

New Zealand.

ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p style="padding-left: 40px;"><i>Amendments to Native Land Laws.</i></p> <p>2. Definition of the word "confirmation" extended.</p> <p>3. Amending subsection (4) of section 23 of the Native Land Amendment Act, 1913.</p> <p>4. Native land may be disposed of to the Crown by way of gift for settlement of discharged Maori soldiers.</p> <p style="padding-left: 40px;"><i>Adjustment of Claims.</i></p> <p>5. Authorizing the Native Land Court to reopen question of ownership of Ngamotu Block, and to determine the relative interests.</p> <p>6. Empowering the Native Land Court to inquire and determine what members of the Whanau-a-Taupara Tribe are entitled to be declared Native owners in addition to present owners of Mangatu Nos. 1 and 4 Blocks.</p> <p>7. Enabling the appointment of the East Coast Commissioner to administer the Mangatu Nos. 1, 3, and 4 Blocks, and the setting-up of a Commission of Inquiry to inquire into the past administration of the above estates.</p> <p>8. Vesting the legal estate of Section 5, Block II, of the Native Township of Tuatini in Wiremu Potae.</p> <p>9. Validation of appointments under West Coast Settlement Reserves Acts of trustees and minors and other persons under disability.</p> <p>10. Conferring jurisdiction on the Native Land Court to give effect to a voluntary arrangement made by the Native beneficial owners of Section 2, Block III, and Sections 24 and 25, Block IV, Waitara Survey District.</p> <p>11. Validating the confirmation of the alienation of the Okoheriki No. 2d Section 3c No. 2 Block.</p> | <p>12. Validating the confirmation of the alienation of Okoheriki No. 2d Section 3A Block.</p> <p>13. Empowering the Native Land Court to hear an application for probate of the will of Abner Clough, deceased.</p> <p>14. Authorizing the Native Land Court to inquire as to what Natives are entitled to a certain sum of money in respect of Te Haka No. 7 and Tapuae Blocks, and to determine the proportionate amounts for same.</p> <p>15. Excluding the Hihiaua Block from the Second Schedule to the Whangarei Harbour Act, 1907.</p> <p>16. Granting leave to appeal against the decisions of the Native Land Court.</p> <p>17. Granting leave to appeal against a decision of the Native Appellate Court in connection with the Mangahauini No. 7 Block.</p> <p>18. Authorizing the Maori Land Board to inquire into and validate the alienation of Otangaroa 1c No. 2 Block.</p> <p>19. Granting power to the Public Trustee to lease the Paepaetahi Block to Native beneficial owners.</p> <p>20. Enabling the District Land Registrar to register a transfer of the Kiwitahi No. 2b Block.</p> <p>21. Enabling the District Land Registrar to register two several leases of the Kiwitahi No. 2c Block.</p> <p>22. Empowering the Native Appellate Court to rehear the Poroporo Block.</p> <p>23. Validating the lease of the Wharepuhunga No. 14b Section 1b Block.</p> <p>24. Public Trustee declared a leasing authority with respect to Auckland and Wellington Native reserves.</p> <p>25. Chief Judge may refer matters mentioned in Schedule to the Court or a Judge or Commissioner for investigation and report.</p> <p>Schedule.</p> |
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1917, No. 25.

AN ACT to further amend the Laws relating to Native Lands, and to determine certain Claims and Disputes in relation to Native Lands, and to confer Jurisdiction upon the Native Land Court and the Native Appellate Court, and for other Purposes. Title.

[31st October, 1917.]

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. This Act may be cited as the Native Land Amendment and Native Land Claims Adjustment Act, 1917.

Amendments to Native Land Laws.

Definition of
the word
"confirmation"
extended.

2. (1.) The word "confirmation" in subsection five of section one hundred of the Native Land Amendment Act, 1913, as set out in section four of the Native Land Amendment and Native Land Claims Adjustment Act, 1915, shall be construed as meaning, and (as from the date of the passing of the last-mentioned Act) as having meant, "the oral pronouncement of confirmation by the Board, whether conditional or unconditional," and the said subsection shall be construed accordingly.

(2.) In any case in which it shall appear to the Board that the provisions of subsection five aforesaid as construed otherwise than as aforesaid have operated with hardship or injustice the Board may, in its discretion, complete and seal any order for confirmation, conditional or unconditional, heretofore pronounced, notwithstanding that the period of six months prescribed by the said subsection five has expired.

(3.) If within a reasonable time after a resolution of assembled owners has been confirmed any condition on which confirmation was granted is not complied with, the Board may, after notice to the party in default, and in default of satisfactory explanation, rescind and annul such confirmation.

(4.) The Board may, when granting conditional confirmation, fix a time within which all conditions shall be complied with.

Amending
subsection (4) of
section 23 of the
Native Land
Amendment Act,
1913.

3. Subsection four of section twenty-three of the Native Land Amendment Act, 1913, is hereby amended by adding the words "and ten shillings" after the words "one pound."

Native land may be
disposed of to the
Crown by way of
gift for settlement
of discharged
Maori soldiers.

4. (1.) The assembled owners of any Native land may pass, and shall be deemed as from the coming into operation of the Native Land Amendment and Native Land Claims Adjustment Act, 1916, to have had power to pass, in the manner prescribed by Part XVIII of the Native Land Act, 1909, a resolution that such land, or any part thereof, be disposed of to the Crown by way of gift for the purpose of settling thereon discharged Maori soldiers, and thereafter the provisions of section three hundred and sixty-eight of the Native Land Act, 1909, shall apply in the same manner as if the land were being purchased and proclaimed under Part XIX of the Native Land Act, 1909.

(2.) Upon the land the subject of any such resolution being duly proclaimed Crown land as aforesaid, the Governor-General shall, by Proclamation under section three or section four of the Discharged Soldiers Settlement Act, 1915, set apart that land for the purpose of settling thereon discharged Maori soldiers.

Adjustment of Claims.

Authorizing the
Native Land Court
to reopen question

5. (1.) The Native Land Court is hereby authorized and directed to reopen the question of the ownership of the Ngamotu Block in

the Tairawhiti Native Land Court District, but only so far as to determine whether any names should be omitted from the title under an order on investigation of title dated the twenty-second day of October, eighteen hundred and ninety-six, and to determine the relative interests of the owners.

of ownership of
Ngamotu Block,
and to determine
the relative
interests.

(2.) This section shall not affect any valid alienation heretofore made of the land or of any portion thereof.

6. (1.) The Native Land Court is hereby empowered, on the application of any Native claiming to be interested, to inquire and determine, as in its ordinary jurisdiction on investigation of title, what members of the Whanau-a-Taupara Hapu are entitled according to Maori custom and usage to be declared to be Native owners of the Mangatu No. 1 Block and the Mangatu No. 4 Block in addition to the owners whose names are set forth in the Second Schedule to the Mangatu No. 1 Empowering Act, 1893; and, as to the Mangatu No. 4 Block, in addition to the owners whose names are set forth in the order issued for the Mangatu No. 4 Block on the investigation of title to the Mangatu lands.

Empowering the
Native Land Court
to inquire and
determine what
members of the
Whanau-a-Taupara
Tribe are entitled
to be declared
Native owners in
addition to present
owners of Mangatu
Nos. 1 and 4 Blocks.

(2.) The said Act and order shall be construed respectively as if the lists of owners set forth therein respectively comprised some only of the owners of the said blocks. The judgment given on investigation of title to the Mangatu lands shall be construed as declaring that such of the members of the Whanau-a-Taupara Hapu as can establish a claim to be admitted to the list of owners according to Maori custom are owners of the blocks known as Mangatu No. 1 and Mangatu No. 4, together with the other groups of owners found by the Court to be entitled to the said lands respectively, but the said judgment shall not be construed as defining either generally or otherwise the relative interests of any groups of owners found to be entitled.

(3.) Any order made as aforesaid shall, so far as regards the land known as Mangatu No. 1, have the effect of vesting the beneficial ownership of the said lands in the Natives named in such order, together with the Natives named in the Second Schedule to the Mangatu No. 1 Empowering Act, 1893, as tenants in common as from the date of such order, but shall not otherwise affect the operation of the said Act or any rights acquired thereunder by any lessee or mortgagee; and, so far as regards the land known as Mangatu No. 4, such order shall have the effect of vesting the beneficial ownership of such land in the Natives named in such order, together with the Natives named in the existing order of the Native Land Court made in respect of Mangatu No. 4 on investigation of title, as tenants in common as from the date of such first-mentioned order, but without affecting any rights acquired by any lessee or mortgagee of the said lands.

(4.) The Native Land Court may, by the said order or orders or by any subsequent order or orders, ascertain and define the relative interests of the Native owners in the said blocks or in either of them; and every agreement or order or judgment of the Native Land Court heretofore made ascertaining, defining, or declaring the relative interests of the Native owners or groups of Native owners in the said land or any of them is hereby annulled.

Enabling the appointment of the East Coast Commissioner to administer the Mangatu Nos. 1, 3, and 4 Blocks, and the setting-up of a Commission of Inquiry to inquire into the past administration of above estates.

7. (1.) The Governor-General may, by Order in Council, suspend all the powers of the present trustees acting under the authority of the deed dated the eighteenth day of May, eighteen hundred and ninety-nine, and the resolutions referred to in and validated by section twenty-two of the Native Land Claims Adjustment and Laws Amendment Act, 1901, or under the authority of any appointment of trustees of the Mangatu Nos. 1, 3, and 4 Blocks heretofore made by the Governor in Council.

(2.) On and after the date of the gazetting of such first-mentioned Order in Council all the powers, authorities, and discretions vested in the said present trustees by virtue of the said deed and resolutions, or by any statute, or in pursuance of any decree or order of any Court, or otherwise, shall by force of this Act become vested in and exercisable by the East Coast Commissioner appointed pursuant to the provisions of section twenty-two of the Maori Land Claims Adjustment and Laws Amendment Act, 1906.

(3.) On the date of the gazetting of such first-mentioned Order in Council all lands and property of every description now vested in the present trustees shall become, by force of this Act, vested in the said East Coast Commissioner, who shall have the benefit of and may sue and recover in respect of all contracts previously entered into on behalf of the said present trustees, and shall be entitled to claim and recover all moneys which on the date of such Order in Council were vested in or payable to the said present trustees.

(4.) Every manager and other officer appointed by the said present trustees shall be deemed to be suspended from office by the suspension of the powers of the trustees, and shall cease to have any authority; unless and until he shall be reappointed by the said East Coast Commissioner. No manager or other officer suspended from office pursuant to this Act shall have any claim or right of action for damages in respect of his suspension from or loss of office or engagement pursuant to this Act, whether he shall or shall not, in the discretion of the East Coast Commissioner, be reappointed.

(5.) The Governor-General in Council may appoint a Commission under the Commissions of Inquiry Act, 1908, of whom one member at least shall be a qualified accountant, to inquire into and report upon the past management and control of the Mangatu Nos. 1, 3, and 4 Blocks, and the rents and profits thereof, and such other matters in relation to the said Mangatu Nos. 1, 3, and 4 Blocks as the Governor-General may think fit.

(6.) The costs of the said Commission, and of the East Coast Commissioner, and counsel and solicitors employed by him before the said Commission, and the charges and expenses of the administration by the East Coast Commissioner of the properties and trusts vested in him by this Act, shall (subject only to the rights of existing mortgagees and holders of securities) be a first charge upon the Mangatu Nos. 1, 3, and 4 Blocks and the rents and profits thereof, and shall be recovered and paid by the East Coast Commissioner accordingly; and in the meantime, and until such recovery, may be paid out of the Consolidated Fund without further appropriation than this Act.

8. Whereas by virtue of an order of the Native Land Court (Gisborne District) dated the first day of May, nineteen hundred and fifteen, Wiremu Potae, of Tokomaru Bay, aboriginal Native, was declared the beneficial owner of all that piece of land, containing by admeasurement one acre three roods (be the same a little more or less), being Section 5, Block II, on a plan deposited in the Lands Registry Office, at Gisborne, under No. 1163 of the Native Township of Tuatini, and being part of the land in certificate of title, Volume 52, folio 22, Poverty Bay Registry: And whereas the above-described piece of land is part of and included in the Tuatini Native Township, a Native township constituted under the provisions of the Native Townships Act, 1895: And whereas by virtue of the Native Townships Act, 1910, the legal estate to the said piece of land is vested in the Tairawhiti District Maori Land Board: And whereas no dealings with the said piece of land by lease or otherwise have ever taken place or been registered against the title to the said land: And whereas the said Wiremu Potae is desirous of having the legal estate to the said piece of land vested in him free from the provisions or restrictions of the Native Townships Act, 1895, or the Native Townships Act, 1910, or any other Act restricting or encumbering the said piece of land, except, however, such as are imposed by the Native Land Act, 1909, and amendments thereof: Be it therefore enacted that the legal and equitable estate to the said piece of land be vested in the said Wiremu Potae, of Tokomaru Bay, aboriginal Native, his heirs, executors, administrators, and assigns, free and clear of the provisions of the Native Townships Act, 1895, the Native Townships Act, 1910, or any amendment or amendments thereof, or any other Act the provisions of which restrict or prohibit the said Wiremu Potae from dealing with or alienating the said piece of land, except, however, such of the provisions as are imposed by the Native Land Act, 1909, and amendments relative to the alienation by a Native of Native lands: And the District Land Registrar for the Poverty Bay Land Registration District shall, on being requested so to do by the said Wiremu Potae, issue to him, the said Wiremu Potae, a certificate of title for the said piece of land free and clear of all restrictions or encumbrances, except those relating to the alienation of Native lands by a Native as above set out.

Vesting the legal estate of Section 5, Block II, of the Native Township of Tuatini in Wiremu Potae.

9. Notwithstanding anything in the second proviso to subsection one of section fifteen of the West Coast Settlement Reserves Amendment Act, 1913, all orders heretofore made by the Native Land Court for the appointment of a trustee or of trustees, other than the Public Trustee, of any Native owner of land subject to the provisions of that Act (being a minor or person under disability) shall be deemed to have been validly made.

Validation of appointments under West Coast Settlement Reserves Acts of trustees and minors and other persons under disability.

10. The Native Land Court shall have jurisdiction, on the application of any Native interested, to give effect by its order or orders, with such variation or modification as may appear necessary and just, to a voluntary arrangement made in the year nineteen hundred and eleven by the Native beneficial owners of Section 2, Block III, and Sections 24 and 25, Block IV, Waitara Survey

Conferring jurisdiction on the Native Land Court to give effect to a voluntary arrangement made by the Native beneficial owners of Section 2,

Block III, and
Sections 24 and 25,
Block IV, Waitara
Survey District.

District, for a partition of the said lands, and already given effect to as between the said owners by a survey made by Thomas Kingwell Skinner, of New Plymouth, surveyor, and by occupation according to such survey; and the Court may by order cancel and annul any previous order of the Native Land Court or Native Appellate Court inconsistent with such voluntary arrangement.

Validating the
confirmation of the
alienation of the
Okoheriki No. 2D
Section 3c No. 2
Block.

11. Notwithstanding that the piece of land called and known by the name of Okoheriki No. 2D Section 3c was by Order in Council bearing date the fourth day of May, nineteen hundred and eleven, vested in the Waiariki District Maori Land Board under Part XV of the Native Land Act, 1909, it is hereby declared that the said Waiariki District Maori Land Board shall in respect to a portion of the said land, being that portion included in a partition order bearing date the sixth day of June, nineteen hundred and thirteen, of the Native Land Court, and called or known as Okoheriki No. 2D Section 3c No. 2, be deemed to have had jurisdiction to entertain an application for confirmation and to grant a certificate of confirmation of an alienation by way of transfer of the said land from the Native owners thereof to one Sarah Waugh, of Tarukenga, married woman; and it is further declared that, subject to payment of all survey costs and fees relating to the said piece of land known as Okoheriki No. 2D Section 3c No. 2, the certificate of confirmation hereinbefore referred to shall be sufficient authority to the District Land Registrar for the Land Registration District of Auckland to issue a certificate of title in favour of the said Sarah Waugh for the said piece of land.

Validating the
confirmation of the
alienation of
Okoheriki No. 2D
Section 3A Block.

12. Notwithstanding that the piece of land called and known by the name of Okoheriki No. 2D Section 3A was by Order in Council bearing date the fourth day of May, nineteen hundred and eleven, vested in the Waiariki District Maori Land Board under Part XV of the Native Land Act, 1909, it is hereby declared that the said Waiariki District Maori Land Board shall, in respect to that piece of land, containing two roods, more or less, being portion of Okoheriki No. 2D Section 3A (bounded on the west by the Auckland-Rotorua Railway, 403.4 links; on the south by the Mamaku Road, 147 links; and on the east and north by the other portion of the said land, 342.9 links and 134 links respectively), be deemed to have had jurisdiction to entertain an application for confirmation and to grant a certificate of confirmation of an alienation from the Native owners thereof to one Eva Baston, spinster; and it is hereby declared that, subject to the payment of all survey costs and fees, the certificate of confirmation hereinbefore referred to shall be sufficient authority to the District Land Registrar for the Land Registration District of Auckland to issue a certificate of title in favour of the said Eva Baston for the said piece of land.

Empowering the
Native Land Court
to hear an
application for
probate of the will
of Abner Clough,
deceased.

13. Whereas Leonard Owen Howard Tripp, as solicitor for Herbert Lee Clough, presented a petition (No. 239 of the year nineteen hundred and seventeen) to the House of Representatives in the present session of Parliament, praying for relief in respect of the failure to apply for probate of the will of the late Abner Clough, of Pitt Islands, aboriginal Native, deceased: And whereas a copy of

the said will bearing date the twenty-fifth day of October, nineteen hundred and nine, was set out in the said petition to the Native Affairs Committee of the House of Representatives, and the said Committee reported that the said petition be referred to the Government for favourable consideration: And whereas prior to the presentation of the said petition application was made to the Native Land Court for probate of the said will, but, by reason of accidental delay in making such application, the Native Land Court has no jurisdiction to grant probate of the said will: Be it enacted that, notwithstanding anything contained in the Native Land Act, 1909, or in any other Act, jurisdiction is hereby given to the Native Land Court to hear the said application for probate, and, on being satisfied of the authenticity and due execution of the said will, to grant probate thereof or letters of administration with the said will annexed.

14. The Native Land Court is hereby authorized and directed to inquire as to what Natives are entitled to receive the sum of five hundred and sixty pounds to be paid by the Government in accordance with the recommendation of the Chief Judge as compensation for rents received by the Government for Te Haka No. 7 and Tapuae Blocks, and also to determine the proportionate amounts each Native should receive.

Authorizing the Native Land Court to inquire as to what Natives are entitled to a certain sum of money in respect of Te Haka No. 7 and Tapuae Blocks, and to determine the proportionate amounts for same.

15. (1.) Whereas by the Whangarei Harbour Act, 1907, the Whangarei Harbour Board was endowed with certain lands, and included in such endowment was some Native land: And whereas it is desirable that such Native land be returned to the Natives: Be it therefore enacted as follows:—

Excluding the Hihiana Block from the Second Schedule to the Whangarei Harbour Act, 1907.

(a.) The Second Schedule to the Whangarei Harbour Act, 1907, is hereby amended by exclusion of the land hereinafter described.

(b.) The land so excluded from the said Schedule is hereby declared to be customary land within the meaning of the Native Land Act, 1909.

(c.) The District Land Registrar is hereby empowered and directed to so amend any certificate of title to the land described in the said Second Schedule as to exclude therefrom the land hereinafter described.

(2.) The land to which this section relates is more particularly described as follows:—

All that area in the Auckland Land District containing by admeasurement one acre two roods thirty-five perches, more or less: bounded towards the west by the Waiarohia Stream; towards the north by a right line bearing $90^{\circ} 23' 30''$, distance 183 links; towards the east by right lines bearing $189^{\circ} 51'$, distance 311.2 links; bearing $221^{\circ} 34'$, distance 182.7 links; bearing $204^{\circ} 38'$, distance 228.45 links: and towards the south by a right line bearing $280^{\circ} 54'$, distance 260.74 links: as the same is delineated on the plan marked L. and S. 1911/761, deposited at the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

16. (1.) The Chief Judge shall, on such terms as to costs, security for costs, or otherwise, as he thinks fit, grant leave to any

Granting leave to appeal against the decisions of the Native Land Court.

person interested to appeal to the Native Appellate Court against the following orders of the Native Land Court:—

- (a.) The order of the Native Land Court appointing successors to Wharetienga in Tuahu No. 3 Block, Wairoa, Hawke's Bay:
- (b.) The orders of the Native Land Court appointing successors to Ema Paruparu in Waipiro Block and its subdivisions, Waiapu County:
- (c.) The order of the Native Land Court appointing successors to Paka Mutu in Rotokautuku 6x No. 4 Block, Waiapu County.

(2.) The Native Appellate Court shall have power to hear and determine any appeal under this section, and to exercise in respect of any such appeal all or any of its powers under the Native Land Act, 1909.

(3.) The interest of any person entitled at the date of the passing of this Act as a successor under any of the said orders shall be inalienable in any manner whatsoever until the final determination of the Native Appellate Court on the appeal affecting that interest.

Granting leave to appeal against a decision of the Native Appellate Court in connection with the Mangahauini No. 7 Block.

17. (1.) The Chief Judge shall, on such terms as to costs, security for costs, or otherwise, as he thinks fit, grant leave to any person interested to appeal to the Native Appellate Court against the decision of the Native Appellate Court sitting at Tokomaru Bay on the tenth day of January, nineteen hundred and seventeen, in accordance with the provisions of section nineteen of the Native Land Amendment and Native Land Claims Adjustment Act, 1916, in respect of the allocation of shares in the Mangahauini No. 7 Block held by Herewaka Poata, deceased, and her family.

(2.) The Native Appellate Court shall have power to hear and determine any appeal under this section, and to exercise in respect of any such appeal all or any of its powers under the Native Land Act, 1909.

(3.) The interest of any member of the aforesaid family in the Mangahauini No. 7 Block shall be inalienable in any manner whatsoever until the final determination of the Native Appellate Court on the appeal affecting that interest.

Authorizing the Maori Land Board to inquire into and validate the alienation of Otangaroa 1c No. 2 Block.

18. The Maori Land Board of the Tokerau Maori Land District is hereby authorized and directed to inquire into the prayer of the petition of one Katherine Honeycombe with respect to a block of land situate in the County of Whangaroa, and called or known as Otangaroa 1c No. 2 Block, and if satisfied as to the correctness of the statements contained in such petition, and that in equity and good conscience the alienation referred to in such petition should be validated, to confirm and validate the same.

Granting power to the Public Trustee to lease the Paepaetahi Block to Native beneficial owners.

19. Whereas the Paepaetahi Block, containing one hundred and twenty-eight acres three roods, situated in the Heretaunga Survey District, in the Provincial District of Hawke's Bay, is vested in the Public Trustee for administration under the provisions of the Native Reserves Act, 1882, and its amendments: And whereas no provision is made under such Act to allow lands so vested to be leased or tenanted by Native beneficial owners: And whereas it is

desirable that power should be granted to the Public Trustee to grant leases to Native beneficial owners: Be it therefore enacted:—

(1.) The Public Trustee may at his absolute discretion lease lands so vested in him to Native beneficial owners whom he may consider desirable tenants, without competition, for a period not exceeding twenty-one years, and without right of renewal, and without compensation for improvements.

(2.) The annual rental for leases granted under this section shall be fixed at an amount equal to five per centum per annum of a special Government valuation of the property proposed to be so leased, and such leases shall contain the usual covenants, and any special covenants or conditions which the Public Trustee may in his absolute discretion impose for the purpose of restraining the lessee from alienating his interest in any such lease granted hereunder or otherwise.

20. Whereas the nominal owners of a certain block of land, containing three hundred and sixty-six acres, more or less, known as Kiwitahi No. 2B, described in a certain partition order of the Native Land Court dated the twenty-second day of July, nineteen hundred and eight, transferred all their interests in the said block to one Mary Whewell Taylor, by transfer dated the tenth day of August, nineteen hundred and twelve, duly confirmed by the Maori Land Board: And whereas the said partition order was never completed or registered: And whereas on the twenty-third day of September, nineteen hundred and fourteen, the Native Land Court made an order under section one hundred and four of the Native Land Act, 1909, declaring that the fifteen Natives therein named were the persons beneficially entitled to the said land in lieu of the nominal owners, but subject to the rights conferred by the said transfer; and the Court further ordered that the said partition order of the twenty-second day of July, nineteen hundred and eight, should be forthwith cancelled, which was done: And whereas the order under section one hundred and four has been registered in the Land Transfer Office at Auckland, and now forms the title to the said land: And whereas on application to the District Land Registrar at Auckland for registration of the said transfer it was found that no machinery had been provided for such a case, and that the said transfer was unregistrable, because it was not executed by the registered proprietors: And whereas it is equitable that effect should be given to the said transfer: Now, therefore, the District Land Registrar is hereby authorized to register the said transfer of the tenth day of August, nineteen hundred and twelve, as a valid transfer to the said Mary Whewell Taylor of all the interests of the fifteen equitable owners named in the said order under section one hundred and four aforesaid.

Enabling the
District Land
Registrar to
register a transfer
of the Kiwitahi
No. 2B Block.

21. Whereas the nominal owners of a certain block of land, containing three hundred and sixty-six acres, more or less, known as Kiwitahi No. 2c, described in a certain partition order of the Native Land Court dated the twenty-second day of July, nineteen hundred and eight, leased all their interests in the said block to one John Hannon by two several leases, dated respectively the twenty-first

Enabling the
District Land
Registrar to register
two several leases of
the Kiwitahi No. 2c
Block.

day of November, nineteen hundred and eleven, and the twentieth day of August, nineteen hundred and twelve, duly confirmed by the Maori Land Board: And whereas the said partition order was never completed or registered: And whereas on the twenty-third day of September, nineteen hundred and fourteen, the Native Land Court made an order under section one hundred and four of the Native Land Act, 1909, declaring that the fourteen Natives therein named were the persons beneficially entitled to the said land in lieu of the nominal owners, but subject to the rights conferred by the said leases; and the Court further ordered that the said partition order of the twenty-second day of July, nineteen hundred and eight, should be forthwith cancelled, which was done: And whereas the order under section one hundred and four has been registered in the Land Transfer Office at Auckland, and now forms the title to the said land: And whereas on application to the District Land Registrar at Auckland for registration of the said leases it was found that no machinery had been provided for such a case, and that the said leases were unregistrable, because they were not executed by the registered proprietors: And whereas it is equitable that effect should be given to the said leases: Now, therefore, the District Land Registrar is hereby authorized to register the said leases of the twenty-first day of November, nineteen hundred and eleven, and the twentieth day of August, nineteen hundred and twelve, as valid leases to the said John Hannon of all the interests of the fourteen equitable owners named in the said order under section one hundred and four aforesaid.

Empowering the
Native Appellate
Court to rehear the
Poroporo Block.

22. (1.) The Native Appellate Court is hereby authorized and directed to hear and determine the matters set forth in the following petitions relating to the Poroporo Block, namely: No. 258/1917, Hekiera Takurua and others; No. 358/1917, Pine Tamahori; No. 380/1917, Pahoe Morete; No. 388/1917, Paratene Ngata and others; No. 436/1917, Hoani Ngatai and others; No. 445/1917, Wi Pepere and another; No. 457/1917, Horomona Teo Paipa and others; No. 458/1917, Wi Hoehoe Takatua and another.

(2.) The said Court shall, to the extent of the matters complained of in such petitions, rehear all orders previously made in the Poroporo Block, and have power to take such evidence (whether given at previous hearings or not), and to make such amendments or further orders, as it may deem necessary.

(3.) Nothing in this section shall invalidate any alienations heretofore made to the Crown.

Validating the
lease of the
Wharepuhunga
No. 14B Section 1B
Block.

23. Whereas Albert Symes, of Otorohanga, farmer, is the lessee under a memorandum of lease, dated the thirtieth day of March, nineteen hundred and ten, from Kerekeha Huiarangi and other Native owners of the land known as Wharepuhunga No. 14B Section 1B, containing one thousand acres: And whereas the said memorandum of lease was executed in pursuance of the provisional confirmation of a contract between the Native owners and the said Albert Symes previously executed, and was confirmed by the Waikato-Maniapoto District Maori Land Board on the twelfth day of October, nineteen hundred and twelve, by order under its seal: And whereas

by reason of the vesting of the said land in the said District Maori Land Board between the date of the said provisional confirmation and the confirmation of the said memorandum of lease the District Land Registrar has refused to register the said memorandum of lease: And whereas the said Albert Symes obtained the execution of the said memorandum of lease on the faith of the said provisional confirmation, and has expended moneys in the improvement of the said land, and has presented a petition to the House of Representatives in the present session of Parliament for relief: Be it enacted that the said memorandum of lease shall be valid and binding as from the date thereof on the Waikato-Maniapoto District Maori Land Board as if the same had been granted by and executed by the said Board, and the said Board shall be entitled to exercise the same powers, rights, and remedies as lessor, and the confirmation order shall for all purposes have the same force and effect in law, as if the said lease had been duly granted by the said Board and formally executed by it, and the said Board or the lessee shall be entitled to have the said lease registered accordingly.

24. (1.) With respect to the Native reserves, being the land hereinafter described, vested in the Public Trustee, the Public Trustee shall be deemed to be a leasing authority within the meaning of the Public Bodies' Leases Act, 1908, and may lease the same or any part thereof in accordance with the provisions of that Act.

Public Trustee
declared a leasing
authority with
respect to Auckland
and Wellington
Native reserves.

(2.) Section twelve of the said Act shall apply to now-existing leases granted by the Public Trustee of land comprised in the said reserves.

(3.) The powers conferred upon the Public Trustee by this section are irrespective of all other leasing-powers exercisable by him under the Native Reserves Act, 1882, or any other Act.

(4.) The land to which this section relates is—

Firstly, all that piece or parcel of land being portion of Allotment 19 of Section 9, situate in the City of Auckland, in the Parish of Waitemata, County of Eden, containing by admeasurement one acre three roods thirteen decimal one eighth perches, more or less: bounded on the north-east by the Strand, 243 links; on the south-east by Stanley Street, 900 links; on the south-west, at an angle of 90° with Stanley Street, 46·46 links; on the west by a road, 675·12 links; again on the north-east by other portions of said allotment, 19·185 links; and on the north-west by other portion of the said allotment, 19·201 links:

Secondly, all that piece or parcel of land situated in Mechanics Bay, Auckland, and being Allotment 4 of Section 12, containing by admeasurement two roods ten and a half perches, more or less: bounded towards the north-east, 434·9 links, by Allotment 4A of Section 12; towards the east, 43·47 links, by Beach Road; towards the south-east, 97·78 links, by the said Beach Road; towards the south-west, 504·42 links, by Constitution Hill; and towards the south-west, 113·15 links, by a lane 18·2 links in width: and

Thirdly, part Town Acre 543, City of Wellington, containing one rood thirteen perches, and Town Acres 864, 893, 972, 973, 974, 975,

976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1081, 1082, 1098, 1099, 1100, containing one acre each, or a total area of thirty-six acres one rood thirteen perches.

Chief Judge may refer matters mentioned in Schedule to the Court or a Judge or Commissioner for investigation and report.

25. (1.) The Chief Judge is hereby authorized to refer to the Native Land Court, or to any Judge or Commissioner thereof, for inquiry and report, the claims and allegations made by the petitioners in the petitions mentioned in the Schedule hereto.

(2.) The Chief Judge may, upon such inquiry and report, make to the Native Minister such recommendation as appears to accord with the equities of the case.

(3.) The report and recommendation under this section shall be laid before Parliament on as early a date as possible, and shall be referred to the Native Affairs Committee of the House of Representatives.

Schedule.

SCHEDULE.

PETITION TO BE REFERRED TO THE NATIVE LAND COURT, OR A JUDGE OR COMMISSIONER THEREOF.

1. PETITION No. 446 of 1917 of Emma Turner: Praying for rectification of succession to certain deceased persons' interests in the Waikouaiti, Block XII, and other lands.

2. Petition No. 388 of 1915 of Kimura Hairuha: Praying for an inquiry *re* succession to interests of certain deceased persons in Whangape, Lot 67.

3. Petition No. 375 of 1917 of Mere Maiao: Praying for reinvestigation of the appointment of successors to certain interests in Te Akau Nos. 15 and 16 Blocks.

4. So much of the petition No. 214 of 1916 of Te Ia te Waru as relates to the interests in the Taupara Block.

5. Petition No. 217 of 1917 of Hori te Pa and others: Praying for succession to Rora Korako, deceased, in *re* Horowhenua XIb 36 Section 3F No. 2.