

NATIVE EQUITABLE OWNERS ACT 1886 AMENDMENT.

ANALYSIS.

- Title.
1. Short Title.
2. Section five amended.

3. Where share in land has been sold.
4. Partition.
5. Partitions heretofore made.
6. Applications to be made within two years.

A BILL INTITULED

- AN ACT to amend "The Native Equitable Owners Act, 1886." 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 Equitable Owners Short Title.
Act 1886 Amendment Act, 1889."
2. Section five of "The Native Equitable Owners Act, 1886" Section five
(hereinafter called "the said Act"), shall be read as if the words amended.
"or any share therein" had been omitted therefrom.
10 3. When any share in the land subject to the provisions of the Where share in land
said Act had before the passing of the said Act been sold by the has been sold.
nominal owner or owners of such share, or by his or their successors,
the persons declared to be beneficially entitled shall not be deemed to
be tenants in common of such share or entitled to any beneficial
15 interest therein.
4. When application has been made to the Court by any person Partition.
claiming to be beneficially entitled in any land subject to the provisions
of the said Act, no order partitioning the land shall be made until the
Court has made an order under the said Act.
20 5. Where any land subject to the provisions of the said Act has Partitions hereto-
heretofore been divided or partitioned under any Act in force at the fore made.
time when such division or partition was made, the Court may never-
theless proceed to inquire into the existence of any intended trust,
and in the event of any persons being declared beneficially entitled,
25 other than those amongst whom the land has been divided or parti-
tioned, such division or partition shall, so far as may be necessary, be
annulled, and such fresh partition made as the justice of the case may
require.
30 6. No application under the second section of the said Act shall Applications to be
be made after the expiration of two years from the date of the passing made within two
of this Act. years.