

[In substitution of Supplementary Order Paper No. 76.]

SUPPLEMENTARY ORDER PAPER.

HOUSE OF REPRESENTATIVES.

Thursday, the 25th Day of October, 1906.

MAORI LAND SETTLEMENT ACT AMENDMENT BILL.

Mr. JENNINGS, in Committee, to move to add the following new clauses:—

Removal of
restriction for
cutting timber
and flax.

4. (1.) Except as hereinafter provided, all restrictions, conditions, or limitations against any license, contract, or agreement given, made, or entered into after the passing of this Act, and granting the right to enter upon any lands owned by Maoris for the purpose of cutting timber or flax thereon and removing the same therefrom, shall immediately on the coming into operation of this Act be deemed to be removed, whether such restrictions are contained in any Act or instrument of title or otherwise:

Provided that no such license, contract, or agreement shall be valid unless there is evidenced thereon the approval of the Maori Land Board constituted under "The Maori Lands Administration Act, 1900," and "The Maori Land Settlement Act, 1905."

(2.) Such approval shall not be granted unless and until the Board is satisfied—

(a.) That such license, contract, or agreement is for the benefit of the Maori owners:

(b.) That the royalty or other consideration is adequate:

And the Board may, upon granting its approval, further impose all or any of the conditions following:—

(c.) That, where the consideration is wholly or partly a royalty payable to the Maori owners, due expedition be used in the felling and removal of the timber:

(d.) That, where the circumstances appear to the Board to warrant any such protective stipulation, the timber be cleared in successive blocks, the license to be from time to time determined as regards such cleared blocks, and the land surrendered to the Maori owners for occupation; or, in the alternative, that the licensee clear and burn and lay down in approved grasses such cleared blocks, retaining use of the land till expiry of license:

(e.) That Maori owners or other Maoris shall, where possible, be employed to carry on the work of felling and removing the timber; or cutting and dressing the flax:

(f.) Such other condition, stipulation, restriction, or provision (if any) as the Board may consider expedient for the purpose of protecting or conserving the interests of the Maori owners or their successors in title.

B. Any license, contract, or agreement given, made, or entered into prior to the passing of this Act, and granting the right to enter upon any lands owned by Maoris for the purpose of cutting timber or flax thereon and removing the same therefrom, may be produced to the Maori Land Board for its approval in the same manner as if such license, contract, or agreement had been given, made, or entered into after the passing of this Act, and upon such approval shall be valid to all intents and purposes :

Provided that nothing herein contained shall render invalid any license, contract, or agreement which may not be produced to the Maori Land Board for approval as aforesaid.

[TRANSLATION.]

PIRE WHAKATIKATIKA I TE TURE WHAKANOHONOHO WHENUA MAORI.

Mr. JENNINGS (Te Heningi), i roto i te Komiti, ka motini kia whakaurua nga tekiona hori e whai ake nei :—

A. (1.) Haunga ia nga tikanga kua whakaritea i raro nei, ko nga herenga, ko nga tikanga, me nga haukotinga katoa i tetahi i etahi raihana, kanataraka, kirimene ranei, i hoatu, i mahia, i whakaritea ranei i muri i te paahitanga o tenei Ture, a e hoatu ana i te mana e ahei ai te haere ki runga ki tetahi ki etahi ranei o nga whenua o nga Maori ki te tua rakau ki te tapahi harakeke ranei i reira a ki te harihari atu i aua mea i reira, hei te wa tonu e whai mana ai tenei Ture kua kore atu aua herenga, ahakoa kei roto aua herenga i tetahi Ture i tetahi pukapuka taitara i tetahi atu mea ranei :

Engari kaua tetahi raihana pera, kanataraka, kirimene ranei e whai mana ki te kore e kitea i runga te whakaaetanga a te Poari Whenua Maori i whakaturia i raro i "Te Ture Whakahaere i nga Whenua Maori, 1900," raua ko "Te Ture Whakanohonoho Whenua Maori, 1905."

(2.) Kaua taua whakaaetanga e hoatu ki te kore te Poari e marama—

(a.) Hei painga taua raihana, kanataraka, kirimene ranei mo nga Maori no ratou te whenua :

(b.) E rahi ana nga roiate era atu utu ranei :

A me ahei te Poari, i tana hoatutanga i tana whakaaetanga, ki te tapiri atu i katoa i etahi ranei o nga tikanga e whai ake nei :—

(c.) Mehemea he roiate anake, ko tetahi wahi anake ranei i roiate, o te moni hei utu ki nga Maori no ratou te whenua, me tere marire ano te tua me te harihari atu i nga rakau.

(d.) Mehemea ki te titiro a te Poari i runga i te aronga e tika ana kia whakaurua etahi tikanga tiaki hei whakapera, me tua-a-poraka nga rakau, ara, kia pau marire tetahi poraka te tua ka hiki ai ki tetahi atu poraka tua ai, a me whakamutu te raihana i ia wa i ia wa i runga i ia poraka kua pau ona rakau, a me whakahoki te whenua ki nga Maori no ratou hei nohoanga mo ratou ; a, ranei, ma te kaitango raihana e para e tahu e rui ki nga tu ahua karaihe e whakaaetia aua poraka kua oti ra te para, me te mau tonu ki a ia te whenua mahi ai a pau noa nga tau o te raihana :

(e.) Ko nga Maori no ratou te whenua, me era atu Maori ranei, me whakawhiwhi, i nga wa katoa e taea ana, ki nga mahi harihari atu i nga rakau, ki nga mahi tapahi harakeke, me nga mahi whaaro muka ranei :

(f.) I era atu tikanga, whakaaetanga, whakaritenga ranei (mehemea ia he pera) e whakaarohia ana e te Poari e tika ana hei tiaki hei whakapumau ranei i nga paanga o nga Maori no ratou te whenua o ratou kai-riiwhi ranei i roto i te taitara.

B. Ko ia raihana, kanataraka, kirimene ranei i hoatu, i mahia, i whakaritea ranei i mua atu i te paahitanga o tenei Ture, a e hoatu ana i te mana e ahei ai te haere ki runga ki tetahi ki etahi ranei o nga whenua o nga Maori ki te tua rakau ki te tapahi harakeke ranei i reira a ki te harihari atu i aua mea i reira, me ahei te whakatakoto ki te aroaro o te Poari Whenua Maori kia whakaaetia e ia pera tonu ano mehemea nei no muri i te paahitanga o tenei Ture i hoatu ai, i mahia ai, i whakaritea ai ranei aua raihana, kanataraka, kirimene ranei, ina whakaaetia peratia heoi me whai mana aua mea mo nga aronga me nga mahi katoa :

Engari kua he mea kua uru ki tenei Ture e meinga hei whakakore i te mana o tetahi raihana, kanataraka, kirimene ranei kaore i hoatu ki te Poari Whenua Maori kia whakaaetia i runga i nga tikanga kua kii ake nei.

