

*New Parliament.*

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

*Legislative Council,  
15th December, 1887.*

*Hon. Sir F. Whitaker.*

## NATIVE LAND COURT ACT 1886 AMENDMENT.

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### A BILL INTITULED

An Act to amend "The Native Land Court 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 Land Court Act 1886 Amendment Act, 1887;" and this Act shall be read and construed as part of "The Native Land Court Act, 1886" (hereinafter called "the said Act").

Short Title.

10 2. Any conveyance of land held by memorial of ownership or certificate of title issued by the Native Land Court, executed since the thirtieth day of September, one thousand eight hundred and eighty-six, may be lodged with a Native Land Court Registrar, together with a true copy of such deed and of any indorsements thereon; and it shall be a duty of such Registrar to make a minute

15 of the contents of such deed upon any memorial or certificate of title in his custody, and having relation to the land the subject of such deed.

Interim registration.

20 3. Where one such deed or several such deeds together effect a conveyance of the entire area held under a certificate or memorial, it shall be a duty of the Chief Judge, at the expiration of three months from the lodging of such deed, or from the last of such lodgments where more than one, to forward such deed or deeds to the Minister of Lands, with such report as he may deem fit, and particulars of any unexpired leases of such land registered in the Native Land Court.

Land transfer certificate may issue.

25 Thereon a warrant for the issue of a certificate of title under "The Land Transfer Act, 1885," may issue to the person entitled under such deed or deeds. Such warrant shall be accompanied by the particulars of leases as aforesaid, if any.

Interest already  
acquired by the  
Crown may be  
ascertained.

4. A Minister of the Crown may at any time cause application to be made to the Court to ascertain the interest, if any, acquired by Her Majesty in any parcel of land, and in respect of such an application the Court shall have the powers and authorities it would have in respect of a matter within its ordinary jurisdiction, and may make such order thereon as it may deem fit. 5

Land by such order declared to have been acquired by Her Majesty shall, from the date of such order, be deemed to be vested in Her Majesty for such estate as in such order mentioned. As to the residue of such parcel of land the Court may make order declaring such residue to be the property of such of the owners of the parcel of land as shall be mentioned in such order, exclusive of their theretofore co-owners, and the owners so mentioned shall thereon be owners of such residue, exclusive of any theretofore co-owners. 10

Restrictions may  
be directed.

5. An order made under the said Act in favour of a Native may direct that the title given by or to be derived under such order shall or shall not be subject to any and if any to what restrictions on alienation, and that whether the title to the land partitioned was or was not theretofore subject to any such restrictions, and land the subject of an order directing restrictions on alienation shall be thereafter held subject to such restrictions, and any Crown grant thereof shall be made subject thereto. 15 20

Payment of rent  
where individual  
interests  
determined.

6. Where the individual interests of Native lessors of land have been determined, rent accruing to them under a lease may be paid to them in proportion to such individual interest, unless otherwise reserved by such lease. 25

Rent may be  
paid to agents.

7. Such payment may be made to each individual lessor of his share as so determined, or to any person or persons appointed and authorised by the lease to receive the rent to accrue thereunder on behalf of the lessors. A receipt signed by such person or persons shall be a good discharge for the money therein expressed to be received. 30

Where right to rent  
uncertain, Judge  
may make direction.

8. Any lessee of land may make summary application to a Judge for an order that any rent to accrue under such lease, or accrued and unpaid, be paid into some public account to be named by such order, or to some official to be nominated by the Governor. Thereon such Judge may make such order as he may deem fit, and payment of the amount of any such rent as aforesaid, in accordance with any such order, shall be deemed a payment made in accordance with the terms of the lease. 35 40

A Judge may from time to time, by order, direct that the moneys, or any part thereof, so paid in shall be paid out to or among the lessors, or to some person on their behalf, as such Judge may deem fit.

Amendments of  
"The Native Land  
Court Act, 1886."

9. Section three of the said Act shall be read as if after the words "and includes Native reserves" had been added the words "except coming within the term 'land.'" 45

Section seventeen of the said Act shall be read as if the words "subject to and in manner directed by any rules for the time being in force" had been omitted therefrom. 50

Section twenty-three of the said Act shall be read as if the last twenty-one words therein had been omitted therefrom.

Section twenty-six of the said Act shall be read as if the last twelve words had been omitted therefrom.

5 Section thirty-three of the said Act shall be read as if to the third line thereof there had been added the words "and each such order shall be prepared in duplicate, and when an approved plan of the parcel of land the subject thereof shall have been placed thereon."

Section forty-three of the said Act shall be read as if the words "without having made a disposition thereof by will" had been omitted therefrom.

10 Section one hundred and three of the said Act shall be read as if after the word "Judges" there had been inserted the words "or a majority of them," and as if the second paragraph therein had been omitted.

10. This Act shall continue in force until the end of the next Duration of Act. session of Parliament, but no longer.