

for 5

Hon. Mr. Bryce.

NATIVE RESERVES.

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A BILL INTITULED

AN ACT to provide for the Management of the Native Reserves in the South Island of the Colony. Title.

WHEREAS by the terms of the Arahura deed of purchase, dated the twenty-first day of May, one thousand eight hundred and sixty, the land specified in the *Second* Schedule hereto, and known as the Greymouth Native Reserve, was, *inter alia*, set apart for the benefit of certain members of the Ngaitahu Tribe: And whereas promises have been made on the part of the Government of the colony that the said reserve should be granted by the Crown to the Native owners thereof: And whereas, by an Order in Council, dated the third day of February, one thousand eight hundred and sixty-six, the assent of the Native owners was declared to have been ascertained to bringing the said reserve under the operation of "The Native Reserves Act, 1856," whereupon the said land became vested in Her Majesty, subject to the provisions of the said Act as amended by "The Native Reserves Amendment Act, 1862": And whereas a system of leasing thereupon commenced, under which the present lessees now hold, and it is both just and reasonable that arrangements should be made to protect the interests that have grown up under such system: Preamble.

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

1. The Short Title of this Act is "The South Island Native Reserves Act, 1883." Short Title.

Interpretation.

2. In this Act, if not inconsistent with the context,—
“Public Trustee” means the Public Trustee appointed under
“The Public Trust Office Act, 1872”:

“Board” means the Board constituted under the said Act.

“Improvements” shall include buildings, fencing, planting,
draining, reclamation of land, laying down in grass or
pasture, and any other improvement that has been made
upon and added value to the land.

Governor may grant
Grey mouth Reserve.

3. It shall be lawful for the Governor, for and in the name of
Her Majesty, to grant to the several Maoris whose names are set forth
in the *First* Schedule to this Act the Native reserve described in the
Second Schedule hereto, hereinafter called “the said reserve,” to hold
as from the first day of February, one thousand eight hundred and
seventy-nine, as tenants in common in the several proportions or
shares set forth in the said *First* Schedule to this Act.

The grant to be made under this Act shall set forth that the
several shares and interests of the grantees are inalienable by sale,
exchange, mortgage, lease, or other disposition, and every such aliena-
tion shall be null and void.

The legal estate in the several lands granted under this Act shall
be deemed to have been vested in the several grantees respectively
on the day to be set forth in the grant.

Reserves to be
managed by the
Public Trustee.

4. The said reserve, notwithstanding such grant, shall be under
the control and management of the Public Trustee, and, subject
to the special provisions of this Act, shall be managed and leased, or
otherwise dealt with, under and in accordance with the law for the
time being in force in relation to Native reserves, and not otherwise.

The Public Trustee
to offer reserves for
lease.

5. The Public Trustee shall, twelve months at least before the
expiration of the several leases now outstanding, offer the same for
lease, subject to the following terms and conditions, together with such
others as the Board may prescribe:—

Terms and conditions.

(1.) The reserve shall be divided into as many lots as there now
are holdings;

(2.) The leases shall be for twenty-one years, at a rent without
fine, premium, or foregift, except as hereinafter mentioned;

(3.) The improvements on each lot made by the lessee or his
tenant shall be valued in such manner as the Board shall
direct;

(4.) The upset price of each lot shall be fixed by the Board at a
fair annual rent, without reference to the improvements
thereon made before the passing of this Act by the lessee
or his tenant;

(5.) The purchaser of the lease shall pay as a premium or foregift
the value of the improvements to be fixed as aforesaid.

Premiums to be
paid to lessees, &c.

6. The money to be paid as premium or foregift shall be paid to
the several persons who have made the same respectively, or their
assigns or legal representatives.

Provision in case of
dispute.

7. In case any dispute shall arise as to the right of any person to
receive any premium or foregift, or any part thereof, the Board shall
appoint one or more competent person or persons to hear and determine
the same in such manner as the Board shall direct, and the award
made by such person or persons, in writing, shall be final and
conclusive on all persons concerned.

8. The Public Trustee shall in his own name execute the leases to be granted under this Act over the land described in the *Second* Schedule, and the same shall be valid and effectual against Her Majesty and all persons whomsoever.

Public Trustee to execute leases, &c.

5 And whereas there are other Native reserves, here called South Island reserves, in different parts of the South Island, in respect of which a similar system of leasing has been carried out, and it is just and reasonable that a similar protection should be given to the interests that have sprung up thereunder:

Preamble.

10 Be it therefore enacted as follows:—

9. The provisions of "The Native Reserves Act, 1882," shall, so far as applicable, apply to the South Island reserves, subject to the following provisions:—

Provisions of Native Reserves Act to apply.

15 10. When any such reserve now under lease shall, on the expiration or determination thereof, be again leased, the subsections following shall be acted on:—

Grant of future leases.

(1.) The improvements made by the lessee or his tenant on the land comprised in any such lease shall be valued in such manner as the Board shall direct;

20 (2.) The upset price of each lot shall be fixed by the Board without reference to the improvements thereon made by the lessee or his tenant before the passing of this Act;

(3.) The purchaser of the lease shall pay, as a premium or foregift, the value of the buildings, to be so fixed as aforesaid.

11. The foregoing sections *six* and *seven* of this Act shall apply to leases of South Island reserves made under this Act.

Foregoing sections 6, and 7 to apply.

SCHEDULES.

Schedules.

FIRST SCHEDULE.

	Acres.		Acres.
1 Werita Tainui ...	30	14 Timi Tarapuhi ...	30
2 Ihaia Tainui ...	30	15 Hira Makarini ...	25
3 Wikitoria Mutu ...	25	16 Riaki Tauhare ...	25
4 Hoani Tainui ...	14	17 Teoti Pita Mutu ...	25
5 Metapare Wepu ...	14	18 Hira Mutu ...	14
6 Makarini Tohi ...	25	19 Pita Mutu ...	14
7 Wikitoria Waipapa ...	20	20 Inia Tauhare ...	14
8 Amiria Tainui ...	14	21 Wakena Kokoran ...	14
9 Hakiaha te Horo ...	11	22 Hinepakia ...	14
10 Ripeka te Horo ...	10	23 Wakatau Pakapaka ...	16
11 Aperahama te Aika... ..	20	24 Ihaia Tuhuru ...	20
12 Hori Kerei Taiaroa ...	25	25 Inia Tuhuru ...	25
13 Ripiui Waipapa ...	12	26 Riki Mairaki Taiaroa ...	14

SECOND SCHEDULE.

ALL that piece or parcel of land situate at the River Grey, in the County of Westland, containing by admeasurement five hundred acres, more or less, and known as the Greymouth Native Reserve. Bounded towards the North by the River Grey; towards the East, four thousand and fifty links or thereabouts, by freehold land; towards the South, nine thousand eight hundred links or thereabouts, by the Town Belt; and towards the West by a tidal creek: saving and excepting thereout so much and such parts thereof as may have been acquired by the Government either by purchase or for public purposes under the provisions of "The Public Works Act, 1876," and amending Acts.