

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,
22nd August, 1889.

Hon. Sir F. Whitaker.

[AS REPORTED FROM THE NATIVE AFFAIRS COMMITTEE, 30TH AUGUST, 1889.]

NATIVE LANDS FRAUDS PREVENTION ACTS AMENDMENT.

ANALYSIS.

Title.
1. Short Title.

2. Words not to apply to land owned before passing of "Native Lands Frauds Act, 1888."

A BILL INTITULED

AN ACT to amend the Native Lands Frauds Prevention Acts. 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 Lands Frauds Prevention Acts Amendment Act, 1889." Short Title.

New Clause.

10 2. Subsection (b) of section three of "The Native Lands Frauds Prevention Act 1881 Amendment Act, 1888," is hereby amended to read as follows:— Deed to be explained by a licensed interpreter.

The effect of such deed shall be explained by a licensed interpreter to each Native before signing the same.

15 2. 3. The words "to not more than twenty Natives" in section five of "The Native Lands Frauds Prevention Act 1881 Amendment Act, 1888" (hereinafter called "the said Act"), shall not apply to land not exceeding five thousand acres in area owned by Natives under Crown grant, memorial of ownership, or certificate of title under either a Native Land Court Act or a Land Transfer Act, or in respect of which an order had been made by the Native Land Court 20 for the issue of a Crown grant, certificate of title, or memorial of ownership, or an order under "The Native Land Court Act, 1886," declaring the owners or persons entitled on investigation of title or partition, before passing of the said Act, nor to any land so owned, or the subject of such order as aforesaid, in respect of which a contract 25 in writing for the alienation thereof, or any part thereof, has been made and not completed before the passing of the said Act; and the said section shall be read and construed in respect of such lands as though the said words "to not more than twenty Natives" had been omitted therefrom.

New Clauses.

▲ Trust Commissioner may use evidence taken before another Trust Commissioner.

4. A Trust Commissioner to whom an application to hold an inquiry has been made may, by writing under his hand, request any other Trust Commissioner or a Resident Magistrate to examine any witness whose attendance at the inquiry cannot, by reason of distance or otherwise, be conveniently obtained. The Trust Commissioner or Resident Magistrate to whom such request is made shall give notice, in manner prescribed by any rules made in that behalf, and, in the absence of such rules, in such manner as he may deem expedient, of the time and place at which such witness will be examined. The evidence of such witness shall be reduced to writing, and signed by the witness and the Trust Commissioner or Resident Magistrate, and may be used by the Trust Commissioner holding the inquiry as if given before him in open Court. 5 10

Refusal to be indorsed on deed.

5. The Trust Commissioner shall inquire into the nature of the consideration paid or given in respect of any alienation, and shall refuse a certificate if, in his opinion, the consideration is not reasonably sufficient. 15

Consideration to be inquired into.

6. If a Trust Commissioner decides to refuse a certificate, he shall make a memorandum of the reasons for such refusal on the principal or only instrument.