### Hon. Mr. Herries.

# NATIVE LAND AMENDMENT AND NATIVE LAND CLAIMS ADJUSTMENT.

#### ANALYSIS.

Title.

1. Short Title.

Amendments to Native Land Laws.

- 2. Amending section 32 of the Native Land
- 3. Amending section 130 of the Native Land
- 4. Amending section 131 of the Native Land Act, 1909.
- 5. Applying the provisions of Part VII of the Native Land Act, 1909 (relating to exchange), to the Poukawa Native Reserve.
  6. Amending section 6 of the Native Land
- Amendment and Native Land Claims Adjustment Act, 1915.
- 7. Enabling the East Coast Trust Commissioner
- to pay out moneys for patriotic purposes.

  8. Amending subsection (1) of section 129 of the Native Land Act, 1909.

  9. Enabling an award of additional land to be
- made to any owner of Native land on partition of such land to recompense him for moneys paid for survey charge or rates due on such block.
- 10. Court may cancel any order laying out any road-line deemed no longer expedient.
- 11. Reviving and extending provisions of section 88 of Reserves and other Lards Disposal and Public Bodies Empowering Act, 1916 (relating to awards of land for South Island landless Natives).
- Amending provisions as to administration of lands set apart for landless Natives and providing for administration of those lands by Land Boards.
- 13. Authorizing payments to certain Natives in lieu of grants of land in Tennyson Inlet, Marlborough.
- Amending paragraph (a) of subsection 4 of section 96 of the Native Land Amendment Act, 1913.

### Amendment to Maori Councils Act.

15. Repealing section 8 of the Maori Councils Amendment Act, 1903, and section 16 of the Native Land Amendment and Native Land Claims Adjustment Act, 1916.

#### Adjustment of Claims.

16. Conferring jurisdiction on Native Land Court to hear and determine the claim of certain Natives in respect of the administration and

5

- disposition of a certain trust fund derived
- from sale of the Okahuatiu Nos. 1 and 2 and Tangihanga Blocks.

  17. Validating the confirmation of the alienation of the Waiteti No. 2, Section 1s No. 4s, No. 1 Block.
- 18. Authorizing the Native Land Court to ascertain and determine the persons beneficially entitled to Section 81, Block XXV, Jacob's River Hundred.
- 19. Vesting the northern portion of the Motiti B Block in the Native beneficial owners.
- 20. Provisions for vesting the cemetery on the Rotohokahoka E Block belonging to the Ngati - Whakaue Tribe in a Board of Trustees composed of an equal number of Europeans and Natives.
- 21. Validating the confirmation of the alienation of the Waiteti No. 2, Section 1B, No. 4A Block.
- 22. Enabling the calling of a meeting of assembled owners to consider a proposal to lease an area of the Ruatoki 2A and 3c Blocks to the Maori Soldiers' Fund Council as their contributions towards the Maori Soldiers' Fund.
- 23. Empowering the Native Land Court to ascertain and determine what Natives included in a certain agreement have been omitted from the titles to Tarawera and Tatarakina Blocks.
- 24. Enabling the Arahura Native Reserve No. 30 to be partitioned.
- 25. Conferring jurisdiction on the Native Land Court to ascertain and determine the beneficial owners of the Rangataua Reserve.
- 26. Enabling the Public Trustee to disburse among the Native beneficial owners all compensation moneys paid for Sections 237, 238, and 239, Palmerston North Native Reserve.
- 27. Providing a sum of money for payment to Native claimants to Motuopao Island.
- Validation of a certain lease of Lot 2 of Rangitoto-Tuhua 74B, Section 1.
   Section 7 of the Native Land Claims Adjust-
- ment Act, 1910, amended.
- Chief Judge may refer matter mentioned in the Schedule to the Court or a Judge or Commissioner for investigation and report. Schedule.

### A BILL INTITULED

AN ACT to further amend the Laws relating to Native Lands, and to Title. 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.

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, 1919.

## Amendments to Native Land Laws.

Amending section 32 of the Native Land

Act, 1909.

Amending section 130 of the Native Land Act, 1909.

2. Section thirty-two of the Native Land Act, 1909, is hereby amended by substituting for the words "Chief Judge" in subsections three and four thereof the words "Judge for the time being for the Native Land Court district affected."

3. Section one hundred and thirty of the Native Land Act, 1909,

is hereby amended—

(a.) By repealing subsection two of the said section, and substituting in lieu thereof the following:

(2.) Every such scheme shall, except as hereinafter 15

10

30

35

provided, relate to Native freehold land exclusively."

(b.) By adding thereto the following subsections:

'(2A.) The scheme may relate to and include any land owned by Natives, whether derived by them from a European by way of exchange or purchase, or from the Crown 20 by transfer, or under the authority of any Act, if in the opinion of the Court the inclusion of that land is necessary for the more effective consolidation of the interests of the Native owners.

"(2B.) The Court may, as part of the scheme and on 25 such terms and conditions as the Court may think fit, permit the exchange of any land owned by a European for any interests in land owned by Natives included in the scheme.'

4. Section one hundred and thirty-one of the Native Land Act, 1909.

is hereby amended by adding thereto the following subsections: "(1A.) The Court may as part of such scheme make such succession orders and orders appointing trustees, or cancelling or varying the appointment of trustees, as the Court may deem necessary, and no succession order made under the authority of this section shall be subject to Native succession duty."

"(4A.) The Native Land Court may, as part of any scheme for the consolidation of the interest of owners of Native land, by order lay out road-lines over any of the lands included in the scheme, or may create private rights-of-way as provided by subsection two of section fortyeight of the Native Land Amendment Act, 1913; and the Governor- 40 General may by Proclamation, at any time thereafter, proclaim as a public road any road-line so laid out by the order, and the same shall thereupon vest in the Crown and become a public road accordingly."

5. It is hereby declared that the provisions of Part VII of the Native Land Act, 1909 (relating to exchange), shall apply to the Poukawa 45 Native Reserve in the same manner in all respects as if the said reserve were Native freehold land, and the Native Land Court shall have jurisdiction accordingly.

Amending section 131 of the Native Land Act. 1909.

Applying the provisions of Part VII of the Native Land Act, 1909 (relating to exchange), to the Poukawa Native Reserve.

6. Section six of the Native Land Amendment and Native Land Amending section 6 Claims Adjustment Act, 1915, is hereby amended by repealing the words of the Native Land Amendment and "or in the East Coast Trust Lands Commissioner"; and by inserting, Native Land Claims after the word "patriotic," the words "or educational or charitable," 5 and by inserting, after the word "fund," the words "or to such person

7. The East Coast Trust Lands Commissioner may out of the Enabling the East accumulated funds, or out of any moneys whatsoever due or payable Commissioner to to the beneficial owners of any land vested in or administered by him, pay out moneys for 10 retain and pay for patriotic purposes such amount and to such fund as he shall deem fit. Before any such amount shall be paid the approval of the Native Minister shall be obtained.

8. Subsection one of section twenty-nine of the Native Land Act, Amending 1909, is hereby amended by the addition of the words "or by a Maori section 129 of Land Board" after the words "Public Service"; and the words "or Native Land it" after the words "by him," where they respectively occur in the Act, 1909. said subsection.

9. (1.) Where it is proved to the satisfaction of the Court that Enabling an award any owner of a block of Native land has paid out of his own moneys of additional land to be made to any 20) any survey charge or rates due in respect of such block, or has other-owner of Native wise expended his own moneys for any purpose which in the Court's such land on partition of opinion is for the benefit of the whole of the owners of such block, the Court may in its sole discretion award upon partition to such owner survey charge or such area in addition to the area to which he would be entitled in exact rates due on such block. 25 accordance with his interest in the block, as in the Court's opinion would be adequate to recompense him for the money so expended by

(2.) No appeal shall lie to the Appellate Court from any decision of the Court under this section.

10. (1.) The Court may, upon application of the Chief Surveyor Court may cancel for the district in which the land affected may be situated, cancel any any order laying order previously made by it laying out any road-line over or upon any deemed no longer land, and whether such road-line has been proclaimed a public road or expedient. not, provided that the Court is first satisfied that the road-line or right-35 of-way, the subject of the order sought to be cancelled, is no longer necessary or expedient.

(2.) In any order effecting a cancellation under this section the Court shall determine, according to the justice and equity of the particular case, the persons who should be the owners of the land which 40 had been the subject of the cancelled order, and shall direct such to be vested in such persons accordingly.

11. (1.) Section eighty-eight of the Reserves and other Lands Reviving and Disposal and Public Bodies Empowering Act, 1916, is hereby revived extending provisions as from the date of the expiry thereof, and shall continue in force until Reserves and other 45 it is specifically repealed.

(2.) In lieu of granting land to any landless Natives pursuant to Empowering Act, the said section eighty-eight, there may be paid to any such Natives such sums of money as may be appropriated for that purpose by Parliament.

of section 88 of Lands Disposal and Public Bodies 1916 (relating to awards of land for South Island landless Natives).

Amending provisions as to administration of lands set apart for landless Natives and providing for administration of those lands by Land Boards.

12. (1.) Section twelve of the Native Land Amendment Act, 1914, as amended by section six of the Native Land Amendment and Native Land Claims Adjustment Act, 1916, is hereby further amended by omitting from paragraph (b) the words "the powers of administration and all the rights vested in, and all the duties imposed upon, District Maori Land Boards in respect of Native lands vested in such Board by the Native Land Act, 1909, and the Acts amending the same, excepting the power of sale," and substituting the words "such powers of administration and disposition by way of lease or license as may be conferred on it by the Governor-General in Council."

(2.) All leases, licenses, and other instruments of title in respect of land subject to this section shall be executed and may be registered in the same manner as if the said land were Crown land disposed of

10

25

under the Land Act, 1908.

(3.) All revenue derived by the Land Board from the adminis- 15

tration of any such lands shall be paid into a separate account.

(4.) Where the beneficial owners have been ascertained, as referred to in paragraph (a) of section twelve of the Native Land Amendment Act, 1914, the net revenues, after deducting the reasonable costs of administration (including the cost of survey, roading, and other charges 20 preliminary to the disposal of the land as aforesaid) shall be paid to those owners.

(5.) Where the beneficial owners have not been so ascertained the net revenue shall be held in trust for the persons who may thereafter be found to be beneficially entitled thereto:

Provided that such moneys may, pending the ascertainment of the persons so beneficially entitled, be invested in such manner as the

Minister of Finance may approve.

(6.) Section six of the Native Land Amendment and Native Land Claims Adjustment Act, 1916, is hereby amended by repealing para- 30

graphs (a), (b), and (c) thereof.

13. Whereas recommendations have been made for the grant of certain land situated at Tennyson Inlet, in the Marlborough Land District, to certain landless Natives of the South Island: And whereas the said land is unsuitable for cultivation and is eminently suitable for reservation as a scenic reserve, and it is desired to 35 reserve the same accordingly under the Scenery Preservation Act, 1908, and to make provision for the grant of money in lieu of land to the Natives aforesaid: Be it therefore enacted as follows:-

There may be paid to or on behalf of the Natives aforesaid such sums of money as may be appropriated by Parliament for the purpose of compensating those Natives in respect of any equitable claims 40 they may have for the grant of land pursuant to the recommendations

aforesaid.

Amending paragraph (a) of subsection 4 of section 96 of the Native Land Amendment Act.

Authorizing payments to certain

Marlborough.

Natives in lieu of

grants of land in Tennyson Inlet,

> 14. Paragraph (a) of subsection four of section ninety-six of the Native Land Amendment Act, 1913, is hereby amended by adding thereto, after the word "alienation," the words "unless the 45 consent in writing of the lessee, licensee, or contractee for sale or other alienation of such land or his assigns is prior thereto filed with the Registrar of the Maori Land Board having jurisdiction where such land is situated."

## Amendment to Maori Councils Act.

15. Section eight of the Maori Councils Amendment Act, 1903, Repealing section 8 and section sixteen of the Native Land Amendment and Native Land of the Maori Councils Claims Adjustment Act, 1916, are hereby repealed.

Adjustment of Claims.

5

50

16. Whereas on the eighteenth day of June, nineteen hundred and eighteen, an Order in Council was issued purporting to confer jurisdiction on the Native Land Court under section twenty-five of the Native Act, 1916. Land Act, 1909, with respect to the claim of Himiona Katipa and Conterring juris-10 certain other Natives relative to the administration and disposition of Land Court to hear a certain trust fund originally derived from the sale of certain Native and determine the lands—namely, Okahuatiu No. 1, Okahuatiu No. 2, and Tangihanga Blocks: And whereas doubts have arisen as to the validity of the said respect of the Order in Council, and it is desired to settle the same: Be it therefore administration and disposition 15 enacted as follows:

Jurisdiction is hereby conferred on the Native Land Court to hear and determine the claim of the said Himiona Katipa and certain other Natives in respect of the administration and disposition of a certain Tangihanga Blocks. trust fund originally derived from the sale of the Okahuatiu No. 1. 20 Okahuatiu No. 2, and Tangihanga Blocks, and in hearing and determining the said claim pursuant to this section the said Court shall, in addition to the special jurisdiction hereby conferred, have all the jurisdiction exercisable by the Supreme Court under the Judicature Act, 1908.

25 17. Notwithstanding that the piece of land called or known by Validating the the name of Waiteti No. 2 Section 1B No. 4 was by Order in Council bearing date the fourth day of May, nineteen hundred and eleven, Waiteti No. 2, vested in the Waiariki District Maori Land Board under Part XV of No. 1 Block. the Native Land Act, 1909, it is hereby declared that the said Waiariki 30 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 fourth day of September, nineteen hundred and fourteen, of the Native Land Court, and called or known as Waiteti No. 2 Section 18 No. 48 No. 1. be deemed to have had jurisdiction to entertain an application for 35 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 David Lundon, of Rotorua, settler; and it is hereby further declared that, subject to payment of all survey costs and fees relating to the said piece of land known as Waiteti No. 2 Section 1B No. 4B No. 1,

40 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 David Lundon for the said piece of land.

18. (1.) The Native Land Court is hereby authorized and directed Authorizing the 45 to ascertain and determine who are the persons beneficially entitled to Section 81, Block XXV, Jacob's River Hundred, containing fifty-nine determine the acres three roods twenty-six perches, more or less, and the relative persons beneficially interests to which each of such persons is entitled, and to make order 81, Block XXV, or orders accordingly.

(2.) Any such order shall be deemed to be a freehold order of the Court made on investigation of title, and shall be dealt with accordingly.

Amendment Act, 1903, and section 16 of the Native Land Amendment and

claim of certain Natives in of a certain trust fund derived from sale of the Okahuatiu Nos. 1

entitled to Section Jacob's River Hundred.

Vesting the northern portion of the Motiti B Block in the Native beneficial owners.

19. Whereas the land hereinafter described was, pursuant to the provisions of section three and of paragraph twelve of the First Schedule to the Special Powers and Contracts Act, 1886, conveyed by Alexander Douglas to the Public Trustee for an estate in fee-simple in trust for certain Natives of the Patuwai Tribe: And whereas by an order of the Native Land Court dated the sixteenth day of January, nineteen hundred and four, issued pursuant to the provisions of section fourteen of the Native Land Claims Adjustment and Laws Amendment Act, 1901, the names of the Native beneficiaries and their relative shares and interests in the said land were ascertained and determined: And 10 whereas it is desirable, with the consent of the Public Trustee, to vest the said land in the Native beneficiaries aforesaid and to authorize the issue of a Land Transfer certificate of title in their names: Be it therefore enacted as follows:-

(1.) The land hereinafter described is hereby vested in fee-simple 15 in the persons whose names are included in an order of the Native Land Court dated the sixteenth day of January, nineteen hundred and four, for the relative shares and interests set forth therein respectively.

(2.) The District Land Registrar for the Auckland Land Registration District is hereby empowered and directed to cancel certificate 20 of title, Volume 46, folio 184, Auckland Registry, issued to the Public Trustee, and to register the said order of the Native Land Court dated the sixteenth day of January, nineteen hundred and four, and thereupon to issue a certificate of title in the names of the Natives included in the said order for the relative shares and interests therein set forth, and 25 subject to all valid encumbrances, liens, and interests affecting the said land.

(3.) All succession and partition orders heretofore made by the said Court with respect to the said land are hereby validated as from the making thereof.

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

30

described as follows:-

All that area in the Auckland Land District, containing by admeasurement one hundred and sixty-six acres, more or less, being the northern portion of Motiti B Block, and being the whole of the land 35 comprised in certificate of title, Volume 46, folio 184, Auckland Land

Registry.

Provisions for vesting the cemetery Rotohokahoka E Block belonging Ngati-Whakaue Tribe in a Board of Trustees composed of an equal number of Europeans and

on the

to the

Natives.

20. Whereas portion of the land known as Rotohokahoka E Block, containing twenty acres, more or less, situated in Block XVI, Rotorua Survey District, was set aside by the owners thereof by request of the 40 Ngati-Whakaue Tribe for the purposes of a combined Native and European cemetery: And whereas such land has been used by Europeans and Natives for over thirty years for the purposes of the above-mentioned cemetery, and there has been no proper control established during that period: And whereas on account of the rapid 45 settlement of population in the surrounding district it is expedient that some tribunal or Board of Trustees be legally established to effectively control the said cemetery: Now, therefore, the Judge of the Waiariki Native Land Court District is hereby authorized, after due inquiry, to make an order vesting the said cemetery on behalf of the Native 50 owners thereof in a Board of Trustees composed of an equal number

of Europeans and Natives, such Natives to be members of the Ngati-Whakaue Tribe, and also to make all necessary rules and regulations for the conduct of the said cemetery as he may deem fit.

21. Notwithstanding that the piece of land called or known by Validating the 5 the name of Waiteti No. 2 Section 1B No. 4A was by Order in Council confirmation of the bearing date the fourth day of May, nineteen hundred and eleven, vested in the Waiariki District Maori Land Board under Part IV of No. 4A Block. 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

10 land, being that included in a partition order bearing date the second day of August, nineteen hundred and twelve, of the Native Land Court, and called or known as Waiteti No. 2 Section 1B No. 4A, be deemed to have had jurisdiction to entertain an application for confirmation and to grant a certificate of confirmation of an alienation of 15 the said land from the Native owners to Jacob Barnett Kravis; and

it is hereby further declared that, subject to payment of all survey costs and fees relating to the said piece of land known as Waiteti No. 2 Section 1B No. 4A, the certificate of confirmation hereinbefore referred to shall be a sufficient authority to the District Land Registrar 20 to issue a certificate of title in favour of the said Jacob Barnett Kravis for the said piece of land.

22. Whereas at a meeting of Natives held at Gisborne during Enabling the the month of April, nineteen hundred and nineteen, certain chiefs calling of a meeting representing the Urewera Tribe publicly announced their intention to to consider a 25 grant to the Maori Soldiers' Fund Council (duly incorporated under proposal to lease an area of the Ruatoki the War Funds Act, 1915) the lease of three thousand acres of land 2A and 3c Blocks to in Ruatoki 2A and Ruatoki 3c Blocks, situated in the Urewera District Fund Council as Native Reserve, for the term of twenty-one years free of rent, with the their contribution right of renewal for a further term of twenty-one years at five per soldiers' Fund. 30 centum of the then unimproved value, as their contribution towards the Maori Soldiers' Fund administered by the said Council for the benefit of Maori soldiers: And whereas the said Council is authorized to hold and farm land for the purposes of the said fund: therefore enacted as follows:

(1.) Notwithstanding the provisions of any Act relating to lands in the Urewera District Native Reserve, the Maori Land Board of the Waiariki Maori Land District may, on the application of the said Council, convene a meeting of the owners of Ruatoki 2A and Ruatoki 3c

Blocks to consider the hereinbefore recited proposal.

(2.) In the event of the said proposal being approved by the said 40 meeting, whether in respect of the said area of three thousand acres or any other area, the Board shall have power to grant a lease in terms of the proposal approved, and the provisions of Part XVIII of the Native Land Act, 1909, shall apply accordingly.

45 (3.) The provisions of any Act relating to limitation of area or to adequacy of consideration shall not apply so as to limit the powers of the Board to give effect to the provisions of this section, or so as to affect the validity of any lease granted thereunder, or the capacity

of the said Council to hold such lease.

(4.) The District Land Registrar is hereby directed and authorized 50 to register any instrument of title necessary to give effect to the provisions of this section, including the titles of the owners of the said

alienation of the Waiteti No. 2,

of assembled owners

Empowering the Native Land Court to ascertain and determine what Natives included in a certain agreement have been omitted from the titles to Tarawera and Tatarakina Blocks.

23. (1.) The Native Land Court is hereby authorized and directed to ascertain and determine what Natives included in a certain agreement entered into between the Government and certain loyal claimants to the land known as Waikari-Mohaka, which agreement was declared by the Mohaka and Waikari District Act, 1870, to be and to have been valid since the thirteenth day of June, eighteen hundred and seventy, have been omitted from the titles to Tarawera and Tatarakina Blocks, part of the said Waikari-Mohaka District, and to ascertain and determine the reasons for such omission and for the omission of the descendants of such Natives.

(2.) The Court shall report its findings to the Native Minister, together with such recommendations as it may think fit, and that report shall be laid before Parliament and be referred to the Native Affairs

Committee of the House of Representatives.

Enabling the Arahura Native Reserve No. 30 to be partitioned.

24. Whereas part of the Arahura Native Reserve No. 30, referred 15 to in the Report of Mr. Commissioner Young dated the twenty-fifth day of February, eighteen hundred and seventy-nine, and published in the Appendices to the Journals of the House of Representatives, No. G.-3B, 1879, Session II, and containing four hundred and seventeen acres, more or less, is vested in the Public Trustee under the provi- 20 sions of the Native Reserves Act, 1882: And whereas such land has been used by the Native beneficial owners thereof as a commonage, and the Public Trustee has not exercised any of his powers in respect thereof, and it is considered desirable that the said land should be vested in such Native beneficial owners free from any control of the 25 Public Trustee: Be it therefore enacted:-

(1.) The Public Trustee shall forthwith upon the coming into operation of this Act forward to the Chief Judge of the Native Land Court a description of the land hereinbefore referred to and intended to be dealt with under this section, and a list of the Native owners so 30 far as the same are known to the Public Trustee, and the Native Land Court shall thereupon, without further application or direction, according as far as practicable to its usual practice, subject, however, to any regulations that may be made under this section, proceed to partition the same among the Native owners thereof; and the Chief Judge of 35 the said Court shall take all the necessary steps for a holding of a sitting of the Court for that purpose, and the said Court shall have jurisdiction from time to time to make any necessary partitions of the said land, to appoint successors of any deceased Native owners, and to make any reservations for church-sites or burial-grounds or for any 40 other purpose whatsoever as it shall deem necessary; and upon such partition the land comprised therein shall vest at law in the Native owners thereof in accordance with the partition orders to be made by the Native Land Court; and the District Land Registrar of the district in which such land is situate shall thereupon issue certificates of title 45 to the Native owners entitled thereto free and discharged from all restrictions against alienation.

(2.) On the making of the said partition orders the said lands shall cease to be vested in the Public Trustee, and the Public Trustee shall have no control over the said land or any portion thereof.

(3.) The Public Trustee shall be under no liability as regards payment of any costs, charges, or fees in connection with the said partitions or the issue of the said certificates of title.

10

50

25. Section eleven of the Native Land Amendment Act, 1912, as Conferring amended by section thirteen of the Native Land Amendment Act, 1914, jurisdiction on the Native Land Court shall apply to the reserve known as Rangataua, near Nuhaka, which to ascertain and was set aside for general Native purposes, and the Native Land Court determine the beneficial owners 5 shall have jurisdiction accordingly on the application of the Minister of the Rangataua of Lands.

Reserve.

26. The Public Trustee is hereby authorized and directed to dis- Enabling the Public burse among the Native beneficial owners (after deducting the costs and charges of the Public Trustee in accordance with the regulations beneficial owners 10 of the Public Trust Office) all compensation-moneys received by him moneys paid for in respect of the taking under the Public Works Act, 1908, by the Sections 237, 238, Palmerston North Borough Council of Sections 237, 238, and 239, Palmerston North Palmerston North Native Reserve.

Trustee to disburse among the Native all compensation Native Reserve.

27. Whereas claims have been made on behalf of Natives of Providing a sum of 15 the Aupouri Tribe that the Island of Motuopao, upon which the money for payment to Native claimants Cape Maria Van Diemen Lighthouse is erected, was not included in to Motuopao Island. the original purchase by the Crown of the adjoining lands: And whereas the Native Minister on behalf of His Majesty, while insisting that the title of the Crown to the said island is indisputable, 20 has agreed to provide a sum of one hundred and fifty pounds to be applied at the request of representative members of the said Aupouri Tribe as by this section is provided upon the understanding that all such claims shall be deemed finally settled and disposed of: Be it therefore enacted that in pursuance of the said agreement there may 25 be paid out of the Consolidated Fund, without further appropriation than this Act, the sum of one hundred pounds to the trustees of the fund known as the Ngapuhi Patriotic Fund, and a further sum of fifty pounds to the Reverend Mutu Kapa, Eru Ihaka, and Muru-

28. Whereas Patrick Joseph Kerr, of Taumaranui, stable- validation of a

keeper, is the lessee under a memorandum of lease dated the thirtieth certain lease of and other Native owners of the said land known as Lot 2 of Rangitoto Tuhua 74B, Section 1, containing eight hundred and seventy-three 35 acres three roods twenty-seven perches: And whereas the said memorandum of lease was confirmed by the Waikato-Maniapoto District Maori Land Board on the twenty-second day of April, nineteen hundred and eleven, by order under its seal: And whereas by reason of the vesting of the said land in the said District Maori Land Board on the fourteenth day of December, nineteen hundred and nine (being a date prior to the date of the said memorandum of lease) the District Land Registrar has refused to register the said memorandum of lease: And whereas the said Patrick Joseph Kerr obtained in good faith the execution of the said 45 memorandum of lease by all the Native owners of the said land entitled to the ownership thereof before the vesting of the said land in the Board, and has in like good faith expended moneys in the improvement of the said land: Be it enacted that the said memorandum of lease shall be valid and binding as from the date thereof 50 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

paenga Rewiri, all of Te Kao.

30

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.

Section 7 of the Native Land Claims Adjustment Act, 1910, amended. 29. The time within which application may be made under section seven of the Native Land Claims Adjustment Act, 1910, in respect of the Opoutama Reserve is hereby further extended until the thirty-first day of March, nineteen hundred and twenty.

Chief Judge may refer matter mentioned in the Schedule to the Court or a Judge or Commissioner for investigation and report. 30. (1.) The Chief Judge is hereby authorized to refer to the 10 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 in any case as appears 15 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.

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

- 1. Petition No. 212 of 1917, of Hoani Meihana and five others: Praying for succession to Hoani Tatana, deceased, in re Pariwhakaoho Section 101 and other blocks.
- 2. Petition No. 293 of 1919, of Ngawharewiti Tiwai and others: Praying for legislation enabling the registration of their adoption by Ngamoni Ngawharewiti, deceased.
- 3. Petition No. 359 of 1919, of Hemi te Ua and twenty others: Praying for adjustment of relative interests, boundaries, and shortage of area in the Mangapoike No. 2 Block.
- 4. Petition No. 234 of 1919, of Haenga Paretipua and eight others: Praying for reinvestigation of the title to the Mangapoike A and 2p and Te Papuni Blocks.

By Authority: MARCUS F. MARKS, Government Printer, Wellington.-1919