

Mr. Taiwhanga.

NATIVE LAND ADMINISTRATION.

ANALYSIS.

Title.	PART IV.
Preamble.	SURVEYS.
1. Short Title.	13. Surveys.
2. Interpretation.	14. Duty of Council respecting surveyed lands.
	15. Crown grants.
PART I.	PART V.
INALIENABLE LANDS.	FINANCE.
3. Inalienable lands.	16. The Maori Estate Fund.
	17. Application of fund.
PART II.	18. Clerk of Council to be Receiver of Revenue.
MAORI LANDS.	19. Advances.
4. Lands for sale and settlement.	20. Accounts to be audited.
5. Maori estate.	PART VI.
6. Land and mining laws to apply.	CENSUS.
7. All Maori lands to be open for application and settlement.	21. Maori census to be taken.
8. Counties Act to apply.	22. Proportionate share of chiefs.
9. Roads to vest in the Crown.	23. Errors and omissions may be corrected and remedied.
10. Lands for public works.	CERTIFICATES OF SHARES.
11. Reserves.	24. Certificates of shares to be issued.
PART III.	25. Certificates not to be transferable.
ADMINISTRATION OF THE MAORI ESTATE.	26. Register to be kept.
12. Maori Council.	27. Infants' shares, how to be dealt with.

A BILL INTITULED

AN ACT to abolish Maori Usage and Custom concerning Native Lands, and to assimilate the Laws relating to the Administration of Native Lands to the Laws relating to the Administration of Crown Lands.

WHEREAS the Maori estate consists of fourteen millions of acres or thereabouts: And whereas the delay and expense of investigating and individualising Maori title is a serious hindrance to the advancement of the Maori race and to the colonisation of their lands: And whereas it is expedient that the special laws relating to Native lands should be repealed, and that provision should be made to assimilate the laws relating to the administration of Native lands, and to apportion the revenue derivable therefrom amongst the Maori chiefs and people:

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

- Short Title. 1. The Short Title of this Act is "The Native Land Administration Act, 1889."
- Interpretation. 2. "Maori" shall include half-caste, and "tribe" shall include hapu.

## PART I.

5

## INALIENABLE LANDS.

- Inalienable lands. 3. There shall be set apart areas of land equivalent to acres for each man, woman, and child of the Maori race, except Hori Kerei (Taiaroa, who is otherwise provided for.
- (a.) Such areas shall be selected in such parts of the North and South Islands as the Maoris shall decide upon, and, unless a contrary decision shall be come to, the settlements at present occupied by each tribe respectively shall to the extent aforesaid be deemed to be the areas referred to in this subsection. 10
- (b.) The said areas shall be surveyed as soon as conveniently may be into allotments of                    acres each, and one of such allotments shall be apportioned to each man, woman, and child. 15
- (c.) The selection of each allotment shall be determined by lot, or in such other manner as the adult members, acting on behalf of themselves and their children, of each tribe may decide upon at the time of such survey; and upon such selection being made it shall be the duty of the surveyor making such survey to record the name of each allottee on the plan of such allotments. 25
- (d.) Such survey and allotment shall have reference to the date on which this Act shall come into operation.
- (e.) In case of any allottee dying without issue, his or their allotment shall form part of the Maori lands, and be dealt with under Part *Third* of this Act accordingly. 30
- (f.) Every Crown grant issued in pursuance of such selection and allotment shall contain restrictions against alienation.

## PART II.

## MAORI LANDS.

35

- Lands for sale and settlement. 4. All other lands belonging to Maoris, or to which they may be entitled, including reserves heretofore made, and whether Crown-granted or not, shall vest in the Maori Council hereinafter mentioned, and shall be deemed to be Maori lands absolutely freed and discharged from all tribal and other rights and restrictions whatsoever. 40
- Maori estate. 5. Such last-mentioned lands shall form the Maori estate, and shall be dealt with as hereinafter mentioned.
- Land and mining laws to apply. 6. The land laws and mining laws of the colony in force for the time being for the sale, leasing, mining, or other disposition of Crown lands shall, *mutatis mutandis*, apply to Maori lands, and shall be deemed to be incorporated herewith, and such lands shall be dealt with accordingly. 45

7. Subject to existing leases or other tenancies, the whole of the Maori lands shall be open for application and settlement under the various systems prescribed by the said Acts, as may from time to time be determined.

All Maori lands to be open for application and settlement.

5 8. The provisions of "The Counties Act, 1886," shall apply to Maori lands, and all rates levied in respect of such lands shall be applied in making roads through and over the same.

Counties Act to apply.

9. All lands required and appropriated for roads shall vest in the Crown.

Roads to vest in the Crown.

10 10. All lands required for roads, railways, and other public works may be granted, without payment, to the Crown, or to any public body or company making such railway or public work, and grants of land in aid may be made.

Lands for public works.

15 11. Reserves may be set apart for public purposes similar to reserves in other parts of the colony.

Reserves.

PART III.

ADMINISTRATION OF THE MAORI ESTATE.

12. The Maori estate shall be managed and administered by a Council or Board consisting of Maoris.

Maori Council.

20 (a.) The Council shall be elected in the same or similar manner as Maori members of the House of Representatives are now elected under "The Maori Representation Act, 1867," and for the purposes of this subsection the said Act shall be deemed to be incorporated herewith; but in lieu of each district returning one member, each district shall return members.

25 (b.) The first election shall be proceeded with so soon as conveniently may be after the coming into operation of this Act.

30 (c.) The Council so elected shall appoint a President, who shall be a European, and shall hold office during good behaviour, or until removed by the unanimous decision of the Council.

35 (d.) The Council shall be styled "The Maori Council," and shall be a corporation, and shall have a common seal, and may sue and be sued in its corporate capacity.

(e.) The functions of the Council, when dealing with Maori lands, shall be analogous to the functions of the Waste Lands Boards of the colony.

40 (f.) The offices of the Waste Lands Boards of the colony may, by consent and agreement with the Minister of Lands, be the offices of the Council, and the principal office shall be in the City of Wellington.

45 (g.) Regulations shall be framed by the Council for the proper conduct and management of business, and all proceedings shall be open to the public, and all plans and other records shall be public records.

(h.) The President and Council shall receive such remuneration for their services as the Council may decide upon.

- (i.) The Council shall have jurisdiction to hear and determine all applications and questions arising under this Act concerning the administration of Maori lands, and in cases of doubt or difficulty may state a case for the opinion of the Supreme Court, and subject thereto all decisions of the Council shall be final and conclusive. 5

## PART IV.

## SURVEYS.

Surveys.

13. So soon and whenever the Council shall by resolution have determined that any block or area of land shall be surveyed, and the regulations under which the same shall be disposed of, a copy of such resolution shall be forwarded to the Surveyor-General, who shall cause the necessary survey to be made, and the same rules and practice shall be followed, as nearly as may be, as if the said lands were Crown lands. 10 15

Duty of Council respecting surveyed lands.

14. Upon such survey being made a plan of the same shall be forwarded to the Council, and the Council shall thereupon take all necessary proceedings for realising and disposing of the same.

Crown grants.

15. All Crown grants for Maori lands shall be countersealed with the seal of the Council, but all leases, licenses, and mining rights shall be sealed with the seal of the Council only. 20

## PART V.

## FINANCE.

The Maori Estate Fund.

16. The proceeds of all sales, and of all rents and income derivable from the sale, letting, and disposing, of Maori lands shall be paid into a bank to the credit of "The Maori Estate Account," and all compensation to which the Maoris may be or may become entitled shall form part of the same fund. 25

Application of fund.

17. Subject to the payment of the cost of surveys, salaries, rent of offices, advertising, travelling, and other expenses pertaining to the administration of the said estate, the fund from time to time available shall be distributed half-yearly on the first days of January and July in each year between and amongst the chiefs and Maori people, in accordance with share-certificates to be issued to them respectively as hereinafter provided. 30 35

Clerk of Council to be Receiver of Revenue.

18. The Clerk of the Council, who shall find good and sufficient security for his intromissions, shall be Receiver of Maori Land Revenue.

Advances.

19. Until the said account shall be in funds from the sale, letting, and disposal of Maori lands the Council may from time to time obtain advances in cash to defray the cost of survey and general management of the Maori estate, and the Maori estate shall be a security for the due payment of such advances. 40

Accounts to be audited.

20. The accounts of the Council shall be audited by public auditors, and published in the *New Zealand Gazette* in the Maori and English languages. 45

431

## PART VI.

## CENSUS.

21. As soon as conveniently may be after the passing of this Act a Maori census shall be taken in such manner and form as may be prescribed, distinguishing the chiefs from the common people, the chiefs being divided into two classes—that is to say, chiefs of the first rank and chiefs of the second rank.

Maori census to be taken.

22. Chiefs of the first rank shall be entitled to participate in the Maori Estate Fund in the proportion of \_\_\_\_\_ pounds to one pound, and chiefs of the second rank shall be entitled to participate in the said fund in the proportion of \_\_\_\_\_ pounds to one pound, of the common people.

Proportionate share of chiefs.

23. All errors and omissions in the said census may be corrected and remedied by the Council as the justice of the case may require.

Errors and omissions may be corrected and remedied.

## CERTIFICATES OF SHARES.

24. Certificates of shares shall be issued to the chiefs and people of the three classes specified in Part Six, as representing the proportionate share to which each holder shall be entitled to participate in the Maori Estate Fund and every distribution thereof.

Certificates of shares to be issued.

25. Such certificates shall not be transferable or assignable, and shall not be available in bankruptcy.

Certificates not to be transferable.

26. A register of such certificates shall be kept by the Council, and upon the death of any holder such certificate may be transferred to his or her legal personal representatives; and in the event of such holder dying without issue, and intestate, such certificates shall terminate and lapse, and a minute of such termination shall be entered in the register-book.

Register to be kept.

27. The shares of infants shall be payable to their parents or guardians for their maintenance and education.

Infants' shares, how to be dealt with.