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Hon. Mr. Bryce.

NATIVE COMMITTEES.

ANALYSIS.

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A BILL INTITULED

AN ACT to constitute Native Committees in proclaimed Districts.

Title.

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

- 5 1. The Short Title of this Act is "The Native Committees Act, 1883." Short Title.
2. "Native person," in this Act, means and includes Natives, half-castes, and their descendants by Natives. Interpretation.
- 10 3. The Governor may proclaim any district a Native district for the purpose of this Act, and at any time may alter or revoke such Proclamation. Governor may proclaim districts.
- 15 4. In any district proclaimed a Native district under this Act, a Resident Magistrate or Government Agent, appointed in such Proclamation, (hereinafter called "the Returning Officer,") having jurisdiction within such district, so soon as he conveniently can, shall publicly notify in populated parts of the district, by advertisement, placard, notice or otherwise, as he shall see fit, a day, not being less than
- 20 a Native Committee for the district shall be elected; and in such notification shall appoint a place where nominations will be received of Native persons to be members of such Native Committee, and shall set out such instructions to persons having a right to nominate members of the Committee for the district as he shall see fit.
- 25 5. Upon the day so named as aforesaid the Returning Officer shall preside, between the hours of ten in the morning and four in the afternoon, at the place appointed, and receive nominations in writing
- Procedure on election.

or verbally of one or more Native persons, not being more than twelve, to be members of the Committee, from persons resident within such district who are entitled to vote for a Native member of the House of Representatives.

Members elected to be notified in *Kahiti*.

6. The twelve persons receiving the greatest number of nominations shall be the Committee for the district; and the Returning Officer, at twelve o'clock at noon the day after the nomination, shall cause a public notice to be posted up in a conspicuous place, in which he shall cause to be inserted the names of the Committee elected; he shall also forward the names of the Committee to the Native Minister, who shall publish them in the *Kahiti* as the Committee for the district. 5

Qualification of members. Resignations. Vacancies.

7. The following provisions shall have effect as to the constitution of Committees:—

- (1.) Any person qualified to vote at an election of members of a Committee may be elected a member thereof. 15
- (2.) Any member of the Committee may resign his seat by writing to the Chairman, or verbally at a meeting of the Committee.
- (3.) If any member is guilty of an offence punishable by any law of the colony with imprisonment, his seat shall be thereby vacated. 20
- (4.) If any member is absent from four consecutive meetings of the Committee, without its leave, his seat shall be vacated.
- (5.) No Committee shall be deemed to be insufficiently constituted if less than twelve members are elected; but, when the members of a Committee are reduced to less than six, the Committee shall be thereby dissolved, and a new election shall be held as in the original instance. 25
- (6.) The Governor may at any time, if he shall think fit, dissolve any Committee, and appoint a new election to be held. 30

Proceedings of Committees.

8. The following provisions shall be in force relating to the meetings of the Committee:—

- (1.) The first meeting of the Committee shall be convened by the Native Minister, and all subsequent meetings by the Chairman, in such manner as he shall think best. 35
- (2.) At the first meeting the Committee shall elect one of its members to be Chairman, who shall without delay present himself to the Returning Officer, and take the oath of allegiance to Her Majesty, which such officer is hereby empowered to administer. 40
- (3.) The Chairman, being sworn, shall administer the oath of allegiance aforesaid to all the members of the Committee. No member of the Committee shall take his seat until he has taken the oath aforesaid. 45
- (4.) No business shall be transacted by the Committee unless a quorum is present, which shall consist of half the whole number of members when that number is even, and of a majority when that number is odd. When a Committee consists of only six members four shall be the quorum. 50

(5.) The Chairman shall, when present, preside at all meetings of the Committee, and in his absence the members present shall elect some member present to be Chairman of the meeting.

(6.) Every question coming before the Committee shall be decided by open voting and by the majority present, and in case of an equality of votes the Chairman or member acting as Chairman shall have a second or casting vote.

(7.) The Chairman shall cause minutes of the proceedings of the Committee to be kept in a book, in which shall be entered the names of the members attending each meeting, and the names of the members voting on each question, with the side on which they vote respectively, when there is a division of the Committee.

In such book shall also be entered every resolution, order, or proceeding of the Board, including a notice of every leave of absence given to any member.

(8.) The minutes of proceedings of each meeting shall be read aloud at the subsequent meeting, and, if approved by the Committee, the Chairman shall sign the same in the presence of the Committee, and shall insert the date of his making his signature.

9. The Committee from time to time may frame, alter, or amend rules for the conduct of its business: But no such rules, alterations, or amendments shall come into operation before being gazetted in the *Kahiti*.

Rules for conduct of business.

10. Every Committee shall have a seal, to be approved of by the Native Minister, which shall be used for the purpose of authenticating documents issued by it.

Committee to have an official seal.

11. The Committee may sit as a Court of arbitration and make awards in any case of dispute between Natives usually resident in the district, where the cause of dispute has arisen within the district and the matter does not exceed *twenty* pounds in value.

Arbitration in case of dispute.

But, before proceeding with any such arbitration, the Native parties thereto shall agree, by memorandum in the Maori language, signed by them, or, if they or either of them cannot write, attested by the Chairman of the Committee in the presence of two adult Natives, that the case shall be determined by the Committee, and that they will submit to the award of the Committee as if it were a judgment of the Resident Magistrate's Court.

The memorandum may be in the form of the *First* Schedule hereto.

12. Every award made by a Committee under the *last preceding* section shall be signed by the Chairman and two other members of the Committee, and shall be binding on the parties to be affected thereby in the same manner as if it had been a judgment given in a Resident Magistrate's Court.

Award of Committee to be final and binding on parties.

13. If any such award is resisted, the Chairman shall forward the same to the Resident Magistrate having jurisdiction in the district, to be filed in his Court, and thereupon such award shall operate as if it had been a confession of judgment made by the party against whom the award is made, for the whole amount specified therein.

Award may be filed in Resident Magistrate's Court, and have effect as a confession of judgment.

Committee may investigate questions of title to land and report thereon to Native Land Court.

14. In any of the following cases—

- (1.) Where it is desired to ascertain the names of the owners of any block of land being passed through the Native Land Court; or
- (2.) Where it is desired to ascertain the successors of any deceased Native owner; or
- (3.) Where disputes have arisen as to the location of the boundary between lands claimed by Natives,

the Committee may make such inquiries as it shall think fit, and may report their decision thereon, certified in writing in the Maori language under the hand of the Chairman of the Committee, to the Chief Judge of the said Court for the information of the Court.

Notices to be inserted in *Kahiti* free of cost.

15. All notices of any kind in the *Kahiti* published under authority of this Act shall be inserted free of cost.

Schedule.

SCHEDULE.

REFERENCE TO ARBITRATION.

WE agree that the dispute between us whereby [*Name of plaintiff*] claims [*Here state nature of claim*] shall be determined by the Native Committee for the District of _____, and we agree to accept the award of the Committee, and to submit thereto, as if it were a judgment given in the Resident Magistrate's Court.

A.B.

C.D.

NOTE.—If either or both of the parties cannot write, he or they shall attach his or their mark, in the presence of the Chairman of the Committee and two adult witnesses, in the manner following:—

A.B., his x mark. Witness, E.F., Chairman.
C.D., his x mark. Witness, E.F.

Attested in the presence of us—

G.H. } Adult witnesses.
K.L. }