

Hon. Mr. Sheehan.

Maori Real Estate Management.

ANALYSIS.

<p>Title. Preamble. 1. Short Title. 2. Trustees of infant Maoris to have power to sell real estate. 3. Trustees may join in partition. 4. Proceeds of sale may be laid out in purchase of other lands.</p>	<p>5. Or may be invested in Government securities. 6. No sale or partition to be made without consent of Judge of Native Land Court. 7. Judges of Native Land Court to have jurisdiction for purposes of this Act. 8. Validation of prior sales or contracts. 9. Payments of purchase money and appropriation thereof on such sales and contracts validated.</p>
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A BILL INTITLED

AN ACT to amend "The Maori Real Estate Management Act, 1867."

Title.

WHEREAS it is expedient that provision should be made whereby

Preamble.

Trustees of real estate belonging to infants of the Maori race, appointed under "The Maori Real Estate Management Act, 1867," should be enabled to sell and dispose of such real estate or any part thereof to Her Majesty the Queen, in the manner hereinafter provided :

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 Maori Real Estate Management Act Amendment Act, 1877."

Short Title.

2. Every Trustee appointed under "The Maori Real Estate Management Act, 1867" (hereinafter called "the said Act") in whom shall be vested the real estate of any infant Maori within the meaning of the said Act, is hereby empowered to sell and dispose of the same, or any part or parts thereof, to Her Majesty the Queen, or to any person on her behalf, in such manner, and on such terms and conditions, as such Trustee may think fit or expedient.

Trustees of infant Maoris to have power to sell real estate.

3. Where such real estate shall consist of an undivided share, the Trustee may concur in a partition, or join in any other act or do any other necessary thing for the division of the entirety of such property, and may give to or take from Her said Majesty, or any person on her behalf, any money by way of equality of partition.

Trustees may join in partition.

4. With consent of a Judge of the Native Land Court, to be given on an application to be made for that purpose, the Trustee may lay out the proceeds of any sale, or any money received by him by way of equality of partition, in the purchase of other lands of like tenure situate in the colony, and the same when so purchased shall vest in and be held by the Trustee, subject to the same trusts, powers, and provisions as the property so sold or partitioned.

Proceeds of sale may be laid out in purchase of other lands.

Or may be invested
in Government
securities.

5. All moneys to arise from any such sale, or to be received by way of equality of partition, not invested as before provided, shall be invested in Government securities in the colony, and the interest and annual produce thereof shall be applied for the persons beneficially entitled thereto, in the manner by the said Act provided.

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No sale or partition
to be made without
consent of Judge of
Native Land Court.

6. No power of sale or of partition shall be exercised under this Act without the consent of a Judge of the Native Land Court, who shall inquire into the circumstances of the proposed sale or partition and as to all the facts attending the same, and if he shall be satisfied that it is one which may be allowed to be made, he shall make and sign an order approving of the sale or partition.

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Judges of Native
Land Court to have
jurisdiction for pur-
poses of this Act.

7. Every Judge of the Native Land Court shall have jurisdiction for the purposes of this Act, and the Judges of the said Court, or any three of them, of whom the Chief Judge of such Court shall be one, may make rules regulating the course of practice and procedure on applications for orders approving of sales and partitions and orders of investment under this Act.

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Validation of prior
sales or contracts.

8. Every sale to Her Majesty or to any person on her behalf of any such real estate which has been made, and every agreement or contract for any sale or partition of such real estate which has been *bonâ fide* entered into, by any Trustee appointed as aforesaid before the passing of this Act, shall be deemed as valid as if made or entered into after the passing of this Act, and so far as the same may be incomplete shall be completed in accordance with this Act, but no consent under the sixth section of this Act shall be required to any such sale or partition made and completed before the passing of this Act.

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Payments of purchase
money and appropri-
ation thereof on such
sales and contracts
validated.

9. All payments made by or on behalf of Her Majesty on account of any such purchase of real estate or any interest therein, before the passing of this Act, shall be deemed to have been lawfully made. All payments on account of any sale or partition of such real estate or any contract or agreement in respect thereof, made to any person or persons who according to Maori custom would be regarded as the guardians of the infant Maoris whose estates or interests have been so sold, partitioned, or agreed to be sold or disposed of, shall be deemed valid for all purposes, and any Trustee so paying any such moneys shall be discharged from all liability or responsibility to his *cestuis que* trust in respect thereof or in relation thereto.

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