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Wellington. By Authority: John Mackay, Government Printer 1910.

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[3rd December, 1909.]

WHEREAS the Tokomaru Sheep-farmers' freezing Company Preamble. (Limited), of Tokomaru Bay (hereinafter called the company), is about to commence business at Tokomaru Bay, in the County of Waiapu, and for that purpose is desirous of erecting freezing-works and accessories thereto at Tokomaru Bay aforesaid: And whereas the Native owners of the Tawhiti No. 1a and of the Tawhiti No. 1F Blocks respectively have agreed to sell to the company the said portion of the said Tawhiti No. 1a and portion of the said Tawhiti No. 1F Blocks respectively at the price of twenty pounds per acre for fifty-five acres of the said land and of twenty-five pounds per acre for the balance of the land, such moneys to be paid by fully paid-up shares in the company bearing a preference dividend from the profits at the rate of six pounds per centum per annum as from the date of the sale of the said land to the company: And whereas the said Native owners and the company are desirous of having the said sale completed as rapidly as possible so as to enable the said works to be commenced: And whereas, owing to the large number of Native owners in the aforesaid blocks and to the various statutes dealing with alienation of lands by Natives, a transfer of the said lands from the said Native owners to the company could be obtained only with great delay and expense: And whereas it is desired, in order to save such delay and expense, to vest the said lands in the Public Trustee in order that he may transfer the said lands to the company on behalf of the Native owners, in accordance with the agreement hereinbefore referred to:

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

- Short Title, This Act may be cited as the Tokomaru Freezing-works Site Act. 1909.
- Lands vested in Public Trustee. The portions of the Tawhiti No. 1a and of the Tawhiti No. 1f Blocks respectively shown in the plan deposited in the Lands Registry Office at Gisborne under Number 1565, and comprising an area of eighty-seven acres two roods twenty-nine perches, are hereby vested in the said Public Trustee for an estate in fee-simple absolutely free from any conditions, restrictions, or limitations imposed either by the statutes affecting lands owned by Natives, or by any Order in Council made in pursuance of any such statutes, or by any document of title affecting the said lands. And for the purposes of this Act the Public Trustee is hereby empowered to hold the land hereinbefore described in fee-simple free from any conditions, restrictions, or limitations as aforesaid.
- District Land Registrar for Poverty Bay authorised to issue certificate of title. In order to give effect to the provisions of this Act, the District Land Registrar for the Land Registration District of Poverty Bay is hereby authorised and directed, upon written application being made to him by the Public Trustee, with a copy of this Act attached thereto, to issue a certificate of title under the provisions of the Land Transfer Act for the land hereinbefore described, free from any restrictions as aforesaid, in the name of the Public Trustee, and no warrant other than the said application and the copy of this Act shall be necessary for the issue of the said certificate of title as aforesaid.
- Public Trustee shall transfer to company the lands vested in him upon certain shares being allotted to him. The Public Trustee shall, upon having allotted to him shares in the company of a face value equivalent to the value of the said lands, valued upon a basis of twenty pounds per acre for fifty-five acres and twenty-five pounds per acre for the balance of the said lands, transfer to the company the lands hereby vested in him; and the District Land Registrar for the Land Registration District of Poverty Bay is hereby authorised and directed to accept and register such transfer on presentation thereof for registration.
- Native Land Court to determine ownership of lands, and Public Trustee to allot shares. The Native Land Court shall have jurisdiction to ascertain and determine who were the owners of the said lands immediately prior to the passing of this Act, and in what shares or proportion they were entitled thereto, and as soon as the same shall be so ascertained and determined the Public Trustee shall transfer the said shares and pay and distribute any income that may have arisen therefrom accordingly.

Niu Tireni. Tuunga Whare Whakamatao I Tokomaru.

Whakamarama Poto.

- Ingoa.
- Whakaaturanga.
- Ingoa Poto.
- Tukunga i nga whenua ki te Kai-tiaki o Te Katoa.
- Whakamana i te Kai-rehita Whenua o Papati Pei ki te whakaputa taitara.
- Ma te Kai-tiaki o te Katoa e whakawhiti i nga whenua ki te kamupene ina whaka-whiwhia he hea ki a ia.
- Ma te Kooti Whenua Maori e whakatau nga tangata no ratau aua whenua, a mate Kai-tiaki o te Katoa e whakanohonoho nga hea.

1909, No. 9. HE TURE hei tuku i tetahi wahi o Tawhiti Nama 1a me tetahi wahi o Tawhiti Nama 1f Poraka ki te Kai-tiaki o te Katoa, kia taea ai te Whakawhiti aua whenua ki te Tokomaru, Sheep-farmers' Freezing Company

(Limited).

[3rd December, 1909.

NOTEMEA ko te *Tokomaru Sheep-farmers' Freezing Company (Limited)*, o Tokomaru Pei (a muri ake nei huaina ai ko te kamupene), e tata ana ka timata te mahi ki Tokomaru Pei, i te Kaute e Waiapu, a na reira kei te hiahia ki te whakaara whare whakamatao me ona mea katoa o tera mahi ki taua Tokomaru Pei kua huaina ake nei: A notemea kua whakaae nga Maori no ratou a Tawhiti No. 1a, me Tawhiti No. 1f, Poraka ki te hoko atu ki te kamupene i taua wahi o taua Tawhiti No. 1a, me taua Tawhiti No. 1f, Poraka mo nga moni e rua tekau pauna i te eka mo nga eka e rima tekau ma rima o taua whenua, me nga moni e rua tekau ma rima pauna i te eka mo nga eka toenga o taua whenua, ko aua moni me utu ki nga hea kua utua katoatia nei ia wahi ona (*fully paid-up shares*) i roto i te kamupene, e waha ana i tetahi moni utu wawe o roto o nga moni tena e hua mai i runga ake o nga mea tena e pau (*preference dividend from the profits*) i runga i te ono pauna i te rau pauna i te tau timata atu i te ra i hokona ai taua whenua ki te kamupene: A notemea e hiahia ana aua Maori no ratou me te kamupene hoki kia whakaotia taua hoko a tona wa tuatahi tonu e taea ai kia ahei ai aua mahi kia timataria: A notemea i runga i te maha rawa o nga tangata Maori kei roto i aua poraka me te huhua o nga ture e pa ana mo te tukunga whenua e te Maori, he roa te wa, a he nui ano hoki nga moni e pau e taea ai aua whenua te tuku whakawhiti atu e aua Maori ki te kamupene: A notemea e hiahiatia ana, hei ritenga e kore ai e pau tena wa roa me ena moni, me tuku aua whenua kia tau atu ki te Kai-tiaki o te Katoa kia ahei ai ia te tuku whakawhiti atu i aua whenua ki te kamupene mo te taha ki nga Maori no ratou, i runga i nga tikanga o te whakaae-tanga kua huaina i runga ake nei:

NA REIRA KUA MEINGA HEI TURE e te Runanga Nui o Niu Tireni e noho huihui ana i roto i te Paremete, a i runga ano hoki i tona mana, ara:—

- Ko tenei Ture me hua ko te Ture mo te Turanga Whare Whakamatao i Tokomaru, 1909.
- Ko nga wahi o Tawhiti No. 1a, me Tawhiti No. 1f, Poraka e whakaatu ake nei i te mapi kua whakatakotoria ki roto ki te Tari Rehita Whenua i Kihipane, No. 1565, tona nui e waru tekau ma whitu eka e rua ruuri e rua tekau ma iwa paati, tenei kua whakatauria atu ki te Kai-tiaki o te Katoa i runga i te tikanga *fee-simple*, e tino watea atu ana i nga tikanga, nga here, me nga whakawhaititanga katoa kua whakanohia ahakoa e nga ture e pa ana mo nga whenua o nga Maori, e tetahi Ota Kaunihera ranei i mahia i raro i aua ture pera, e tetahi pukapuka taitara ranei e pa ana ki aua whenua. A mo runga i nga tikanga o tenei Ture tenei kua whakamanaia te Kai-tiaki o te Katoa ki te pupuri i te whenua kua huaina ake nei i runga i te tikanga *fee-simple* e watea atu ana i nga tikanga, nga here, me nga whakawhaititanga katoa kua kiia ake nei.
- Hei whakatutuki i nga tikanga o tenei Ture, tenei kua whakamanaia kua whakahaua hoki te Kai-rehita Takiwa Whenua o te Takiwa Rehita Whenua o Papati Pei, ma tonoa a tuhituhitia atu ki a ia e te Kai-tiaki o te Katoa, me te piri atu he kape o tenei Ture ki taua tonu, ki te whakaputa i tetahi tiwhikete taitara i raro i nga tikanga o te Ture Whakawhiti Whenua mo te whenua kua huaina ake nei, a e watea atu ana hoki i aua here katoa kua kiia ake nei, i runga i te ingoa o te Kai-tiaki o te Katoa, a e kore e whai tikanga kia takoto he warati ke atu i taua tonu me te kape o tenei Ture mo te whaka-putanga o taua tiwhikete taitara kua kiia ake nei.
- Ko te Kai-tiaki o te Katoa, ina whakawhiwhia ki a ia etahi hea i roto i te kamupene, e mau ana i runga te wariu e rite ana ki te wariu o aua whenua, i wariungia i runga i te tikanga kia rua tekau Pauna i te eka mo nga eka e rima tekau ma rima, a kia rua tekau ma rima pauna i te eka mo te toenga o aua whenua, me whakawhiti atu ki te kamupene i nga whenua kua whakatauria ra ki a ia e tenei Ture; me te Kai-rehita Takiwa Whenua mo te Takiwa Rehita Whenua o Papati Pei kua whakamanaia kua whakahaua hoki e tenei Ture ki te tango me te rehita i taua tuku whakawhiti ina hoatu ki a ia kia rehitatia.
- Ka whai mana to Kooti Whenua Maori ki te uiui me te whakatau mehemea kowai ma nga tangata no ratou aua whenua i mua tonu ake o te paahitanga o tenei Ture, me te ahua hoki o o ratou hea me o ratou paanga ranei ki aua whenua, a ina oti tena te uiui me te whakatau me tahuri te Kai-tiaki o te katoa i reira tonu ki te whakawhiti atu i aua hea, me te utu me te tuhatuha atu i nga moni tera i hua mai i runga, i runga i tera aronga.

New Zealand. Analysis.

- Title.
- Short Title.
- Proclamations under section 272 of Licensing Act, 1908, validated.
- Licenses in proclaimed areas to be incapable of renewal.

1909. No. 16. AN ACT to amend the Law with respect to the Sale of Intoxicating Title. Liquor in that Part of New Zealand known as the King-country.

[24th December, 1909.

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

- This Act may be cited as the King-country Licenses Act, Short Title. 1909.
- All Proclamations made under the authority of section twenty-five of the Licensing Act, 1881, or of section Proclamations under section 978 of Licensing Act, 1908, validated. two hundred and seventy-two of the Licensing Act, 1908, and in force on the passing of this Act, are hereby declared to be and shall at all times remain valid and of full effect as to the whole of every area comprised in those Proclamations, notwithstanding that any part of any such area was not Native land at the time of the making of the Proclamation, or has ceased (whether before or after the passing of this Act) to be Native land.
- Notwithstanding anything in the last preceding section, all Licenses in proclaimed areas to be incapable of renewal. licenses granted within any area referred to in that section, and in force on the passing of this Act, shall, on the expiry of the period for which they were granted, cease and determine and shall not be capable of renewal.

1909, No. 16. HE TURE hei Whakatikatika i te Ture e pa ana mo te hokohoko-nga waipiro i roto i tera Wahi o Niu Tireni e karangatia nei ko Te Rohe Potae.

[24 o Tihema, 1909.

KUA MEINGA HEI TURE e te Runanga Nui o Niu Tireni e noho huihui ana i roto i te Paremete, a i runga ano hoki i tono mana, ara:—

- Ko tenei Ture me hua ko Te Ture Raihana o Te Rone Potae, 1909.
- Nga Panui katoa i mania i raro i te mana o tekiona rua tekau ma rima o te Ture Raihana, 1881, o tekiona rua rau whitu tekau ma rua ranei o te Ture Raihana, 1908, a e whai mana ana i te wa i paahitia ai tenei Ture, tenei kua kiia e tenei Ture kei te tino whai mana a ka tino whai mana tonu ano hoki i nga wa katoa mo te katoa o ia wahi e uru atu ana ki aua Panui, ahakoa tetahi wahi o tetahi o aua wahi e hara i te whenua Maori i te wa i mahia ai te Panui, kua mutu atu ranei inaianei (ahakoa i mua atu i muri iho ranei i te paahitanga o tenei Ture) tona whenua Maoritanga.
- Ahakoa tetahi kupu i roto i te tekiona mutunga i runga ake nei, ko nga raihana katoa kua karaatitia i roto i ia wahi e korerotia nei i roto i taua tekiona, a e mana ana hoki i te wa i paahitia ai tenei Ture, ka, ina tae ki te mutunga o te wa i karaatitia ai, ka mutu ka kore atu, a e kore ano hoki e ahei kia whakahoutia ake ano.

New Zealand. Analysis.

- Title.
- Preamble.
- Short Title.
- Order in Council validated.
- A sum of £3.000 to be paid by way of compensation out of the Public Works Fund.
- Compensation to be apportioned among claimants by the Native Land Court.
- Similar Orders in Council declared valid.
- Land in Second Schedule declared to be a road.
- Schedules.

1909, No. 33. An Act to validate certain Proceedings for the Taking of Land Title. for Public Works.

[24th December, 1909.

WHEREAS since the year eighteen hundred and ninety-nine the Preamble. Crown has been in possession of the land described in the First Schedule hereto, and has used the same for electric-lighting purposes, and has for those purposes erected certain works and made other improvements on that land: And whereas doubts were subsequently raised as to the title of the Crown to the said land: And whereas by Order in Council dated the nineteenth day of March, nineteen hundred and seven, and published in the *Gazette* of the twenty-first day of the same month, the said land was declared to be taken under the Public Works Act, 1905, for electric-lighting purposes as from the twenty-first day of April, nineteen hundred and seven: And whereas the Court of Appeal has decided that the procedure appropriate for the taking of the said land has not been adopted, and that consequently the said land has not been duly taken under the provisions of the said Act: And whereas the like error may have been made in other cases of the taking of the land of Natives for public works: And whereas it is expedient that all such proceedings should be declared valid and effectual notwithstanding any such erroneous procedure: And whereas the land described in the Second Schedule hereto was on the twenty-fifth day of January, eighteen hundred and ninety-nine, taken (along with certain other land) as a road by warrant of the Governor purporting to be issued under section ninety-two of the Public Works Act, 1894: And whereas doubts have arisen whether the said land described in the Second Schedule hereto has been validly taken as a road, and it is expedient to validate the taking thereof:

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

- Short Title. This Act may be cited as the Rotoiti Validation Act, 1909.
- Order in Council validated. The said Order in Council of the nineteenth day of March, nineteen hundred and seven, is hereby validated, and shall for all purposes be deemed to have taken full effect according to its tenor as from the twenty-first day of April, nineteen hundred and seven; and the land described in the First Schedule hereto is hereby vested accordingly in His Majesty the King for electric-lighting purposes, and shall be deemed to have been so vested as from the last-mentioned date, free and discharged from all mortgages, charges, claims, estates, and interests whatever affecting the same.
- A sum of £3,000 to be paid by way of compensation out the Public Works Fund.
¶The Minister of Finance shall, without further appropriation than this Act, pay out of the Public Works Fund the sum of three thousand pounds by way of compensation for the taking of the land described in the First Schedule hereto.
¶The said sum shall be paid to the Public Trustee, and shall be held by him in trust to distribute the same among the Native owners and other persons interested in the said land in accordance with orders of the Native Land Court to be made in that behalf in accordance with the provisions hereinafter contained.
¶No fees or commission shall be chargeable by the Public Trustee in respect of the receipt or distribution

of the said sum, nor shall any interest be payable by the Public Trustee in respect of the share to which any person is entitled in the distribution of that sum for the period elapsing before the amount of that share has been determined by the Native Land Court.

- Compensation to be apportioned among claimants by the Native Land Court.

¶The Minister of Public Works shall as soon as practicable after the passing of this Act cause application to be made to the Native Land Court to ascertain the persons who are entitled to the sum so payable by way of compensation and the shares in which they are so entitled, and the said Court shall have jurisdiction to determine the same accordingly.

¶The Native Land Court shall deduct from the share of compensation so receivable by any person any sum which that person or his predecessor in title has already received from the Public Account in respect of his interest in the said land, and all sums so deducted shall be paid by the Public Trustee into the Consolidated Fund.

¶The Native Land Court may, if it thinks fit, in the exercise of its jurisdiction under this section, order any part of the compensation so receivable by any person to be paid by the Public Trustee to the solicitor of that person on account of any costs hereinbefore incurred in connection with legal proceedings in respect of the said land, instead of being paid to that person himself.

- Similar Orders in Council declared valid. No Order in Council heretofore made under section ninety of the Public Works Act, 1908, or under the corresponding provisions of any former Act relating to the compulsory acquisition of Native land, shall, in any proceedings or in any Court, be questioned or held invalid on the ground that the land purporting to be thereby taken was not Native land within the meaning of the Act under which the Order in Council was made; and every such Order in Council shall take effect and be deemed at all times to have taken effect according to its tenor, notwithstanding any error, defect, or irregularity whatsoever in the procedure by which the land was so taken.
- The land described in the Second Schedule hereto is hereby Land in Second Schedule declared to be a road. declared to be, and at all times since the twenty-fifth day of January, eighteen hundred and ninety-nine, to have been, a public road vested in His Majesty the King.

Schedules. Schedules

First Schedule.

All those parcels of land, situated in the Land District of Auckland and in Block VI of the Surrey District of Rotoiti, containing respectively and approximately 10 acres and 17 perches, 5 acres 1 rood 28 perches, and 26 acres 2 roods 27 perches, and being portions of the Te Taheke Block: as the same are delineated on the plan marked P. W. D. 21695, deposited in the office of the Minister of Public Works, at Wellington, and thereon coloured red and blue.

Second Schedule.

All that parcel of land, situated in the Land District of Auckland and in Block VI of the Survey District of Rotoiti, containing approximately 1 acre and 22 perches, and being portion of the Te Taheke Block: as the same is delineated on the map No. 5516a, deposited in the office of the Lands and Survey Department, at Auckland, and thereon coloured pink.

1909, No. 33. He Ture hei whakamana i te tangohanga i etahi Whenua mo nga Mahi Nunui.

I Te Mea, mai o te tau kotahi mano e iwa rau e iwa tekau-ma-iwa, i te Karauna te whenua e whakamaramatia nei i te Kupu Apiti Tuatahi, a kua whakamahia e te Karauna taua whenua mo nga mahi o te raiti hiko, a mo runga i aua mahi, kua hangaia e te Karauna etahi mihini me era atu whakapainga ki runga ki taua whenua: A i te mea i muri iho ka ara he tautohe mo te taitara o te Karauna ki taua whenua: A i te mea i te tekau-ma-iwa o nga ra o Maehe, kotahi mano e iwa rau ma whitu ka hangaia he Ota Kaunihera, a ka kahiti-tia i te 21 o nga ra o taua marama, e tango ana i taua whenua i raro i te Ture mo nga Mahi Nunui, 1908, timata mai i

te rua tekau-ma-tahi o nga ra o Aperira, kotahi mano e iwa rau ma whitu, mo nga mahi o te raiti hiko: A i te mea kua whakataua e te Kooti Piira i he te huarahi i tangohia ai taua whenua, a na reira kaore ano taua whenua i ata tangohia i raro i nga tikanga o taua Ture: A i te mea tera pea kua pa ano he he pera ki te tangohanga o etahi atu whenua Maori mo nga Mahi Nunui: A i te mea e tika ana kia kiia e mana ana aua tangohanga, ahakoa i he te huarahi i tangohia ai: A i te mea ko te whenua e whakamaramatia nei i te Kupu Apiti Tuarua (apiti ki tetahi atu whenua) i tangohia i te rua tekau-ma-rima o nga ra o Hanuere, 1899, i runga i te warati a te Kawana i raro i te tekiona 92 o te Ture mo nga Mahi Nunui, 1894: A i te mea kua ara te tautohe mo te tika, mo te he ranei o te tangohanga o taua whenua hei rori, a e tika ana kia whakamanaia taua tangohanga:

Na Reira Ka Meinga hei Ture e te Runanga Nui o Nin Tireni e noho huihui ana i roto i te Paremete, a i runga ano hoki i tona mana, ara:—

- Ka huaina tenei Ture ko te Ture Whakamana Tango Whenua i te Rotoiti, 1909.
- Tenei ka whakamanaia te Ota Kaunihera o te 19 o nga ra o Maehe, 1907, a ka kiia mo ona ritenga katoa i timata mai tona mana i te 21 o nga ra o Aperira, 1907; a ko te whenua e whakamaramatia nei i te Kupu Apiti Tuatahi ka whakataua ki te Kingi mo nga mahi o te raiti hiko, a ka kiia i whakataua penatia mai ano o taua 21 o Aperira, 1907, me te watea i nga mokete, kereeme, taimahatanga me era atu raruraru katoa.
- Ka ahei te Minita o Nga Moni i runga i te mana o tenei Ture ki te utu, i rote i nga moni mo nga Mahi Nunui, i te moni e Toru Mano pauna, hei utu kapeneheihana mo te tangohanga i te whenua e whakamaramatia nei ite; Kupu Apiti Tuatahi.
Me utu taua moni ki te Kai-tiaki o te Katoa, a me pupuri e ia i runga i te tikanga tiaki, mana e whakarato ki nga tangata Maori no ratou te whenua, ki etahi atu tangata hold e whai paanga ana ki taua whenua i raro i nga ota a te Kooti Whenua Maori e mahia i runga i nga huarahi a muri ake nei whakamatamatia ai. Kaua he moni whi, komihana ranei e puritia e te Kaitiaki o te Katoa mo tana mahi whakarato i taua moni, a kaua hoki he initaretu e utu a e te Kaitiaki o te Katoa ki nga tangata ma ratou taua moni mo o ratou hea, i mua atu o te whakataunga ai a te Kooti Whenua Maori i te nui o aua hea.
- I muri tata iho i te paahitanga o tenei Ture me whakahau e te Minita mo nga Mahi Nunui kia tonoa ki te Kooti Whenua Maori kia uiuia, ko wai nga tangata ma ratau taua moni kapeneheihana, a he aha o ratou hea, a ka whaimana taua Kooti ki te whakatau i aua take.
Ka whaimana te Kooti Whenua Maori ki te pupuri i roto i te moni kapeneheihana mo te hea o ia tanagata, i te moni kua utua i mua atu ki taua tangata, ki te tangata ranei mo reira ia i whakaturia ai hei kai-riiwhi, a ko nga moni e puritia penatia me utu e te Kaitiaki o te Katoa ki te Kaute Topu o nga Moni o te Tominiona.
Ka ahei te Kooti Whenua Maori, i a ia e whakahaere ana i tona mana i raro i tenei tekiona, ki te hanga ota mo tetahi wahi o te moni kapeneheihana, mo te hea o tetahi tangata, kia utua e te Kaitiaki o te Katoa ki te Roia o taua tangata hei whakaea mo nga moni keehi i pau i nga whakawa mo te whenua kua whakahuatia ake nei.
- Kaua tetahi Ota Kaunihera i hangaia i raro i te mana o te tekiona 90 o te Ture mo nga Mahi Nunui, 1908. i raro ranei i te mana o tetahi tekiona pera o tetahi atu Ture e whakamana ana i te tangohanga whenua maori, e ahei kia tautohetia, kia whakahengia ranei i runga i tenei take, ara, ehara te whenua e meatia ra kia tangohia i te whenua maori i roto i nga tikanga o te Ture na reira nei i whakamana kia hangaia taua Ota Kaunihera; a ko ia Ota Kaunihera pera ka whaimana i runga i tona aronga, ahakoa te he, te raruraru ranei o te huarahi i tangohia ai taua whenua.
- Ko te whenua e whakamaramatia nei i te Kupu Apiti Tuarua ka kiia mai ano o te 25 o nga ra o Hanuere, 1899, he rori mo te katoa i tau ki te Kingi.

KUPU APITI TUATAHI.

KATOA era whenua, kei te Takiwa Whenua o Akarana, a kei Poraka VI o te Takiwa Ruuri o te Rotoiti, te nui 10 eka 17 paati, 5 eka 1 ruuri e 28 paati, me te 26 eka 2 ruuri 27 paati, he wahi nei no Taheke Poraka: kua waitohutia ki runga ki te Mapi P.W.D. 21695, i whakatakotoria ki te tari o te Minita mo nga Mahi Nunui, i Poneke, a kua maakatia ki te kara whero me te kara puru.

Kupu Apiti Tuarua.

KATOA taua whenua, kei te Takiwa Whenua o Akarana a kei Poraka VI o te Takiwa Ruuri o te Rotoiti, te nui 1 eka 22 paati, he wahi no Taheke Poraka: kua waitohutia nei ki te mapi No. 5516a, i whakatakotoria ki te tari Ruuri i Akarana, a kua maakatia ki te kara puwhero.

New Zealand. Analysis.

- Title.
- Short Title and commencement.
- Urewera Native Reserve not to be subject to Native Land Act, 1909.
- Orders made under the principal Act, & c., to have operation of freehold orders under Native Land Act.
- Orders may be registered under Land Transfer Act.
- Jurisdiction of Native Land Court with respect to land under principal Act.
- Alienation of that land.
- In certain cases land may be vested in Maori Land Board for sale or lease.
- Land subject to principal Act may be brought under Part XVI of the Native Land Act, 1909, by Order in Council.
- Licenses to cut timber may be granted by the Board with the authority of the Governor in Council.
- Validity of Orders in Council under this Act.
- Regulations.
- Removal and appointment of members of the General Committee.
- Purchase by the Crown of land subject to the principal Act.
- Limitation of application of certain parts of Native Land Act.

1909, No. 24. AN ACT to amend the Urewera District Native Reserve Act, 1896. Title.

[24th December, 1909.]

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

- This Act may be cited as the Urewera District Native Short Title and commencement. Reserve Amendment Act, 1909, and shall be read together with and deemed to form part of the Urewera District Native Reserve Act, 1896 (hereinafter referred to as the principal Act).
- This Act shall come into operation on the thirty-first day of March, nineteen hundred and ten.
- Save so far as otherwise provided in this Act, nothing in Urewera Native Reserve not to be subject to Native Land Act, 1909. the Native Land Act, 1909, shall affect the provisions of the principal Act, or of the Urewera District Native Reserve Act Amendment Act, 1900, or of any unrepealed amendment of either of those Acts.
- All orders made by the Commissioners under the last-mentioned Orders made under the principal Act, & c., to have operation of freehold orders under Native Land Act. Acts or any amendment thereof, and confirmed (with or without modification) by the Governor or by the Native Minister in accordance with those Acts, whether before or after the commencement of this Act, shall have, and shall be deemed to have had as from the date of the making thereof, the same operation as a freehold order made by the Native Land Court under the Native Land Act, 1909; and the land included therein shall be, and shall be deemed to have been as from the date of the making of the order, Native freehold land accordingly, and subject to the Land Transfer Act, 1908.
- Orders may be registered under Land Transfer Act. Every such order may be registered under the Land Transfer Act, 1908, in the same manner, with all necessary modifications, as if it was a freehold order made by the Native Land Court under the Native Land Act, 1909.
- Jurisdiction of Native Land Court with respect to land under principal Act. The Native Land Court may exercise, in respect of land subject to the principal Act, all the jurisdiction vested in the Court by the Native Land Act, 1909, in respect of Native land, including the jurisdiction, under Part IV of that Act, relating to the making of freehold orders: save and except that the Court shall not, without the leave of the Governor in Council first obtained, exercise jurisdiction under Part VI of that Act (relating to partition) or under Part VII of that Act (relating to exchange).
- Alienation of that land. Land which is subject to the principal Act shall be inalienable except in manner

provided by that Act and the amendments thereof, or in manner hereinafter provided.

- In certain cases land may be vested in Maori Land Board for sale or lease. With the consent of the General Committee under the principal Act and its, amendments, the Governor may by Order in Council vest any part of the land subject to that Act in the Maori Land Board of the district in which that land is situated, for sale or for leasing under Part XIV of the Native Land Act, 1909; and thereupon all the provisions of that Part of that Act shall apply thereto accordingly in the same manner as if the land had been so vested in the Board in pursuance of a resolution of the assembled owners under Part XVIII of that Act.
- Land subject to principal Act may be brought under Part. XVI of the Native Land Act, 1909, by Order in Council.
 - ¶With the consent of the said General Committee the Governor may by Order in Council declare that any land subject to the principal Act is subject to Part XVI of the Native Land Act, 1909 (relating to Native land for Native settlement).
 - ¶The land comprised in any such Order in Council shall thereupon become and at all times thereafter remain, so long as the Order in Council is in force, subject to Part XVI of the Native Land Act, 1909, and all the provisions of that Part of the said Act shall apply thereto accordingly.
 - ¶Any Order in Council made under this section may be at any time revoked either in whole or in part.
- Licenses to cut timber may be granted by the Board with the authority of the Governor in Council.
 - ¶With the consent of the said General Committee, the Governor may by Order in Council empower the Maori Land Board of the district in which any land subject to the principal Act is situated to grant licenses for the removal of timber from that land.
 - ¶Every such license shall be for such period not exceeding, together with the term of any renewal to which the licensee is entitled, a term of thirty years, and may be granted on such conditions and in consideration of such payments by way of royalty or otherwise as the Board thinks fit, and may confer upon the licensee such rights over the land as are in the opinion of the Board necessary or expedient for the purpose of the license.
 - ¶Any such license may be granted either by way of public auction or public tender or by way of private contract.
 - ¶Every such license shall be granted by the Board in its own name, and shall create the same relation between the Board and the licensee, and confer and impose upon the licensee the same rights, obligations, and liabilities, as if the land was vested in the Board for a legal estate in fee-simple.
 - ¶No such license shall require confirmation by the Board.
 - ¶Every such license may be registered under the Land Transfer Act, 1908, against the title to the land affected thereby in the same manner as if it was a lease.
 - ¶The Board shall hold all revenue derived by it from any such license in trust, after payment thereof of all costs and expenses incurred by the Board in respect thereof, to pay the same to the owners of the land affected by the license in accordance with their respective interests therein.
- Every Order in Council issued under any of the last three Validity of Orders in Council under this Act. preceding sections shall be conclusive proof that all conditions precedent to the making thereof have been duly fulfilled, and no such Order shall be questioned on any ground in any Court.
- The Governor may from time to time, by Order in Council, Regulations. make regulations—
 - ¶Prescribing the powers and functions of local committees under the principal Act and its amendments:
 - ¶Prescribing the mode of filling vacancies on any such local committee:
 - ¶Prescribing the mode of procedure of the General Committee under the principal Act and its amendments.
- ¶The Governor may at any time, for any reason which Removal and appointment of members of the General Committee. he thinks fit, remove any member of the said General Committee, and may appoint in his place, or in the place of any other member who has in any manner vacated his office, such other person, being the owner of land subject to the principal Act, as he thinks fit.
 - ¶Every such appointment shall be published in the *Kahiti*, and shall take effect as from the date of that publication thereof.
- ¶When any land subject to the principal Act is purchased Purchase by the Crown of land subject to the principal Act. by the Crown from the General Committee in pursuance of that Act, the contract of purchase shall be carried into effect by a Proclamation in the same manner as in the case of a purchase from the assembled owners under Part XIX of the Native Land Act, 1909, and all the provisions of that Part of that Act shall apply accordingly in the same manner as if the land had been purchased by the Crown under the authority of that Part of that Act.
 - ¶Notwithstanding anything in Part XIX of the Native Land Act, 1909, no land subject to the principal Act shall be purchased by the Crown otherwise than from the General Committee in pursuance of the

principal Act.

- Limitation of application of certain parts of Native Land Act. Except so far as in this Act expressly provided, nothing in Part XIV, Part XV, Part XVI, Part XVII, or Part XVIII of the Native Land Act, 1909, shall apply to any land which is subject to the principal Act.

1909, No. 24. HE TURE hei Whakatikatika i te Ture Rahui Maori o te Takiwa o te Urewera, 1896.

[24 o Tihema, 1909.

Kua Meinga Hei Ture e te Runanga Nui of Niu Tireni e noho huihui ana i roto i te Paremete, a i runga ano hold i tona mana, ara:—

- Ko tenei Ture me hua ko te Ture Whakatikatika i te Ture Rahui Maori o te Takiwa o te Urewera, 1909, a me panui tahi raua ko a ka kiia hoki he wahi no te Ture Rahui Maori o te Takiwa o te Urewera, 1896 (a muri ake nei huaina ai ko te tino Ture).
Ka timata tenei Ture te whaimana i te toru tekau-ma-tahi o nga ra o Maehe, kotahi mano e iwa rau kotahi tekau.
- Ki te kore e whakaritea ketia i roto i tenei Ture, e kore tetahi kupu i roto i te Ture Whenua Maori, 1909, e pa atu ki nga tikanga o te tino Ture, o te Ture Whakatikatika ranei i te Ture Rahui Maori o te Takiwa o te Urewera, 1900, ki nga tikanga ranei o tetahi menemana kaore ano i whakakorea o tetahi o aua Ture.
- Ko nga ota katoa i mahia e nga Komihana i raro i nga Ture whakamutunga kua whakahuatia ake nei, i tetahi menemana ranei o aua Ture, a i whakapumautia (ahakoa i whakarerekitia kaore ranei etahi wahi) e te Kawana, e te Minita Maori ranei i raro i nga tikanga o aua Ture, i mua atu i muri iho ranei i te timatanga o tenei Ture, ka whiwhi, a ka kiia i timata mai te whiwhi i te ra i mahia ai aua ota, ki nga mana katoa o tetahi ota whiri-houra i mahia e te Kooti Whenua Maori i raro i te Ture Whenua Maori, 1909: a ko te whenua e uru aua ki taua ota ka kiia he whenua whiri-houra Maori i runga i tera aronga, mai ano o te ra i mania ai taua ota, a ka ekengia hoki e nga tikanga o te Ture Whakawhiti Whenua, 1908.
- Ka ahei kia rehitatia ia ota pera i raro i te Ture Whakawhiti Whenua, 1908, i runga i aua huarahi ano, hui atu hoki ki nga whakatikatikanga katoa e tika aua, ano tonu me te mea nei he ota whiri-houra i mahia e te Kooti Whenua Maori i raro i te Ture Whenua Maori, 1909.
- Ka ahei te Kooti Whenua Maori ki te whakahaere mo te taha ki nga whenua katoa e ekengia ana e te tino Ture, i nga mana katoa kua whakawhiwhia ki te Kooti e te Ture Whenua Maori, 1909, mo te taha ki nga whenua Maori, tae noa ki nga mana i raro i Wahi IV, o taua Ture e pa ana ki te mahinga o nga ota whiri-houra: engari kua taua Kooti, ki te kore i matua whakaaetia e te Kawana i roto i tona Kaunihera, e whakahaere i tona mana i raro i Wahi VI o taua Ture (e pa ana mo te wehewehenga whenua) i raro ranei i Wahi VII o taua Ture (e pa ana mo te whakawhitiwhitinga whenua).
- E kore tetahi whenua e ekengia ana e te mana o te tino Ture e taea te tuku, engari ma runga anake i nga huarahi kua whakatako-toria e taua Ture, me ona menemana, i nga huarahi ranei kua whakatakotoria i raro iho nei i roto i tenei Ture.
- I runga ia i te whakaae a te Komiti Nui i raro i te tino Ture me ona menemana, ka ahei te Kawana i runga i te Ota Kaunihera ki te whakatau i ia wahi o te whenua e ekengia ana e taua Ture ki raro ki te Poari Whenua Maori o te takiwa kei reira nei taua whenua e takoto ana, kia hokona, kia riihitia ranei i raro i nga tikanga o Wahi XIV o te Ture Whenua Maori, 1909: a hei reira ka pa nga tikanga katoa; o taua Wahi o taua Ture ki taua whenua, ano taua whenua he mea whakatau atu ki te Poari i runga i tetahi kupu i oti i te Runanga o nga tangata no ratou te whenua i raro i Wahi XVIII o taua Ture.
- I runga i te whakaae a taua Komiti Nui, ka ahei te Kawana i runga i te Ota Kaunihera ki te whakaatu ko ia whenua e ekengia ana e te tino Ture, kei te ekengia ano hoki e nga tikanga o Wahi XVI o te Ture Whenua Maori, 1909 (e pa ana mo nga whenua Maori hei whakanohonohoanga ki te Maori).
Ko nga whenua e uru ana ki te Ota Kaunihera pera ka ekengia tonutia i reira, a i roto hoki i nga wa, katoa a muri atu, i te mea ia e mana ana taua Ota Kaunihera, e nga tikanga o Wahi XVI o te Ture Whenua Maori, 1909, me nga tikanga katoa o taua Wahi o taua Ture, ka pa ki taua whenua i runga i tera ahua.
Ka Ota Kaunihera i mahia i raro i tenei tekiona ka ahei i ia wa i ia wa kia whakakorea te katoa, tetahi wahi

ranei ona.

- ʔ runga i te whakaae a taua Komiti Nui ka ahei te Kawana i runga i te Ota Kaunihera ki te whakamana i te Poari Whenua Maori o te takiwa kei reira nei e takoto ana tetahi whenua e ekengia ana e te tino Ture, ki te whakaputa raihana kia mahia atu nga rakau o runga i taua whenua.

ʔa raihana pera ka mana mo tona wa, kua e roa atu i te toru tekau tau hui atu ki nga whakahoutanga o taua raihana e tika ana kia whiwhi te kai-tango raihana, a ka ahei hoki kia whakaputaina i runga i nga tikanga, a i runga ano hoki i nga utunga moni roiate (mo nga rakau), moni pehea ranei e whakaarohia ana e te Poari e tika ana: a ka ahei hoki hei whakawhiwhi atu ki te kai-tango raihana i nga mana ki runga ki te whenua e whakaarohia ana e te Poari e rite ana e tika ana ranei mo te aronga o taua raihana.

ʔa raihana pera ka ahei kia whakaputaina i runga i te makete e tuhera ana ki te katoa, i te tena (*tender*) ranei e puare ana ki te katoa, i runga ranei i te kanataraka paraiwete.

ʔa raihana pera me whakaputa e te Poari i runga i tona ingoa ake, a ka hanga i tana ahuatanga nei ano i waenganui i te Poari raua ko te kai-tango raihana, me te whakawhiwhi me te whakanoho atu ki te kai-tango raihana i aua mana me aua tau-mahatanga nei ano, ano tonu me te mea nei kua whakataua atu taua whenua ki te Poari hei paanga-a-ture i runga i te tikanga *fee simple*.

ʔo nga raihana pera e kore e whai tikanga kia whaka-manai rawatia e te Poari.

ʔa raihana pera ka ahei kia rehitatia i raro i te Ture Whaka-whiti Whenua, 1908, ki runga ki te taitara o te whenua e pangia ana, ano he rihi taua raihana.

Me pupuri e te Poari i runga i te ritenga tiaki nga moni hua katoa o ia o aua raihana pera, ina matua utua i roto o aua moni nga raruraru katoa o te Poari mo runga i te whakahaerenga i taua raihana, a me utu atu e ia ki nga tangata nona te whenua e pangia ana e taua raihana, i runga i te aronga o o ratou paanga ki taua whenua.

- Ia Ota Kaunihera i whakaputaina i raro i tetahi o nga tekiona mutunga e toru i runga ake nei ka tau hei tohu tuturu kua ata whakaritea katoatia nga tikanga e tika ana kia whakaritea i mua o tona mahinga, a e kore tetahi ota pera e taea te whakahe ahakoa i roto i tewhea Kooti, ahakoa ano hoki i runga i tewhea take.

- Ka ahei te Kawana i ia wa i ia wa, i runga i te Ota Kaunihera, ki te hanga rekureihana—

ʔei whakatakoto i nga mana mo nga Komiti Poraka i raro i te tino Ture me ona menemana:

ʔei whakatakoto i nga huarahi e whakakapia ai nga wateatanga i runga i ia Komiti Poraka pera:

ʔei whakatakoto i nga huarahi whakahaere ma te Komiti Nui i raro i te tino Ture me ona menemana:

- ʔa ahei te Kawana i nga wa katoa, mo nga take e maharatia ana e ia e tika ana, ki te whakakore atu i ia mema o taua Komiti Nui, me te whakatu kai-whakakapi mona, kai-whakakapi ranei mo tetahi atu mema kua watea nei tona turanga, ahakoa i runga i tewhea huarahi, hei tetahi atu tangata whai-paanga ki te whenua i raro i te tino Ture, e maharatia ana e ia e tika ana.

ʔo ia whakaturanga pera me panui ki roto ki te *Kahiti*, a ka timata atu hoki tona mana i te ra tonu i panuitia ai.

- Mehemea ka hokona mai e te Karauna tetahi whenua (kei raro i te tino Ture) i te Komiti Nui i raro i te mana o taua Ture, me whakatutuki taua hoko i runga i tetahi Panui, ano he hoko i runga i tetahi kupu i oti i te Runanga o te iwi kainga i raro i nga tikanga o Wahi XIX o te Ture Whenua Maori, 1909, a ka pa nga tikanga o taua Wahi o taua Ture, ano taua whenua, i hokona ra, i hokona mai e te Karauna i raro i te mana o taua Wahi o taua Ture.

ʔhakoa e takoto ke ana etahi tikanga o Wahi XIX o te Ture Whenua Maori, 1909, e kore tetahi whenua e ekengia ana e te tino Ture, e ahei kia hokona mai e te Karauna i runga i tetahi huarahi ke atu, engari me hoko mai anake e te Karauaa i te Komiti Nui i raro i te tino Ture.

ʔehemea kaore i te ata whakatakotoria ketia i roto i tenei Ture, e kore tetahi kupu o roto i Wahi XIV, Wahi XV, Wahi XVI, Wahi XVII, Wahi XVIII, ranei, o te Ture Whenua Maori, 1909, e pa ki tetahi whenua e ekengia ana e te tino Ture.