

Hon. Mr. Ballance.

## NATIVE LAND DISPOSITION.

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## A BILL INTITULED

Title.

AN ACT to control Dealings with Land owned by Natives.

BE IT 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 Disposition Act, 1885." 5

## PART I.

## PRELIMINARY.

Scope of Act limited.

2. This Act shall not apply to land—  
 Now the subject of a lease for an outstanding term, during 10  
 the continuance of such term ;  
 Administrable by the Public Trustee under "The Native  
 Reserves Act, 1882."  
 Set apart as reserves for Natives under "The West Coast  
 Settlement (North Island) Act, 1880;" 15  
 While subject to "The Thermal-Springs Districts Act, 1881;"  
 Nor, save in Part VII., to land held by Natives under their  
 custom or usage, the title whereto has not been investi-  
 gated by the Native Land Court.  
 Section one hundred and twenty-one of "The Railway Autho- 20  
 rization Act, 1881" shall have effect as if this Act had  
 not been passed.

Interpretation.

3. In this Act, if not inconsistent with the context,—  
 "Board" means a Board of Management appointed under this  
 Act:

- “Commissioner” means a Commissioner appointed under this Act:
- “Court” means the Native Land Court of New Zealand:
- 5 “District” means a district constituted under this Act:
- “Judge” means Judge of the Court:
- “Land” means any parcel of land owned by Natives:
- “Local Committee” means Natives whose names may be respectively inscribed under this Act:
- 10 “Native Committee” means a Committee under “The Native Committees Act, 1883:”
- “Native” means an aboriginal native of New Zealand, and includes half-castes and their descendants by Natives:
- “Owner” means any Native owner of land, save and except in cases where the land has been purchased from the Crown or from
- 15 Europeans, and is held under Crown grant or conveyance to such owner individually, and includes persons registered under section seventeen of “The Native Land Act, 1867:”
- “Registration” means registration under any Act relating to registration of deeds or to land transfer:
- 20 “Sealed” means sealed with the seal of a Board.
4. Districts proclaimed under “The Native Committees Act, Districts. 1883,” shall be districts under this Act.

## PART II.

## COMMISSIONER.

- 25 5. The Governor may from time to time appoint such person or persons as he may think fit to be a Commissioner or Commissioners under this Act, and may from time to time, as he may think fit, remove such Commissioner or Commissioners. One or more Commissioners may be appointed.
6. The Governor may also from time to time during the absence
- 30 or illness of a Commissioner appoint a Deputy Commissioner, who shall, subject to the Governor’s pleasure, have and exercise the powers vested in a Commissioner. Deputies.
7. In the event of more than one Commissioner being appointed
- the Governor may define the district or districts within which such
- 35 Commissioner may exercise the powers vested in him under this Act. Commissioners’ districts.

## PART III.

## BOARDS OF MANAGEMENT.

8. For each district there shall be a Board of Management, to be called “The Board of Management, District.” Board of Management to be appointed.
- 40 Each Board shall consist of the Commissioner for the time being, the Chairman of the Native Committee of the district, and another person, to be from time to time appointed by the Governor, who shall hold office during the Governor’s pleasure.
- 45 9. The names of the respective persons who, according to the provisions of this Act, will constitute the Board of Management for each district shall be severally notified by the Native Minister in the *Gazette* and in the *Kahiti*, and, on and from the publication of such notice in the *Gazette*, the Board of Management the subject of such
- 50 notice shall assume the corporate capacity hereinafter provided for, Persons constituting Board to be gazetted.

If no Chairman of Native Committee, a person may be appointed to sit at Board in his stead.

**10.** If immediately before the notification aforesaid, or at any time or times thereafter, the office of Chairman of the Native Committee for a district shall be or become vacant, the Native Minister may appoint a Native to be a member of the Board of which such Chairman would have been a member and in the place of such Chairman.

Such person shall continue to be such member until it shall be notified by the Native Minister in the *Gazette* and *Kahiti* that a Chairman of such Native Committee has been appointed, and, on such notice appearing in the *Gazette*, such elected Chairman shall become a member of such Board in the place of the person appointed as aforesaid.

A person may be appointed by the Native Minister as aforesaid, and with like effect, in the event of a Chairman of a Native Committee declining to act on a Board.

Acts of Board not affected by irregular appointments.

**11.** No vacancy or irregularity in the constitution of a Board, so far as relates to the seat thereat hereby appropriated to a Chairman of a Native Committee, or person in his stead, shall affect the constitution of such Board, or the validity of any Act or procedure done by it or under its authority.

Board to be a Corporation.

**12.** Each Board shall be a Corporation, and shall have a common seal.

With a seal.

The Commissioner shall provide and have the custody of the common seal of each Board.

Procedure of Board.

Resolutions, procedure, and acts of the Board shall be determined by the votes of a majority of its members, of which majority the Commissioner shall be one.

Chairman.

The Commissioner shall preside at all meetings of the Board as Chairman, and shall have a casting vote as well as an original one.

#### PART IV.

##### LOCAL COMMITTEES.

Local Committees to be elected.

**13.** Adult owners of land, being more than seven in number, and desirous of having the same dealt with under this Act, shall elect seven of themselves to be a Local Committee.

Where owners more than seven in number.

An election shall be by nomination in writing signed by a majority of such owners.

Each such owner may nominate seven or any less number of owners, of whom he may be one.

Nomination-papers shall be signed in the presence of and attested by a Justice of the Peace, Licensed Interpreter, or any European person engaged in the service of the Government.

Names of elected owners to be registered.

Nomination-papers shall be transmitted to the Commissioner.  
**14.** The Commissioner shall first satisfy himself that a majority of such owners are nominators, and shall then inscribe the names of the seven owners who have received the largest number of nominations in a book to be kept for the purpose, to be called the Local Committee Register.

On registration Local Committee duly constituted.

**15.** On such inscription being had, the persons whose names are inscribed shall thereon be the Local Committee under this Act in respect of such land.

16. Where adult owners of land are less than eight in number, if a writing signed by a majority of such owners, and expressing a desire that such land shall be dealt with under this Act, be transmitted to the Commissioner, he shall, having satisfied himself that the writing is so signed, transcribe as aforesaid the names of such majority, who thereon shall be a Local Committee in respect of such land. This Committee may be less than seven in number.
17. At the first meeting of any Local Committee, such Committee shall elect a Chairman, whose name shall be forwarded to the Commissioner, and shall be inscribed by him in the Local Committee Register.
18. A member of a Local Committee may resign by a writing signed by him, and transmitted by the Chairman of the Committee to the Commissioner.
19. In the event of a vacancy in a Local Committee by reason of death or resignation of a member, another adult owner may be elected and his name inscribed in the manner hereinbefore provided in the place of such member.
20. Until any such vacancy be so filled up, the Local Committee shall continue to be a Local Committee under this Act, notwithstanding its members be less than seven in number.
21. The Governor may, upon receiving an application certified by the Commissioner to be signed by not less than two-thirds of the adult owners, dissolve any Local Committee.
- A notification of such dissolution shall be published in the *New Zealand Gazette* and *Kahiti*, and thereupon a fresh Local Committee shall be elected as aforesaid.
22. A Local Committee shall cease to be such Committee when its duties in relation to the land in respect whereof they were nominated have been performed, or when four years have elapsed from the time when their names were inscribed as aforesaid.
- In the event of a Local Committee ceasing to be such by effluxion of time, another Committee shall be elected as aforesaid in its place.
23. A Local Committee may, by writing signed by a majority of its members, make its direction whether the land shall be sold or leased or partly sold and partly leased, and may therein include such suggestions as to details of the proposed disposition, or as to parts of land to be reserved from disposition, as it may think fit.
24. Such writing shall be transmitted to the Commissioner, who, if satisfied that it is signed as prescribed, shall enter a minute thereof in the book aforesaid.
25. Owners may sell or lease to the Crown without and notwithstanding the appointment of a Local Committee.
- A Local Committee may sell or lease to the Crown.
- A conveyance or lease of land made to the Crown executed by the members of a Local Committee shall be good and effectual, and be entitled to registration.
26. In the event of the dissolution of a Local Committee, or other termination of such Committee, all acts done and completed previous to such dissolution or termination by the Committee under

Election where owners less than eight in number.

Chairman to be elected.

Member may resign

Vacancy how filled up.

Vacancy not to dissolve Committee.

Governor may dissolve a Committee.

Fresh Committee may be elected.

Determination of Committee.

Local Committee may direct how land to be dealt with.

By writing sent to Commissioner.

Owners may deal direct with the Crown.

So may Committee.

Committee may convey to the Crown.

Previous acts of Committee not prejudiced by termination.

this Act and in accordance with its provisions shall be effectual and binding.

Minors. **27.** Nothing done under this Act shall be invalidated by reason of a minor having wrongfully assumed the powers and functions vested by this Act in an adult owner of land. 5

## PART V.

### DUTIES, ETC., OF BOARDS.

Board to consider "direction" from Committee. **28.** On the receipt by the Commissioner of a direction of a Local Committee it shall be submitted by him to the Board, whose first duty shall be to consider the best means of giving effect thereto in accordance with this Act and any regulations, rules, or orders made hereunder. 10

And prepare report. **29.** The Board shall thereon prepare a "report" setting out the course in which they propose to give effect to the direction.

Report gazetted. **30.** A copy of such report shall be gazetted and also published in the *Kahiti*. 15

Board to make disposition of land. **31.** A Board, being guided by such report, and by any regulations, rules, or orders made under this Act, and having regard to any such objections and suggestions, may proceed, in such manner as it may deem best, to make sale or lease of the land the subject thereof; and such Board is hereby empowered to lay off such roads, make such surveys, and generally to perform all acts, matters, and things which they may deem fit for the carrying into effect disposition of land under this Act. 20

And convey or lease. **32.** A writing, sealed and signed by the Commissioner, and purporting to be a conveyance or lease or a contract for a conveyance or lease of land, shall be respectively deemed a good and valid conveyance, lease, or contract, and to have been made by all the owners of the land the subject thereof and as if none of such owners were under any disability, and shall be entitled to registration. 25

Implied powers in Board as vendors or lessors. **33.** When a conveyance or lease of land is made under this Act the Board shall have the powers following:— 30

To sue for, recover, receive, and give receipts for any purchase-money:

To distrain, sue for, recover, and give receipts for money to accrue as rent: 35

To enforce contracts for the sale or lease of land, and compel payment of sums to become due in respect thereof:

To determine any terminable contract respecting land:

To resume possession of land on the right so to do accruing under any contract relating to land: 40

To do such other acts and things as may be enjoined on them by regulations, rules, or orders under this Act.

Commissioner to be the Executive Officer of Board. **34.** The Commissioner shall be the Executive Officer of the Board for all the purposes of this Act.

Deeds not under Act illegal. **35.** Save as made under or authorized by this Act, every deed or writing hereafter signed and intended to affect title to land shall be illegal. 45

Private persons not to acquire land from Natives. **36.** Save as provided by this Act, no person shall by himself or his agent, purchase, or acquire, or contract, or agree to purchase or acquire from any owner any land or any estate or interest therein.

Any person so doing shall be liable to imprisonment for not less than three or more than twelve months, or to a penalty of not less than twenty or more than five hundred pounds. Penalty.

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## PART VI.

## DISPOSITION OF MONEYS.

**37.** All moneys accruing under the provisions of this Act from sales or rents of lands, or otherwise, in any district shall be paid to the Commissioner, who shall, day by day, or at such times as rules may prescribe, pay the same into such bank as the Governor directs, to the credit of an official account of the Commissioner therein, to be called the Native Land Fund Account. Moneys to be received by the Commissioner and

Such account shall be operated on only by cheque, signed by the Commissioner, or in such manner as rules may prescribe. paid into official account.

**38.** All such moneys shall be deemed to be public moneys within the meaning of "The Public Revenues Act, 1878," and the Acts amending the same, and all the provisions of the said Acts in relation to public moneys and to all persons dealing therewith shall apply to the moneys accruing under this Act and to all persons dealing with the same. "The Public Revenues Act, 1878," to apply to moneys received.

**39.** The Commissioner shall keep full accounts of the receipts and payments of the Native Land Fund in such form as the Controller and Auditor directs, and shall show therein separately the receipts and payments in respect of each parcel of land dealt with under this Act, and shall, at the end of every month, send to the Audit Office a copy or abstract of such accounts in such form as the Controller and Auditor-General directs. Accounts to be kept by Commissioner.

**40.** Moneys received by the Board as purchase-money or rent in respect of each parcel of land shall be paid to the owners, after deducting therefrom— Moneys to be paid to owners after deductions.

A sum equal to five pounds per centum upon all purchase-money or rent to be received under this Act, and which shall be paid to Her Majesty towards the costs not otherwise provided for of giving effect to this Act;

The cost of surveying and laying off roads, and advertising, and the cost, or part of the cost, of making roads under this Act;

The amount of any moneys certified by the Surveyor-General to be owing by the owners in respect of any surveys or plans of such land, either to the Surveyor-General or other surveyor, or certified by a Judge to be owing for Court fees.

Such deductions may be made out of the first moneys so received, or by instalments, within seven years, out of moneys to accrue on any sale or lease made by the Board. Amount of deductions to Consolidated Fund.

The Commissioner shall pay all moneys so deducted into the Public Account to the credit of the Consolidated Fund. Distribution of balance among owners as agreed to by them.

**41.** In order to facilitate the payment to owners of moneys to accrue to them under this Act, the Commissioner may, before making a payment, require from the owners a statement in writing of the relative share of each owner in the land; and such moneys shall be

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paid among such owners in like proportion as the owner's share in the land.

Or as directed by Court.

42. If the owners do not agree in a statement, the question shall be referred by the Board to a Judge of the Native Land Court, who shall make his order as to the amount to be paid to each owner. 5

Shares of infants, &c.

Moneys accruing to owners under disability may be retained by the Commissioner, or be paid or applied to such persons, or in such manner as he may deem beneficial to such owner.

Copy of agreement or order as to distribution to Audit Department.

43. The Commissioner shall send to the Audit, for record therein, a copy of every such agreement or order of the Court showing the relative share of each of the owners in any parcel of land. 10

Owners may appoint agent to receive moneys.

44. All or any number of owners may by writing signed as hereinbefore required, in regard to nomination papers, authorize one or more persons being owners of such land to receive any moneys to accrue to the owners so signing under this Act. 15

Moneys may be placed on deposit.

45. The whole or any portion of the proceeds of any land dealt with under this Act, which may be payable to the owners, may, upon a request made to the Commissioner in writing by a majority of the adult owners of such land, be deposited with the Public Trustee, to be invested by him to the best advantage for the benefit of the owners, in such proportions as may be determined under clauses *forty-one* and *forty-two* of this Act, or may be expended in the purchase of an annuity for one or more of the said owners. The Commissioner may, at the request made in writing of any one or more of the owners, deal with his, her, or their share or shares of the proceeds of any land, in the manner foregoing, as may be desired by such owner. 20 25

Commissioner to report annually.

46. Before the            day of           , one thousand eight hundred and eighty-six, the Commissioner shall furnish to the Minister of Native Affairs a report giving a full statement and account showing as to each parcel of land all dealings had therewith by the Board, and all moneys received and disposed of by the Commissioner under this Act in relation to such land. 30

Report to be laid before the House.

The Commissioner shall annually furnish a like report. 35  
A copy of such report shall be laid before each House of the General Assembly as soon as may be after its receipt by the Minister.

## PART VII.

### REMEDIAL.

#### (1.) Occupation.

Occupiers without title.

Whereas, with the assent of Natives, occupation of lands was taken before the eighth day of September, one thousand eight hundred and eighty-three, and is still continued to the benefit of such Natives and of the colony at large, but, by reason of the title to such lands not having been determined, legal sanction has not been obtainable to such occupation for any term of years, though the Natives aforesaid are desirous of giving such sanction: 40 45

May in some cases be protected.

And whereas it may be desirable in some cases that effect should be given to the terms upon which such occupation is had, anything in this Act or in law notwithstanding:



Be it therefore enacted :

47. Any person claiming to have such occupation as aforesaid may, at any time within three months from the passing of this Act, deliver to the office of the Chief Judge of the Court a notice in writing  
 5 alleging the fact of such occupation, and setting out—  
 (a.) The situation, area, and character of the land occupied ;  
 (b.) The rent or consideration which has theretofore been paid for occupation, and the names of the Natives, tribe, or hapu to whom payment has been made ;  
 10 (c.) The term, if any, for which it was, on the first day of January, one thousand eight hundred and eighty-five, understood between the Natives and the occupier that occupation should continue ;  
 15 (d.) The amount and value of live stock on the land occupied on the first day of January, one thousand eight hundred and eighty-five ;  
 (e.) The nature and value of improvements effected on the land before the last-mentioned date.

Fact and particulars of occupation to be notified to Chief Judge.

48. Such notice shall be accompanied by a statutory declaration  
 20 verifying the truth of the statements therein. Notification to be verified.

49. Upon the title to any land the subject of such notice coming before the Court for investigation it shall be a duty of a Judge of the Court, at the close of such investigation, to take cognizance of the allegations in such notice, and to inquire into the truth thereof, and  
 25 also who are the Natives who have allowed or participated in the benefit of such occupation, and which of the owners of such land as found by the Court are identical with or representative of such Natives.

Court may inquire into the circumstances of alleged occupation.

An investigation shall be deemed to be closed when there is no application for rehearing within the prescribed time, or when a rehearing has been had.

50. After such inquiry is completed, such Judge shall transmit to the Native Minister a report setting out the result of such inquiry, and recommending that the land so occupied as aforesaid should be not leased to the person so in occupation, or that it should  
 35 be so leased for such period (not exceeding fourteen years) and on such terms and conditions as the Judge may deem to be in accordance with the terms of occupation, and to be warranted by the equitable considerations established on the inquiry aforesaid.

Report to Native Minister.

51. Such report being submitted for the consideration of the Governor in Council, it shall be lawful for, but not incumbent on, the  
 40 Governor to authorize a lease to be made in the terms of such report or otherwise as he may deem fit.

Governor may authorize lease to occupier.

52. On an engrossment in duplicate of a lease in the terms so authorized, and wherein the Board for the district wherein the  
 45 land is situate shall be made the lessors, being transmitted by such occupier to the Native Minister, such Minister, having satisfied himself that such engrossments are in the terms so authorized, shall transmit the same to the Commissioner.

Preparation of lease.

53. The Commissioner shall thereupon sign one of such engross-  
 50 ments, and seal the same with the seal of the Board for the district within which the land is situate, and the occupier shall execute the other.

Execution of lease.

Provisions as to other leases to apply.

54. The provisions hereinbefore contained in respect to leases made under this Act shall apply to leases made under this Part of this Act, save that moneys received for rent shall be paid without any of the deductions hereinbefore mentioned save for moneys certified as aforesaid as owing for survey charges or Court fees.

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(2.) *Unconcluded Transactions.*

Unconcluded transactions may be protected.

Whereas heretofore conveyances and leases of undivided shares of owners have been taken by Europeans with the intention of taking conveyance or lease from the residue of such owners, but which they may be estopped from doing by this Act :

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Be it therefore enacted as follows :—

Notice to be given of any alleged transaction.

55. Any person claiming to have heretofore had made to him any such conveyance or lease may at any time, within three months hereafter, give notice of such claim to the Chief Judge of the Court and to the Commissioner, and deposit with such Judge all documentary evidences of his claim, or copies thereof.

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Court may order a lease to be made.

56. If such Judge be satisfied that such conveyance or lease so claimed has been so made, he may accept from the claimant an application to have the parcel of land, part of which has been so conveyed or leased, dealt with under any Act now or hereafter to be in force in relation to the division of Native land, and such claim shall warrant proceedings for division of such land by the Court ; and thereon the Court may make such order in favour of such claimant as it could now make in respect of an estate or term acquired by a person before one thousand eight hundred and eighty-two in land the subject of a Crown grant.

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To take effect on approval by Governor in Council.

Provided that such order shall not take effect until a minute of the assent thereto of the Governor in Council has been indorsed thereon.

If such assent thereto be refused, the land the subject of such order shall revert back to the jurisdiction of the Court.

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But not to prejudice of parties where title in dispute in Supreme Court.

57. Provided that no order as aforesaid shall be made in respect of any deed the validity or effect whereof is now the subject of proceedings in the Supreme Court, until the validity or effect of such deed has been determined by such Court in favour of the person claiming under it.

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Provision not to prevent division.

58. Provided also that this Act shall not affect the jurisdiction of any Court in relation to the division of land.

Commissioner not to deal under this Act, until lease refused.

59. A Commissioner receiving such notice as aforesaid shall not deal with the land to which it relates, until the matter of such claim has been dealt with under this Act.

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PART VIII.

RESTRICTIONS.

Restrictions on alienation.

Whereas it is dsireable that the removal of restrictions on the alienability of land should be dealt with only after due and formal inquiry :

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Be it enacted :

Dealing with, regulated.

60. The Chief Judge of the Native Land Court shall, by notification in the *New Zealand Gazette* and *Kahiti*, appoint a time and place when the propriety of such removal will be inquired into.

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61. At the time and place so notified, or at some other time and place to which the Chief Judge may order such inquiry to be adjourned, such inquiry shall be had before a Judge, or any two Commissioners who may be appointed by the Governor for the purpose; and such Judge or Commissioners shall forward to the Governor their report upon the application, with such recommendation as they may think fit, for the consideration of the Governor in Council.

Dealing with, regulated.

## PART IX.

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## MISCELLANEOUS.

62. The Governor in Council may from time to time make such orders and general regulations as may be deemed fit for prescribing and regulating—

Regulations may be made as to dispositions of land generally.

15 (a.) The areas in, and the estate, term, or interest for, and the conditions upon, which land may be conveyed or leased under this Act;

(b.) The reservations, conditions, and limitations to be made by or contained in any conveyance, lease, or contract made under this Act;

20 also like orders or regulations to be special to any particular land, or to land in any prescribed district.

63. The Governor may make such other rules and regulations as he may think fit for the better enabling this Act to be given effect to, and for regulating the procedure of persons engaged under it.

Rules may be made for regulating procedure.

25 Such orders, rules, and regulations, when gazetted, shall have like effect as if the matter thereof had been enacted herein.

64. The Governor may from time to time, out of moneys appropriated by the General Assembly for the purchase of land, advance to a Board such moneys as he may deem necessary for use by the Board in executing its duties under this Act.

Moneys may be advanced to Boards.

30 65. Such salaries shall be paid to the several persons appointed or employed under this Act as shall be from time to time appropriated for the purpose by the General Assembly.

Salaries of officers.

35 66. "The Native Lands Frauds Prevention Act, 1881," shall not apply to any alienation under this Act.

"The Native Lands Frauds Prevention Act, 1881," not to apply to dealings under Act. Township, how to be laid out.

67. Land proposed to be laid off into a township shall be deemed to be land subject to the operation of "The Plans of Towns Regulation Act, 1875."

## PART X.

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## REPEAL.

68. "The Native Land Alienation Restriction Act, 1884," is hereby repealed.

Repeal.

Schedule.

## SCHEDULE.

A. (SECTION .)

## FORM OF NOMINATION-PAPER.

"THE NATIVE LAND DISPOSITION ACT, 1885."

As to all that block of land situate in the District, and known by the name of Block, we, the undersigned, being individually owners thereof, and being desirous of having such land dealt with under the provisions of the said Act, do hereby nominate in writing, as the members of the "Local Committee" in respect of such land, the persons following:—

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.

As witness our signatures—

*Signatures of Witnesses :**Signatures of Owners :*

N.B.—This form is only to be used where the owners of a block are more than seven in number, exclusive of owners under twenty-one years of age.

This nomination-paper may be signed by any one or more of the owners of the block, whether male or female, but is not to be signed by owners who are under twenty-one years of age.

Each signature must be made in the presence of a witness, who must sign as such witness, and who must be a Justice of the Peace, a Licensed Interpreter, or a European in the employment of the Government.

A nomination-paper, when signed by one or more owners, may be posted to the Commissioner.

B. (SECTION .)

## FORM TO BE SIGNED WHERE THE OWNERS OF THE BLOCK ARE LESS THAN EIGHT IN NUMBER.

"THE NATIVE LAND DISPOSITION ACT, 1885."

We, the undersigned, being individually owners of all that block of land, situate in the District, and known by the name of Block, do hereby express in writing our desire that such land shall be dealt with under the said Act.

As witness our signatures—

*Signatures of Witnesses :**Signatures of Owners :*

N.B.—This form is only to be used where the owners of a block are less than eight in number, exclusive of owners under twenty-one years of age.

This paper may be signed by any one or more of the owners, whether male or female, but is not to be signed by owners who are under twenty-one years of age.

Each signature must be made in the presence of a witness, who must sign as such, and who must be a Justice of the Peace, a Licensed Interpreter, or a European in the employment of the Government.