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Hon. Mr. Bryce.

NATIVE LAND LAWS AMENDMENT.

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A BILL INTITULED

AN ACT to amend the Laws relating to Native Lands.

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 Laws Amendment Act, 1883."

Short Title.

2. In this Act, if not inconsistent with the context,—

Interpretation.

"Certificate of title" means a certificate issued on an original decision, or on a rehearing:

10 "Court" means the Native Land Court created by "The Native Land Court Act, 1880":

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

15 "Native land" means land in the colony owned by Natives under their customs or usages in respect of which no certificate has been issued, or in respect of which a certificate of title shall be issued after the passing of this Act.

3. Section sixty-three of "The Native Land Court Act, 1880," is hereby repealed.

Section 63 of Act, 1880, repealed.

20 4. No person shall in any case be permitted to appear in Court by or to have the assistance therein of any counsel, solicitor, agent, or other representative.

No person to appear by counsel.

25 Provided that if it be shown to the Court that any party to the proceeding is, through age, sickness, or infirmity, or through unavoidable absence, unable to appear, or, if appearing, is incompetent to conduct his case, such person may, in the discretion of the Court, be allowed to appear by a Native.

30 5. The Court may adjourn the hearing of any case from time to time and from place to place; and it shall be a duty of the Court, by the best ways and means, without reference to legal formalities, to ascertain and determine the ownership of Native land.

Court may adjourn, &c.

No person to negotiate for Native land till a fixed day.

6. It shall not be lawful, after the passing of this Act, for any person to negotiate for the purchase, lease, exchange, or occupation of any Native land, or any estate, right, title, or interest therein, until after a day to be fixed by the Governor by proclamation in the *Gazette*.

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Day to be fixed by Proclamation.

Such day shall not be less than thirty days after the publication of the proclamation, and shall be within six months after the issue of the certificate of title.

Conveyances, &c., void,

7. Any person who shall, after the passing of this Act, and before the day to be so fixed as aforesaid, take or accept any conveyance, lease, transfer, gift, or other assurance, whether to himself solely or to himself and others, of any Native land, or be a party to any negotiation, agreement, contract, or promise for the making to him, or to him and others, or to any other person of any such conveyance, lease, transfer, gift, or other assurance, shall forfeit and pay a penalty not exceeding five hundred pounds, to be recovered in a summary way.

And party liable to penalty.

And every such conveyance, lease, transfer, gift, and other assurance, agreement, contract, and promise shall, except as hereinafter provided, be null and void.

Frauds Commissioner to make inquiry.

8. In addition to the other inquiries directed by "The Native Lands Frauds Prevention Act, 1881," to be made by a Trust Commissioner, it shall be his duty and he is hereby required to inquire and ascertain if any such negotiation as aforesaid was commenced or carried on after the passing of this Act and before the day fixed by proclamation as aforesaid.

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Transaction invalid, Commissioner to indorse to that effect.

9. Whenever a Trust Commissioner is satisfied that a transaction is invalid under this Act or "The Native Lands Frauds Prevention Act, 1881," he shall thereupon indorse on the principal or only instrument a certificate under his hand to that effect.

No deed or other instrument so indorsed shall be registered in any Registry of Deeds or Land unless the decision of the Fraud Commissioner shall be reversed or altered on appeal to the Supreme Court, and the indorsement ordered to be expunged, which order the said Court is hereby authorized to make.

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Deeds valid after registration.

10. Nothing hereinbefore contained shall affect the validity of any conveyance, lease, transfer, gift, or other assurance after registration under any Act relating to the registration of deeds or land; but this provision shall not abate the liability of any person to any pecuniary penalty.

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Certain sections incorporated in the Native Lands Frauds Prevention Act.

11. "The Native Lands Frauds Prevention Act, 1881," shall hereafter be read and construed as though sections six, seven, eight, nine, ten, and eleven of this Act had been incorporated in and formed part of the said Act.

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Act not to apply to Crown.

12. Nothing in this Act hereinbefore contained shall affect or apply to the Crown, or to any person acting for or on behalf of the Crown under the authority of a Minister of the Crown.

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Amendment of "The Maori Real Estate Management Act, 1867."

13. "The Maori Real Estate Management Act, 1867," and "The Maori Real Estate Management Act Amendment Act, 1877," shall be hereafter read and construed as though there was expressed therein the provision following, viz.: All moneys to become payable under the said Acts, or under any contract made thereunder shall be paid to the credit of an account, to be opened for the purpose by the

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Public Trustee, whose receipt alone shall be a good discharge to an person paying the same, and whose certificate alone shall be recognized by any Trust Commissioner as evidence of any payment having been made under the said Acts; and such Public Trustee shall not pay any  
5 money out of such account without the written authority of a Judge of the Native Land Court.

**14.** Section ten of the said "Maori Real Estate Management Act Amendment Act, 1877," is hereby repealed, and that Act and "The Native Land Act Amendment Act, 1878 (No. 2)," shall be read  
10 and construed as if such tenth section had not been enacted.

Section 10 "Maori Real Estate Management Act Amendment Act, 1877," repealed.