

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and having this day passed as now printed is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

*House of Representatives,
15th August, 1888.*

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

Hon. Mr. Mitchelson.

NATIVE LAND.

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A BILL INTITULED

AN ACT to repeal "The Native Land Administration Act, 1886," and to make Provision in lieu thereof. Title.

WHEREAS it is desirable ~~that the privileges and liabilities to which the European population of this colony is entitled and subject should from time to time be extended to the Maori population, with the object, as early as expedient, to make the same laws in all respects applicable alike to both races:~~ Preamble.
5 ~~And whereas the time has arrived for taking a step in this direction by amending the special laws affecting Native lands to amend the laws relating to Native lands:~~

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

1. The Short Title of this Act is "The Native Land Act, 1888." Short Title.

2. In this Act,—

"Native" means an aboriginal native of New Zealand, and includes half-castes and their descendants ~~by Natives.~~ Interpretation.

15 "Land" includes all land held by Natives under any title except under their customs or usages.

3. "The Native Land Administration Act, 1886," is hereby repealed: Provided that the renewal of a lease heretofore made on the faith of section twenty-seven of the said repealed Act shall be as
20 effectual as if section two of the said repealed Act had not contained the following paragraph, namely, "Only sections thirty-two and thirty-three of this Act shall apply to land now the subject of a lease for an outstanding term during the continuance of such term."

4. Subject to the provisions of "The Native Land Frauds
25 Prevention Act, 1881," and of "The Native Land Frauds Prevention Act 1881 Amendment Act, 1888," Natives may alienate and dispose of land or of any share or interest therein ~~in like manner as other subjects of Her Majesty in New Zealand not of the Native race as they think fit.~~ How Natives may alienate their land.

Struck out.

5. Every instrument under which Natives hold or are entitled to land subject to restriction on alienation shall hereafter be read and construed as if the words declaring such restriction were omitted from such instrument :

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New paragraph.

Restrictions removed.

5. Existing restrictions on alienation may be removed or declared void by the Governor in Council on the application of a majority in number of the Native owners, and instruments containing such restrictions shall thereafter be read and construed as if the words imposing or recommending restrictions had been omitted therefrom.

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Alienated lands may be used for mining purposes.

Provided that nothing in this clause contained shall affect the validity or invalidity of any deed or document heretofore executed or signed, or any matter or thing done prior to the passing of this Act.

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6. All lands which, from the date of passing of this Act, may hereafter become alienated from Natives in any existing mining district, or in any district which may hereafter be proclaimed a mining district, shall be liable to be resumed for mining purposes by Her Majesty, on paying full compensation to the licensee, lessee, or owner of the fee-simple thereof, for *the* value, other than auriferous or argenti-ferous, of the land and improvements so resumed, upon the terms and conditions provided in "The Mining Act, 1886," or any amendments thereof.

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Renewal of lease.

7. The renewal of a lease made under section twenty-seven of the said repealed Act shall be as effectual as if to the said section twenty-seven there had been added the following words: "Provided that when any such owner is under any disability it shall be lawful for the trustee of such owner, and he is hereby empowered to grant any such renewal."

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Application of Act.

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New clause.

8. This Act shall not apply to any lands under the management or subject to the control of the Public Trustee.