapoto District Maori Land Board the sum of five pounds and twopence as payment for all interests in the said land.

15 (3) The said Board shall distribute the said sum among the persons found by the Court to be entitled thereto.

20 (4) The land to which this section relates is all that parcel of land containing three acres, more or less, situated in Block IV, Otanake Survey District, and called or known as Te Kuiti 2B 1A Number 8 Block.

*Aotea District*

12. (1) The Tuwharetoa Trust Board, constituted under section fifty-five of the Maori Purposes Act, 1931 (in this section referred to as the Board), may, with the approval of the Minister, from time to time appoint a ranger or rangers to exercise authority in respect of Lake Roto-Aira (in this section referred to as the said lake) and that portion of the Poutu Stream more particularly described in subsection one of section twenty-two of the Maori Purposes Act, 1938 (which portion in this section is referred to as the said stream).

Conferring powers on Tuwharetoa Trust Board to appoint rangers in respect of Lake Roto-Aira. 1931, No. 32

30 (2) The Board may pay to any ranger such remuneration for his services as may be approved by the Minister, and any ranger may be at any time dismissed by the Board.

1938, No. 23

40 (3) It shall be the duty of rangers to ensure that the provisions of section twenty-two of the Maori Purposes Act, 1938 (which prohibit fishing, except by certain Maoris, in the said lake and the said stream), are complied with, and for that purpose any ranger may—

45 (a) At all times enter upon and pass along the said lake or the said stream or the borders or banks thereof:



- (b) At all times enter upon any boat used for the purposes of fishing in the said lake or the said stream:
- (c) Examine all standing, floating, or other nets, engines, instruments, rods, lines, lures, or devices that are being used for the purposes of taking or attempting to take fish in the said lake or the said stream by any person not authorized so to do: 5
- (d) Where a ranger discovers a person committing an offence against section twenty-two of the Maori Purposes Act, 1938, the ranger may ask that person his name and address and request him to desist from continuing to commit the offence. If any person refuses to tell his correct name or address or wilfully continues to commit the offence he commits an offence against this section and shall be liable on summary conviction to a fine not exceeding ten pounds. 10 15 20
- (5) Every person who assaults, resists, or obstructs any ranger in the execution of his duties commits an offence and shall be liable on summary conviction to a fine not exceeding ten pounds.
- (6) The production by a ranger of his appointment under this section shall be a sufficient warrant of his authority under this section. 25
- (7) Nothing in this section shall be construed to confer any power of apprehension or arrest on any ranger. 30
- (8) Any proceedings under section twenty-two of the Maori Purposes Act, 1938, or under this section may be commenced at the suit of the Board.
- (9) For the purposes of this section the term "ranger" means a ranger appointed under this section. 35
- 13.** Whereas there have arisen in relation to arbitrations required to be made for the purpose of determining the amount of compensation for improvements payable to lessees holding under leases of lands which are subject to Part XIV or Part XV of the principal Act certain questions of law and fact: And whereas it is desirable that the rights, powers, duties, and obligations of the lessors and the lessees under such of those leases as have recently expired, or which 40

Limited  
extension of  
term of leases  
of vested lands.

are about to expire, should be maintained pending the determination of the questions aforesaid and of other matters and questions arising out of the right to compensation for improvements: Be it therefore enacted  
5 as follows:—

(1) Where any subsisting lease of land subject to Part XIV or Part XV of the principal Act contains a provision to the effect that the lessee shall, on the termination by effluxion of time of the term thereby created,  
10 be entitled to compensation as therein provided, and the term of any such lease will, in accordance with the terms thereof, expire before the thirtieth day of June, nineteen hundred and fifty, the term of any such lease is hereby extended to the thirtieth day of June, nineteen  
15 hundred and fifty.

(2) Every such lease shall be read and construed as if the thirtieth day of June, nineteen hundred and fifty, were the date named therein for the termination thereof, and all the conditions, covenants, provisions,  
20 and agreements contained or implied in every such lease shall, so far as the same are applicable, apply to the term as so extended.

(3) Where any lease of land subject to Part XIV or Part XV of the principal Act contains a provision for  
25 compensation as aforesaid, and the term thereof has expired since the thirty-first day of December, nineteen hundred and forty-six, the term of any such lease shall be deemed to have been and the same is hereby extended until the thirtieth day of June, nineteen  
30 hundred and fifty; and the provisions of subsections *one* and *two* hereof shall, so far as the same are applicable, apply to the lease as so extended.

(4) Notwithstanding anything contained in any lease the term of which is hereby extended, any valuation  
35 required to be made for the purpose of determining the value of the improvements for which the lessee is entitled to compensation shall be lawfully and validly made if it is made at any time between the thirty-first day of December, nineteen hundred and forty-nine, and  
40 the thirtieth day of June, nineteen hundred and fifty; and the period in which application to the Court for the appointment of a receiver is required to be made, in accordance with section two hundred and eighty-seven of the principal Act, for the purpose of enforcing any  
45 charge for improvements, shall not commence to run until the thirtieth day of June, nineteen hundred and fifty.

*Tairawhiti District*

Tairawhiti  
District Maori  
Land Board  
authorized to  
make grants  
to Maoris  
suffering loss  
from floods.  
1942, No. 15

14. (1) Notwithstanding the provisions of section ninety-six of the principal Act, as amended by section four of the Maori Purposes Act, 1942, the Tairawhiti District Maori Land Board is hereby empowered to expend out of moneys in its profit and loss account such sum or sums, not exceeding a total of five hundred pounds, as the Board shall think fit for the relief of any Maori or Maoris residing within the Tairawhiti Maori Land Board District who suffered the loss of, or damage to, real or personal property as the result of floods which occurred in the said district on or about the fourteenth and fifteenth days of May, nineteen hundred and forty-eight. 5 10

(2) Any payment or payments heretofore made by the said Board which that Board would have been empowered to make if this section had been in force at the time of the making of any such payment or payments shall be deemed to have been made under the authority of this section. 15 20

Authorizing  
Appellate Court  
to inquire into  
and make  
orders relating  
to title to Lake  
Waikaremoana.

15. (1) Notwithstanding anything contained in any other Act, the Appellate Court is hereby authorized and empowered, on application in writing being made to it in that behalf within one year from the passing of this Act, to inquire into the matters set forth in the petition to the House of Representatives numbered 107 of 1947 of Paora Waina in respect of interests in Lake Waikaremoana. 25 30

(2) If the Appellate Court finds that any of the issue of Paora Rakau, other than those included in the order of the Court made on investigation of the title to the land to which the said petition relates, had rights to the said land, the Appellate Court may amend the said order by including therein as owners such persons for such shares as it thinks right, just, and equitable, and by making such corresponding adjustments in the shares of any of the other owners included in the said order ~~lake~~ as are necessary and expedient. 35

*Ikaroa and South Island Districts*

Authorizing  
leasing of  
Suburban  
Section 113,  
Foxton, set  
aside as reserve.  
1933, No. 50

16. (1) Notwithstanding the provisions of section twenty of the Maori Purposes Act, 1933, the trustees for the time being appointed by the Court pursuant to the said section to hold and administer the land known as Suburban Section 113 of the Township of Foxton (or 40

Whakawehe Block) are hereby empowered to alienate the said land or any part or parts thereof by way of lease (but not otherwise) for any term not exceeding twenty-one years.

5 (2) Every such alienation shall require confirmation by the Court in the same cases and in the same manner as if it were an alienation by a Maori owning land in severalty.

(3) Every instrument of alienation shall be in writing  
10 signed by not less than two trustees.

(4) So far as regards any Maori signing any such instrument of alienation as a trustee, the provisions of section two hundred and sixty-eight of the principal Act (relating to formalities of execution) shall extend  
15 and apply to the execution of that instrument in the same manner as if it were an instrument of alienation of Maori land by that Maori.

17. (1) Notwithstanding the provisions of the Kapiti Island Public Reserve Act, 1897, or ~~in~~ of any other  
20 enactment, it shall be lawful for Utauta Webber, of Paraparumu, widow, to acquire the whole or part of the undivided interests of His Majesty the King or any other person in the land described in subsection *six* of this section. Authorizing alienation of part of land on Kapiti Island. 1897, No. 28

25 (2) The provisions of Part XIII of the principal Act (relating to the alienation of Maori land by a Maori) shall apply to any instrument of alienation which may be executed by any Maori in favour of the said Utauta Webber pursuant to this section.

30 (3) On application being made to it by the Minister of Lands, the Court may make an order vesting in the said Utauta Webber for an estate in fee-simple any interests owned by His Majesty the King in the said land upon such conditions as may be agreed upon  
35 between the Minister of Lands and the said Utauta Webber.

(4) The District Land Registrar is hereby authorized to make all such alterations and amendments in the Register as may be found necessary to give effect to any  
40 order made by the Court under this section.

(5) Any estate or interest which may be acquired in the said land by the said Utauta Webber pursuant to this section shall, upon any such acquisition, continue to be subject to the restrictions imposed by the Kapiti  
45 Island Public Reserve Act, 1897.

(6) The land to which this section relates is that parcel of land containing four acres, more or less, situated in Kapiti Survey District called or known as Waiorua-Kapiti Number 5A Block.

Provisions as to  
title to  
Palmerston  
Maori Reserve.  
1946, No. 37

18. Notwithstanding anything contained in section 5  
fifteen of the Maori Purposes Act, 1946, the Court is  
hereby authorized, upon application being made to it  
within one year from the commencement of this Act,  
to inquire whether, through some error or omission,  
the name of Wi Hapi Pakau was omitted from the list 10  
of persons published in the declaration of trust executed  
by the Public Trustee on the twenty-fourth day of  
October, eighteen hundred and eighty-seven, being the  
declaration of trust referred to in the said section  
fifteen, and if the Court considers that it is established 15  
that any such error or omission has been made, the  
Court shall submit a report to the Minister of Maori  
Affairs setting out the facts and the grounds for its  
conclusion and a recommendation as to what amend-  
ments should be made in the records of the Maori 20  
Trust Office or of the Court to rectify any such error  
or omission.

Provisions  
relating to the  
estate of  
Pukepuke  
Tangiara,  
deceased.  
1943, No. 24  
1946, No. 37

19. In addition to the powers conferred upon them  
by section seventeen of the Maori Purposes Act, 1943,  
and section sixteen of the Maori Purposes Act, 1946, 25  
the trustees in the estate of Pukepuke Tangiara,  
deceased, notwithstanding any of the provisions in the  
said enactments or in the will of the said deceased,  
may, to the extent of that person's interest in the fund  
referred to in the said will as the accumulated fund, 30  
expend, on behalf of any person presumptively entitled  
to a share of the said accumulated fund, any moneys  
in the fund or the income arising from the investment  
thereof for the purpose of purchasing live or dead stock  
for farming purposes and also for farm maintenance, 35  
legal expenses, and other expenses incidental to farming.

Altering  
provisions  
relating to  
Hemi Matenga  
trust.

20. Whereas Hemi Matenga, late of Wakapuaka,  
near the City of Nelson, died on or about the twenty-  
sixth day of April, nineteen hundred and twelve, leaving  
a will bearing date the twenty-second day of November, 40  
nineteen hundred and eleven, probate whereof was  
granted by the Maori Land Court at Wellington on the  
fifteenth day of July, nineteen hundred and twelve:  
And whereas by his said will the said Hemi Matenga,

gave, devised, and bequeathed all his real and personal estate not otherwise disposed of by his will unto his trustees upon trust to sell, call in, and convert the same into money, and when invested to pay certain  
5 moneys out of the resulting income and to accumulate the residue of the income by investing the same and the resulting income thereof to the intent that the accumulations should be added to the capital of his residuary trust fund and follow the destination thereof; and after  
10 the death of the survivor of Metapere Ropata, Winara Parata, Hira Parata, Mahia Parata, and Utauta Webber he directed that his trustees should pay to the New Zealand Maori Mission Board the sum of one thousand pounds, and should pay and divide the residue of his  
15 residuary trust fund unto and among such of George Ropata, Ngamoana, Herehere, Te, and Pahia (children of the said Metapere Ropata), Paioke, Raw, Hauangi, and Tata (children of the said Winara Parata), Tohuroa (child of the said Hira Parata), Tukumaruru,  
20 Rarangi, SMIKE, and NARONA (children of the said Utauta Webber), and the two other children of the said Utauta Webber as should be living at the death of the said survivor in equal shares: And whereas of the said Metapere Ropata, Winara Parata, Hira Parata,  
25 Mahia Parata, and Utauta Webber, the said Utauta Webber alone is now living: And whereas the persons contingently entitled to share in the residue of the residuary trust fund are desirous that if, prior to the death of the said survivor, any person so contingently  
30 entitled shall have died, whether before or after the passing of this Act, leaving issue who are living at the death of the said survivor, any such issue should take the share or interest which the person so contingently entitled would have taken had he or she then been  
35 living: Be it therefore enacted as follows:—

(1) Upon the death of Utauta Webber referred to in the said will (hereinafter in this section referred to as the annuitant) the trustees of the estate of the said Hemi Matenga shall hold the residuary trust fund  
40 referred to in the said will upon trust to pay to the New Zealand Maori Mission Board the sum of one thousand pounds and to pay and divide the residue of the residuary trust fund in equal shares unto and among such of George Ropata, Ngamoana Ropata, Herehere

Ropata, Te Ropata, Paioke Parata, Raw Parata, Hauangi Parata, Tata Parata, Tohuroa Parata, Tukumaru Webber, Smike Webber, Rarangi Webber, Naronā Webber, and Piki Webber (all of whom are referred to in this section as the contingent residuary beneficiaries) as shall be living at the death of the annuitant: 5

Providing that should any of the contingent residuary beneficiaries have died prior to the passing of this Act or shall hereafter die prior to the death of the annuitant leaving issue who survive the annuitant, any such issue shall take through all degrees *per stirpes* the share of the residuary trust fund which any such contingent residuary beneficiary would have taken had he or she survived the annuitant. 10 15

(2) The trusts hereby declared are in substitution for and replacement of the trusts declared by the will of the said Hemi Matenga, deceased.

(3) This section shall come into force on the date of the death of the said Utauta Webber if any of the contingent residuary beneficiaries are alive at that date, but not otherwise. 20

(4) Nothing contained in this section shall in any way prejudice or affect the rights, either vested or contingent, in the estate of the said Hemi Matenga, deceased, of Reuben Stephens or Konehu Bailey, grandchildren of the said Hemi Matenga, or of any person claiming under or through them or either of them. 25

Repeals.

(5) Section twelve of the Maori Purposes Act, 1941, and section six of the Maori Purposes Act, 1946, are hereby repealed. 30

#### General

Validation of payment by Maori Trustee in respect of translation of the Bible into the Maori language.

**21.** The payment of the sum of five hundred pounds made during the financial year ended on the thirty-first day of March, nineteen hundred and forty-seven, by the Maori Trustee to the British and Foreign Bible Society to assist in the revision of the translation of the Bible into the Maori language is hereby validated and declared to have been lawfully made. 35