

# He Pire I Huaina

HE TURE hei Whakatapu i te Ture e pa ana ki te Whakahaere o nga Rahui Maori  
Na Ka Meinga hei Ture e te Runanga Nui o Niu Tireni e noho huihui ana i roto i te Paramete, i runga ano  
hoki tona mana ara:—

## Etahi Tikanga.

- Ko te Ingoa Poto o tenei Ture ko "Te Ture Whakahaere Rahui Maori, 1893."
- I roto i tenei Ture, ara mehemea kahore e rereke ana nga tikanga e mau iho nei,—
  - "Tuku tukunga ranei" te tikanga o ia kupu he tuku rere atu, he tuku mo tetahi wa anake ranei ahakakoa i runga i te hoko, riihi, mokete, tono, whakaekenga moni tetahi atu tuku rane:
  - "Kaiwhiriwhiri" tona tikanga ko tetahi tangata e whakaturia ana hei kaiwhiriwhiri utu i raro i tenei Ture:
    - "Kairuri whai raihana" tona tikanga ko tetahi kairuri e mahi ana mo te Kairuri Tumuaki he mea whakahau ranei nana na tona teputi ranei, ko tetahi kairuri ranei i whakaturia e te Poari:
    - "Poari" tona tikanga ko te Poari i whakaturia e "Te Tari Tiaki o te Katoa, 1872," hui atu ki nga Maori tokorua e whakaturia ana i ai wa i ai wa e te Kawana kia tu mo taua Poari i te wa i pai ai te Kawana.
    - "Ngaki" i hui mai ki roto i tenei kupu te Whakatare i nga wai o nga repo te tua waerenga, te para whenua hei ngakinga kai, he para he parau he rui ki te karaihe:
    - "Whaina, whainatanga" tona tikanga he whaina he whainatanga kia riro i te Kaitiaki mo te Katoa.
    - "Whenua i tukua ki te Kaitiaki mo te Katoa" tona tikanga ko nga whenua e tukuna ana ki te Kaitaki mo te Katoa i runga i nga tikanga o tenei Ture:
    - "Riihi" i uru mai ki tenei kupu nga raihana:
    - "Kaitango riihi" e uru mai ki tenei kupu te kaituku raihana me nga kaiwhakaoti, kaiwhakahaere, me nga tangata i tukuna ai nga whenua a te kaitango riihi a te kaituku raihana:
    - "Mana takiwa" tona tikanga ko te Kaunihera Poari ranei o tetahi paro, takiwa taone; kauti, takiwa huarahi, tetahi atu takiwa ranei i whakamana ki te whakanoho reiti mo ia wahi; hui atu ki tetahi hunga topu, i whakamana te toputanga e te ture kahore ranei:
    - "Minita" tona tikanga ko te Kaitiaki Moni o te Koroni:
    - "Heretitemata Maori" tona tikanga ko nga whenua katoa e puritia ana e nga Maori i raro i tetahi take o ia ahua haunga nga whenua Maori haunga hoki te whenua mea hoko i mua i te Karauna, i tetahi tangata ranei, i tetahi hunga topu whaimana ranei
    - "Whenua Maori" tona tikanga ko nga whenua e whai take ana nga Maori i raro i a ratou tikanga me a ratou ritenga Maori, a kahore nei ano i whakawakia nga take e te Kooti Whenua Maori:
    - "Maori" tona tikanga, ko nga Maori tuturu o Niu Tireni, hui atu ki nga hawhe-kaihe me o ratou uri:
    - "Kaipupuri matamua" tona tikanga ko te tangata tuatahi i tukuna ai tetahi riihi raihana ranei:
    - "Tangata whai take" tona tikanga he Maori whai take:
    - "Whenua haerenga kararehe" i uru mai ki tenei kupu nga whenua katoa i tukua ki te Kaitiaki mo te Katoa e haerea ana e te kararehe e pai ana ranei hei haerenga kararehe, ka whakamaramatia ake tona ahua i konei:
    - "Riihi haerenga kararehe" tona tikanga he riihi e whakamanangia ana te noho o nga whenua haerenga kararehe hei haereranga kararehe:
    - "Kaitiaki mo te Katoa" tona tikanga ko te Kaitiaki mo te Katoa i uru mai i raro i "Te Ture Tari Tiaki mo te Katoa, 1872:"
    - "Whare" i nga wahi katoa e hiahia ana e tenei Ture ko te tikanga o te kupu (whare) ko te whare o te kaitango riihi o tetahi whenua i tukua ki te Kaitiaki o te Katoa, i runga ranei i te whakaae a te Kaitiaki o te Katoa, te whare hoki o te whanau a taua kaitango riihi, a ko taua whare me whare e ahei ana te tangata te noho i roto, a e whakaaetia ana e te Kaitiaki o te Katoa he whare e ahei ana te tangata te noho i roto:
    - "Raana" tona tikanga ko tetahi whenua e nohia ana i runga i te mana riihi hei haerenga kararehe, e pai ana ranei hei haerenga kararehe erangi kihai i whiua he kararehe ki runga:
    - "Whakapainga pumau" tona tikanga a i uru mai hoki ki aua kupu te whakapai me te ngaki i nga repo, te para waerenga, tataramoa o ia ahua, tarutaru Maori ranei, me te ngaki, me te whakato ki te rakau me te whakato taiepa tupu, me te whakatakoto i te rahi me te ngaki i nga kaari, me te taiepa, me te whakaheke i nga wai, me te hanga i nga huarahi, me te keru i nga poka wai, turanga wai ranei, me te keru i nga

whakahekenga wai, me nga tipu hipi, me te hanga i nga maioro me nga mahi tiaki o ia ahua, me te whakapai me te whakamomona i te whenua, te hanga ranei i tetahi whare:

"Kairuri Tumuaki" tona tikanga ko te Apiha Tumuaki o te Tari Whenua, Ruri hoki, ko tona teputi ranei:

"Kaitono" tona tikanga he tangata e tono ana i raro o tenei Ture:

"Ture Kooti Whenua Maori, 1886," i uru mai taua Ture me nga whakatikatikanga katoa o taua Ture, me tetahi etahi atu ture ranei i paahitia hei riiwhi mo taua Ture:

"Ture Rahui Maori, 1882," i uru mai taua Ture me nga whakatikatikanga katoa o taua Ture:

Ture Rahui Maori o Whakatu me te Taihauauru o te Waipounamu, 1887," me "Te Ture Rahui Maori o te Waipounamu, 1883," i uru mai aua Ture me nga whakatikatikanga o ana Ture:

E uru mai ana ki "tenei Ture" nga Apiti katoa e pa ana ki tenei ture me etahi ture iti, whakahaerenga Ture ranei i raro i tenei Ture, a kei te wahi o te Apiti ki tenei Ture e mau nei enei kupu na ("tenei Ture") ki te rokohanga aua kupu he whakaatu e uru mai ana te tinana o tenei Ture hui atu ki te Apiti, ki te kore ia he ritenga, ke e kitea:

"Taone" tona tikanga ko tetahi piihi wahi whenua ranei i waho o tetahi paro i ruritia kia pena te rahi o nga piihi hei turanga whare.

Take ki te whenua (ara he whenua i rahuitia hei painga mo nga Maori) ka kiia kua marama nga take ina kitea nga take i runga i te whakawakanga a te Kooti Whenua Maori.

- Ko nga whenua katoa e uru ana ki tetahi o nga whakamaramatanga e mau iho nei ka meinga mo runga i nga tikanga o tenei Ture me tuku ki te Kaitiaki mo te Katoa penei ano me nga tikanga o tenei Ture:—  
Nga whenua kua oti te wehe ki waho ka wehea ranei ki waho a muri ake nei ka rahuitia ranei e nga Maori mo nga Maori i runga i te tukunga o tetahi whenua ki te Karauna, a i whakaaturia kua wehea ki waho kua rahuitia i runga i te pukapuka tuku tiiti ranei:  
Nga whenua e rahuitia ana ka rahuitia ranei a muri ake nei e wehea ketia ranei ki waho hei painga mo nga Maori i runga i ta ratou hoko ki te Karauna i tetahi whenua:  
Nga whenua i uru ki roto ki nga whenua nui i whakaaetia i wehea ketia ranei hei oranga mo nga tangata Maori e Kanara Makereweti, i runga ranei i nga kupu tohutohu a tetahi Komihana i whakaturia hei whiriwhiri i nga mahi hoko a te Niu Tireni Kamupane i hoko whenua nei i nga Maori:  
Nga whenua i rahuitia hei painga mo nga Maori e te Niu Tireni Kamupane Whenua e te Niu Tireni Kamupane ranei:  
Nga whenua i rahuitia i wehea ranei hei painga mo nga Maori i raro i te Mana o tetahi Ture o te Runanga Nui o Niu Tireni e mana nei a muri ake nei ranei paahitia ai, ki te kore he whakaritenga kitanga.  
Nga whenua kua tukua ki te Kaitiaki mo te Katoa e "Te Ture Rahui Maori, 1882," kua tukua ranei te mana me te whakahaere e taua Ture ki te Kaitiaki mo te Katoa, nga whenua hoki kua tukua te mana me te whakahaere ki te Kaitiaki mo te Katoa e "Te Ture Rahui o te Tai Hauauru o te Waipounamu me Whakatu, 1887," e "Te Ture Rahui ranei o te Waipounamu, 1883"; nga whenua i whakakorea e nga tikanga o tetahi Ture kua whakakorea e tenei Ture e tetahi ranei o nga Ture i whakakorea e tenei Ture kua tukua ranei e aua Ture ki te Kaitiaki mo te Katoa i tukua ranei ki raro i tona mana me tana whakahaere kua meinga he rahui Maori:  
Nga whenua e ahei i te Kawana i roto i tona Kaunihera hei whakarite i nga tikanga o tenei Ture i raro ano hoki i te mana o tenei Ture te ki i tukua ki te Kaitiaki mo te Katoa:  
Nga whenua i tukua e tenei Ture e tukua ranei e tenei Ture ki te Kaitiaki mo te Katoa.  
Kahore he mea e mau ana i konei e kiia ka pa ki tetahi whenua i karatitia i raro i "Te Ture Karaati o Powati Pei, 1869," me te Ture Whakatikatika i "Te Ture Karati o Powati Pei, 1871," ki nga rahui ranei e ekengia ana i tukuna ranei ki te Kaitiaki mo te Katoa e te Ture Whakanohonoho Rahui o te Tai Hauauru, 1892, e nga Ture ranei i whakakorea e taua Ture.  
Mehemea e awangawanga ana te whakaaro mehemea kaore i uru mai, i uru mai ranei tetahi whenua ki raro i nga tikanga o tenei tekiona ka ahei te Kawana i runga i te ota i roto i te Kaunihera te kahiti ki roto i te *Gazette* me te *Kahiti* te whakatau i aua awangawanga me te panui mehemea e tau ana taua whenua ki raro i nga tikanga o tenei tekiona kahore ranei, a ko taua ota ka tuturu oti tonu atu.  
Ko nga whenua e tukua ana ka tukua ranei a muri ake nei ki te Kaitiaki mo te Katoa i runga i te mana o tenei tekiona me tuku penei ara:—  
Nga whenua i uru ki nga whakamaramatanga mai e nga rarangi timata mai i te (1) tae atu ki te (8) i te wa i pahitia ai tenei Ture ko aua whenua ka tukuna ki te Kaitiaki mo te Katoa i runga i nga tikanga timata mai hoki i te mananga o tenei Ture:  
Nga whenua e uru ki nga whakamaramatanga i nga rarangi (1) tae atu ki te (8) i muri iho o te mananga o tenei Ture, ko aua whenua i runga tonu i te urunga mai ki raro i aua whakamaramatanga ka tukua ki te Kaitiaki mo te Katoa ahakoa kahore he karaati, pukapuka tuku, tetahi atu tuku ranei.

- Nga rahui Maori katoa o roto o te takiwa e whakaaturia ana i roto i te Apiti e whakahuatia ana i roto i te tekiona tuawha o "Te Ture Rahui Maori, 1882," a i tau i te timatanga o tenei Ture ki raro i nga tikanga o tetahi Ture kua whakakorea nei ka meinga kua tau ki raro i nga tikanga o tenei Ture.  
Ekore tenei Ture e whai mana i tera wahi o te Koroni e mohiotia ano ko te Takiwa Raupatu e whakaaturia auo i rolo i te Apiti e whakahuatia ano i roto i te tekiona rima o "Te Ture Rahui Maori, 1882," Haunga ia i runga i nga tikanga kua whakaritea ake nei.
- Ko nga whenua me nga taonga katoa i tukua ki te Kaitiaki mo te Katoa i te timatanga o te mana o tenei Ture i tukua i mua a e puritia ana e ia i runga i nga tikanga o tetahi Ture kua whakakorea nei ka tukua ki te Kaitiaki mo te Katoa i raro i tenei Ture.  
Te Tukunga Mai O Nga Rahui Me Nga Whenua E Whai Taike Ana Nga Maori Ki Raro I Tenei Ture.
- I muri iho i te whakataunga o te take Maori ki tetahi whenua i rahuitia i mua, tera ranei e rahuitia a muri ake nei hei painga mo nga Maori, a kihai aua whenua i tukua ki te Kaitiaki e tenei Ture, a ahakoa etahi atu tikanga o tenei Ture, ka ahei te Kawana i runga i te Ota i roto i tona Kaunihera te tuku i aua whenua ki to Kaitiaki mo te Katoa hei whakarite i nga tikanga o tenei Ture. Ko taua ota me perehi ki roto i te *New Zealand Gazette* me te *Kahiti*, ko te whakaotinga o nga tikanga katoa, mo enei take e mau ake nei ara:—  
Kua rahuitia te whenua hei painga mo nga Maori;  
Kua oti te whakatan nga take ki tana whenua;  
Ko taua whenua kua tukua ki to Kaitiaki mo te Katoa.
- Nga heretitimete Maori, mehemea o tan ana ki raro i nga here e taea ekore ranei e taea te tuku, ka ahei e te tokonui o nga tangata whai take o aua heretitimete i runga i te whakaae a te Kawana te tuku mai ki raro i nga tikanga o tenei Ture; a ki te whakaae te Kawana ka ahei te hanga he ota i roto i te Kaunihera hei tuku i taua whenua ki te Kaitiaki mo te Katoa, a i reira ano ka tau taua whenua ki raro i te mana o te Kaitiaki mo te Katoa i runga ano i nga tikanga o taua ota.  
Nga Kaitiaki nga komiti ranei mo nga tamariki, mo nga porangi me etahi atu tangata manakore ka ahei mo te taha ki taua hunga, ahakoa nga tikanga o te tiaki, te whakaae te whakahaere te whakakore i tetahi tikanga e tukuna ai nga heretitimete ki te Kaitiaki mo te Katoa. Ka ahei nga wahine marena akakoa kaore e whakaae a ratou tane te whakaae to mahi te whakakore i tetahi tikanga e tau ai aua heretitimete ki te Kaitiaki mo te Katoa i raro i tenei Ture.  
Ko te Maori e neke ake ana ona tau i te tekau mawhiti tau ka kiia hei whakerite mo nga tikanga o tenei tekiona he kaumatua.  
Me perehi te Ota i roto i te Kaunihera ki roto i te *New Zealand Gazette* me te *Kahiti* a ka oti te panui ka meinga he korero tuturu tana panuitanga i tukua taua whenua ki te Kaitiaki mo te Katoa.  
I mua o te whakaaetanga a te Kawana, i mua ranei o te hanganga o tetahi ota me tuku te tono e te Kawana ki te Kooti Whenua Maori kia mohiotia ai:—  
Mehemea e whakaae ana te tokonui o nga tangata whai take kia tukuna taua whenua ki raro i nga tikanga o tenei Ture;  
Mehemea tera etahi tikanga e pai ana e kino ana ranei kia tukua taua whenua ki raro i nga tikanga o tenei Ture.  
I reira ano ka timata te kimi e te Kooti mehemea e whakaae ana te nuinga o nga tangata whai take, a mehemea he mea tika kia tukua mai taua whenua ki raro i nga tikanga o tenei Ture me te tuku tonu i ta ratou ripoata ki te Kawana.  
I runga i te tukunga o aua tikanga me kiini e te Kooti i nga ingoa o nga tangata e whai hea ana panga ranei ki taua whenua, me te nui o te hea me te paanga o ia tangata ki taua whenua, a mehemea kua whakahaerea ranei kahore ranei i whakahaerea tetahi tikanga mo runga i taua whenua, me te ahua o aua tikanga me te tuku tonu i te ripoata ki te Kawana mo runga i aua tikanga

## ***Nga Ture Whakahaere Tikanga.***

- Ka ahei te Kaitiaki mo te Katoa i runga i te whakaae a te Poari ki te hanga, ki te whakakore, ki te whakarereke ranei i nga ture whakahaere tikanga hei whakahaere i nga mahi me nga tikanga i raro i tenei Ture, hei whakamana hoki i nga tikanga me nga whakahaere o tenei Ture me era atu tikanga katoa e whakamanangia ana te Kaitiaki mo te Katoa ki te hanga i nga ture iti me nga ture whakahaere tikanga. Me kua aua ture whakahaero tikanga e papatu i nga tikanga o tenei Ture me nga ture whakahaere tikanga i hanga e te Kawana, me kua ano hoki e mana aua ture kia whakaaetia ra ano e te Kawana.
- Ko te tauira o tetahi ture whakahaere tikanga kua hiritia ki te hiri a te Kaitiaki mo te Katoa ara mehemea e mea ana taua tauira i whakaaetia e te Kawana ka ahei te tango hei huarahi tino whakaaetanga i hanga i whakaaetia i runga i nga tikanga e hiahiatia ana i runga i nga tikanga o tenei Ture, a ka tirohia i runga i nga tikanga o te ture ahakoa kahore he kaitautoko i aua korero.
- Ka ahei tetahi ture whakahaere tikanga te whakatau kia tukuna he whiu mo nga takahanga katoa o nga utu

i tonoa kia utua e te Kooti, a me kua aua utu e hipa ake i te rua tekau pauna.

## Nga Whakahaere.

- Ka whai mana te Kaitiaki mo te Katoa hui atu ki nga mana me nga mahi me nga tikanga katoa e tukuna ana e tenei Ture te whakahaere hoki i nga mana me nga mahi me nga tikanga katoa e mau ana i roto i te Apiti ki tenei Ture, a ka ahei ano hoki ia te whakahaere me te haere ra waho o nga ture katoa me nga tikanga, hei whakahaere i nga tikanga katoa hei whakamana hoki i aua mana me aua mahi me aua tikanga.

Ko nga mana me nga mahi me nga tikanga katoa e tukuna ki te Kaitiaki mo te Katoa e tenei Ture me whakahaere e te Kaitiaki mo te Katoa i runga i te whakaae a te Poari erangi ekore tetahi tangata e whakahaere ana i tetahi tikanga ki te Kaitiaki mo te Katoa i raro i tenei Ture e ahei te tono kia pataia te tika o tetahi whakahaere, tetahi mea ranei i mahia, a mehemea ranei i mahia kihai ranei i mahia i runga i te whakaae a te Poari, ekore ano hoki e taea te whakaeke tetahi tikanga ki runga ki te Poari i runga i te panui penei pehea ranei kihai i whakaaetia e te Poari taua mahi, a ahakoa kihai i whakaaetia ka tika tonu nga whakahaere a te Kaitiaki mo te Katoa ki taua tangata ano i whakaaetia e te Poari taua whakahaere.

Ka ahei e te Kawana te tuku mana ki te Kaitiaki mo te Katoa ki te whakahaere ra waho i te whakaae a te Poari i nga mana me nga mahi me ana tikanga i hoatu i tukuna ranei ki te Kaitiaki mo te Katoa e tenei Ture a i tika kia whakaaetia e te Poari, a i runga i aua whakahaere ha ahei te Kaitiaki mo te Katoa te mahi te whakarere te whakahaere ranei i tetahi mea i meatia kia whakaaetia e te Poari ahakoa kaore i whakaaetia e te Poari, a i runga i aua whakahaere ka ahei te Kaitiaki mo te Katoa te mahi te whakarere te whakahaere ranei i tetahi mea ano kihai i hiahiatia kia whakaaetia e te Poari taua whakahaere, a ka ahei ano hoki e te Poari te whakakore i taua mana.

Mehemea e hiahiatia ana kia mahia kia whakarerea ranei tetahi mea e te Poari, mehemea ranei kua tukua tetahi mana ki te Poari, ka ahei te whakahaere te whakarere ranei i taua mea te whakahaere ranei i taua mea e te Poari i te nohoanga o te nuinga o nga mema o taua Poari i to ratou huihuinga.

A ma te whakarereke ano kia mama e mana ai te Poari ki te mahi, a ka ahei te Kawana ia wa te whakarereke i te tokomaha o ratou e mana ai ta ratou mahi.

Kei nga huihuinga o te Poari ko te Tiamana ko te mema ranei e noho ana hei Tiamana ko te Tiamana ano e noho ana i te huihuinga o te Poari i raro i "Te Ture Tari Tiaki mo te Katoa, 1872," a ki te mea e rite tahi ana te maha o nga pooti o tetahi taha o tetahi taha mana te pooti whakanui i nga pooti o tetahi taha hui atu ki tana pooti ake.

- Ka ahei te Kaitiaki mo te Katoa te whakahaere i enei mahi, ara:—  
Tetahi whakaritenga mahi mehemea nei ano e whakahaerea ana ki waenganui i etahi tangata ki ta te ture i hiahia ai me kataraka tuhituhi i raro o te hiiri, ka ahei e te Kaitiaki mo te Katoa, te hanga i runga i te tuhituhi, me te haina e te Kaitiaki mo te Katoa, me nga mema tokorua o te Poari, mo te hiiri ki te hiiri topu a te Kaitiaki mo te Katoa, a ka ahei ano hoki taua whakaritenga te whakarereke te whakakore ranei. Ko tetahi whakaritenga mehemea e hanga ana ki waenganui i nga tangata noa nei e hiahiatia ana e te ture me tuhituhi, me te haina e nga tangata mana e utu, ka ahei te Kaitiaki mo te Katoa te hanga mea tuhituhi, me te kore whakamaui i te hiiri.  
Ko tetahi whakaritenga mehemea e hanga ana ki waenganui i nga tangata noa nei ka tika tonu i runga i te ture, ahakoa he mea korero a waha kau, a kihai i tuhituhia, a ko taua kataraka ka ahei pera ano te whakarereke te whakarere ranei.
- Ka ahei te Kaitiaki mo te Katoa ki te whakariterite i nga tikanga ki tetahi tangata mo nga moni tetahi atu utu ranei i runga ano i tana i pai ai mo te wahanga i te kataraka, tetahi whiu ranei i raro i taua kataraka, tetahi taonga tarewa i tika kia utua ki te Kaitiaki mo te Katoa, tetahi he mate ranei e ahei ai te kawae ki te Kooti whakawa kia riro mai ai nga utu ahakoa i mua i muri iho ranei o te kawanga o te keehi ki te Kooti.
- Ko nga whenua e tukuna ana ki te Kaitiaki mo te Katoa i raro i nga tikanga o tenei Ture ka tukuna peratia engari me mana tonu nga riihi tika me nga kataraki e pa ana ki taua whenua i runga i te tiaki mo nga tangata whai take i runga ano i aua tiaki ara mehemea he whenua tuku taua whenua i taua wa ki te Kaitiaki mo te Katoa kia whakahaerea kia tukuna e te Kaitiaki mo te Katoa i raro i nga tikanga o tenei Ture me te Apiti hoki ki tenei ture kua he huarahi ke atu. Ko nga whenua e tukua peratia ana me whakapau nga moni reti me nga moni e puta mai ana i raro i nga tikanga o tenei Turo mo nga tikanga ano i whakataua ai kua tetahi huarahi ke atu.

Mehemea kua kore etahi o aua tikanga hei whakahaerenga mo aua moni, ka ahei e te Kaitiaki mo te Katoa i runga i te whakaae a te Kawana i roto i tona Kaunihera te tohutohu me pehea he huarahi e whakapaua ai aua moni kia ahua rite ki te tikanga tuatahi i meatia ai aua moni.

Mehemea na te mate na tetahi atu mea ranei e kore ai he tangata kia riro i a ia nga hea nga paanga

ranei o tetahi tangata whai take ki tetahi whenua i tukuna ki te Kaitiaki mo te Katoa tetahi moni ranei e puta mai i taua whenua, me pupuri e te Kaitiaki mo te Katoa taua whenua me nga moni e puta mai ana i reira i runga i te tiaki mo nga tikanga e whakaaturia ana i ia wa e te Kawana i roto i tona Kaunihera.

- Ki te mea e tukuna ana i tetahi wa tetahi whenua ki te Kaitiaki mo te Katoa ko taua whenua me haere ano i raro i te kataraka tika, a ka ahei ano hoki te Kaitiaki mo te Katoa te whakaoti i taua kataraka, a ka ahei ano hoki ia te mahi te whakaoti me te whakahaere i aua tikanga mahinga whakaaetanga ranei, me nga mea e kitea ana he tika hei whakahaere i aua tikanga, me te whakaae ano ki te whakakore ki te whakarereke i taua kataraka i runga i nga tikanga me nga ritenga i pai ai ia.
- Mehemea tera tetahi pukapuka mea tuhituhi e whakaatu ana i te tiaki o tetahi rahui Maori i hanga i mua tera ranei e hanga a muri ake nei, a e whakaatu ana i tetahi tiaki hei painga ranei mo tetahi Maori ahakoa mo nga tangata takitahi topu ranei ki taua kupu "painga" i roto o taua tuhituhi ka meinga mo te kaha, mo te pai, me te ora, me te whakarite moni ma taua Maori, hui atu ki nga rongoa me nga kaiatawhai, a me whakapau pera tonu nga moni o taua rahui.
- Hei whakaritenga mo nga tikanga o tenei Ture ko nga tiaki me nga here me nga tikanga me nga mutunga mai i tau ai tetahi whenua ki nga tangata whai take i tukua ki te Kaitiaki mo te Katoa ka kiia kaore i mana otira ko nga tiaki me nga here me nga tikanga ka mana tonu.
- Mo runga mo nga tikanga o tenei Ture, ka meingatia ko te Kaitiaki mo te Katoa te tangata whaitake ki nga whenua e tukuna ana e tenei Ture ki raro i tona mana, i raro ano i nga tikanga o tenei Ture, a me Apiti atu ki ona mana, enei mana e whai ake nei, ara:—

**Ki** te tango mai ano i nga rahui, i runga i te tonu whakawa, tamana, tetahi atu tikanga ranei; ki te tohe, i runga i te tikanga tonu whakawa, hamene muru, i tetahi atu tikanga ranei kia utua katoatia mai nga utu reti, moni e puta mai ana i roto i te tau, me nga moni painga, ki te tohe hoki kia whakaritea kia whakaeangia mai nga kupu whakaritenga, whakaaetanga ranei i puta mai i roto, e pa ana ranei ki te whakawa;

**Ki** te whakarite i tetahi wa hei utunga mo aua moni utu reti, moni utu tau, me nga moni e puta mai ana, e utua ana ranei mo nga rahui, a e kore e tau mana ake e whakaea nga mea i ngaro i runga i taua mahi;

**Ki** te whakaputa panui, ki te tonu, ki te mahi i era atu mahi, tikanga, mea katoa hoki e tika ana kia whakahaerea hei whakarite i nga kupu whakaritenga, kupu whakaaetanga, mana, etahi tikanga ranei kua whakaurua ki roto ki tetahi riihi, nohonga ranei ki runga ki tetahi rahui, ki te whakahaere ranei i etahi o nga mana, tikanga ranei, e whakamana e tenei Ture e te ture ranei hei mea e taea ai te tohe kia utua mai nga utu reti, utu ranei mo nga whakakinonga, ki te tohe hoki kia whakaeangia nga kupu whakaritenga, whakaaetanga ranei, tetahi atu mana ranei i puta mai i roto, e pa ana ranei ki tetahi rahui pera;

**Ki** te tohe, i runga i te tikanga whakawa hiwiri, kirimina ranei, kia whakatuturutia nga mana me nga tikanga whakaora e puta mai ana ki runga ki tetahi rahui;

**Ki** te tuku rahui kia riihitia ki tetahi tangata ahakoa Maori Pakeha ranei, i runga i te utu reti tika, i ia tau i ia tau, me te whai mana o tetahi taha o tetahi taha ki te whakamutu i taua riihi, engari mo whakaputa atu e tetahi taha ki tetahi taha he kupu whakaatu pera, kia toru marama i mua mai i te wa e hiahiatia ana hei mutunga mo taua riihi, ano ko te Kaitiaki mo te Katoa te tangata nona ake taua whenua.

E kore te tangata Maori nona te whenua, a kei a ia tetahi rahui, e ahei, ina ka puta he tonu whakawa a te Kaitiaki mo te Katoa kia hoki mai te rahui pera ki a ia, ki te whakatu kereme tawari i ta te Kaitiaki mo te Katoa i runga anake i te take whai hea whai paanga ranei o te tangata Maori nona te whenua i roto i te rahui pera.

- Ka ahei te Kaitiaki mo te Katoa, i raro ano i nga tikanga e whakaritea ana e te Tari Wea o te Koroni mo runga mo nga whenua kua tukuna ki raro i tonu mana,—

**Ki** te whakahau kia ruritia nga rahui, kia wehewehea hoki aua rahui i runga i tana i whakaaro ai e tika ai;

**Ki** te wehe i etahi wahi o aua rahui hei rori mo te katoa, a ki te hanga hoki i aua rori. Ki te oti te rori pera te whakarite, me ki ina ka panuitia ki roto ki te *New Zealand Gazette* kua wehea taua wahi hei rori, me ki he rori tera mo te katoa, a ka tau te mana ki a te Kuini.

Me ahei te Kaitiaki mo te Katoa i ia wa ki te whakaputa i nga moni e whaitikanga ana kia utua i te mea e whakahaerea ana nga tikanga o tenei tekiona, me utu e ia i nga moni o takoto ana i te kaute moni o te Kaitiaki mo te Katoa.

Ko nga moni e whakaputaina peratia ana me uta ki runga ki nga whenua e ruuritia ana, ma te Kaitiaki mo te Katoa e whakarite kia pewhea te moni e tau ma ia wahi ma ia wahi e whakarite atu, a me whakahoki atu ano aua moni me nga hua, kua nga hua e hipa atu i te whitu pauna mo ia ran pauna i te tau, me utu atu aua moni i nga moni reti e utua ana ki te Kaitiaki mo te Katoa: Engari hoki me waiho ano ki te Kaitiaki mo te Katoa te tikanga mehemea me utu katoa atu aua moni i nga moni reti o te tau tuatahi mo aua whenua, me utu haere ranei etahi wahi o aua moni i ia tau i ia tau, engari kua e roa atu i te whitu tau.

*Etahi Tekanga motuhake e pa ana ki nga Riihi me nga Kataraka e mana ana i mua o te tukunga Whenua ki te Kaitiaki mo te Katoa.*

- Mehemea kua tukua tetahi whenua ki te Kaitiaki mo te Katoa ko aua whenua kua tukua a i ekengia e te riihi tika ka ahei te Kaitiaki mo te Katoa mehemea e pai ana ia i tetahi wa i roto i nga tau e rua i muri iho i te tukunga ki aia te whakaae kia whakamutua taua riihi tetahi wahi ranei o taua riihi i raro ano i enei tikanga e man nei i raro ano hoki i enei ritenga, ara:—

**K**a ahei te kaitango riihi i runga ano i nga tikanga e whakatakotoria e te Kaitiaki o te Katoa i runga ano hoki i nga ture whakahaere tikanga te tono mo tetahi riihi hou.

**M**ehemea e whakaaro ana te Kaitiaki mo te Katoa me whakamana taua tono heoi me whiriwhiri nga utu o taua whenua e tetahi tangata i whakaturia e te Kaitiaki mo te Katoa haunga ia nga whakapainga pumau o runga o taua whenua me te whiriwhiri ano hoki i nga utu o nga whakapainga pumau kua oti te mahi i te wa i whiriwhiria ai nga utu i runga i taua whenua i uru ki taua riihi a i meatia i te mutunga o te riihi me riro nga utu o aua whakapainga i te tangata nona te whenua, a mehemea i meatia i raro i te whakamutunga o te riihi kua kiia ake nei i raro ranei i tetahi ture i hanga ai te riihi, a mehemea i runga i te whakahaunga o te riihi kahore i riro i taua tangata taua riihi me utu ki aia nga whakapainga e te kaitango riihi hou i runga i taua whenua, a mehemea i hanga i raro i taua riihi ture ranei tetahi tikanga hei whakahou i nga tau o te riihi i runga i te utu tika o te whenua haunga i nga whakapainga i runga i taua whenua, a ko aua whakapainga e meatia ana e tenei tekiona kia tukuna me tuku erangi ekore te kaitango riihi e utu i aua whakapainga. I muri iho i te whiriwhiringa me te panuitanga o aua utu kua kiia ake nei i runga i te tukunga o tetahi taurua o taua panui ki te kaitango riihi me tetahi taurua ki te Kaitiaki mo te Katoa, ka ahei ia i runga ano i tona whakaaro te tuku ki te kaitango riihi he riihi o taua whenua me te mana ano hoki ki te whakahou tonu i taua riihi i runga ano i nga tikanga o tenei Ture i runga ano hoki i enei ritenga:—

**M**e utu e te kaitango riihi ki te Kaitiaki mo te Katoa nga utu o nga whakapainga pumau kua kiia ake nei, a mehemea kahore e taea e ia te utu ki te Kaitiaki mo te Katoa ka ahei ia mehemea e pai ana ia me tango he puna i runga i te riihi hou kia kau a hoki iho i te rima paiheneti i te tau pera ano me ta te Kaitiaki mo te Katoa i whakarite ai.

**K**o nga moni reti mo te tau e rima pauna i roto i te tau mo te rau kotahi i runga i nga utu o te whenua i whakataua e te kaiwhiriwhiri utu, a me hawhe tau te utunga o aua moni a me utu tonu i mua o ia hawhe tau.

**M**e whakaaru ki roto i te riihi nga kawenata ara nga whakaaetanga me nga tikanga me nga ritenga i pai ai te Kaitiaki mo te Katoa.

**M**ehemea kei roto te whenua i tetahi taone paro ranei e kore e tukuna toputia tetahi riihi ki te kaitango riihi kotahi, ki nga kaitango riihi e rua maha atu ranei e topu ana ta ratou tango kia neke atu i to rua eka.

**M**ehemea kei waho te whenua i nga rohe o te taone paro ranei a ki te mahara a te Kaitiaki mo te Katoa he whenua kei waho o nga rohe o te taone ekore tetahi riihi e tukuna toputia ki te kaitango riihi kotahi tokorua maha atu ranei e tango huihui ana ratou i tetahi whenua kia maha atu i nga eka e rima.

**M**ehemea kahore tetahi whenua i roto i nga rohe o tetahi taone paro ranei a ehara i te whenua e tu tata ana ki te taone penei ekore e tukuna tetahi riihi ki te kaitango riihi kotahi tokorua maha atu ranei e tango topu aua kia maha atu i nga eka e rima mano.

**K**o tetahi tangata i whakataka i runga i nga tikanga o tenei Ture kia kaua a puritia e ia tetahi riihi i raro e tenei Ture ekore e tukuna kia puritia e ia tetahi riihi i raro i tenei tekiona.

**K**ahore tetahi kaitango riihi e ahei te tango i tetahi whenua kia neke ake tona rahi poka ke i etahi atu tikanga o tenei Ture; a ko nga tikanga katoa o tenei Ture e tapahi mai ana i te rahi o te whenua i te maha ranei o nga riihi e ahei te tango e te tangata kotahi te tango topu ranei e nga tangata tokorua maha atu ranei ko a ratou riihi e tango ai me tango i raro o nga tikanga o tenei tekiona.

**M**ehemea kei roto i nga rohe o tetahi taone paro ranei te whenua e hiahia ana kia riihitia ka pera tonu nga tikanga o te tuku riihi me era atu tikanga tango riihi i raro i tetahi tikanga o tenei Ture i roto i tetahi taone paro ranei, a ko taua riihi ka hono tonu te whakahou i raro tonu i nga tikanga me nga ritenga e tukua ai aua riihi. Mehemea e whakaaro ana te Kaitiaki mo te Katoa he whenua kei waho o nga rohe o te taone ka haere tonu nga tikanga o te riihi i runga i nga tikanga i riihitia ai nga whenua i waho o nga rohe o te taone a ko taua riihi ka hona tonu te riihi i runga ano i ona tikanga me ona ritenga. Mehemea kaore te whenua i takoto i roto i tetahi taone paro ranei a e hara i te whenua e pa tata ana ki te taone ka haere tonu nga tikanga o te riihi i runga i tetahi tikanga o tenei Ture e tuku nei i etahi wahi whenua hei haerenga kararehe, a ko taua riihi ka hono tonu i runga ano i ona tikanga me ona ritenga.

**M**ehemea e puta ake ana tetahi raruraru ko tewhea tu whenua te whenua kua whakahuatia nei i roto i te tekiona wha me te rima, me te ono o tenei tekiona ko te whenua e hiahia ana kia riihitia a e tau ana ki raro i te Kaitiaki mo te Katoa mana e whakaoti taua raruraru a ko tana whakataunga te tino whakaotinga oti tonu atu.

Me tuku he panui e te Kaitiaki mo te Katoa ki te kaitango riihi i tika kia tango i te riihi hou kei te watea ia i runga i te whakamana a te kaitango riihi i nga tikanga o tenei tekiona me te whakarere i tana riihi me te whakaoti i tana riihi hou me tuku ki a ia e te Kaitiaki mo te Katoa he riihi hou i raro i nga tikanga o tenei tekiona.

¶ muri iho i nga ra e rua tekau ma tahi i tukuna ai e te Kaitiaki mo te Katoa taua panui i raro i te wahi tekiona tekaumatahi, ka ahei e te Kaitango riihi i runga i te tuhituhi me te tuku o taua pukapuka ki te tino tari o te Kaitiaki mo te Katoa te ki atu kahore ia e tango i te riihi hou, a i reira ano ka mutu te tono mo te riihi hou, a ko nga moni katoa i utua i hoatu ranei ki te Kaitiaki mo te Katoa pehi ai i raro i nga tikanga o tenei tekiona me nga ture whakahaere tikanga i hanga i raro i nga tikanga o tenei Ture a e pa ana ki aua moni ka murua tonutia e te Kaitiaki mo te Katoa a ka whakapaua i runga i nga tikanga whakahaere o tenei Ture.

Me utu e te kaitango riihi nga moni reti o te hawhe tau tuatahi ki te Kaitiaki mo te Katoa i mua o te whakaotinga o te riihi hou me te utu ano hoki i nga utu katoa e tonoa ana mo te hanganga o nga riihi, pera ano me nga utu e tonoa ana mo nga riihi e tukua ana i raro i tetahi tikanga o tenei Ture, hui atu ki nga pane kuini e hiahiatia ana.

Ko te riihi mehemea e ahei ana kia rehitatia me rehitia i raro i "Te Ture Whakawhiti Whenua, 1885," i raro ranei i te Ture Rehitia Tiiti, 1868, i runga ano i te ahua o tona take e te Kaitiaki mo te Katoa i mua o te tukunga o te riihi ki te kaitango riihi.

Ki te mea ka kore e whakaotia tetahi riihi i raro i tenei tekiona i roto i nga ra e toru tekau i muri i te tukunga o te panui kia whakaotia te riihi hou e te kaitango riihi ka ahei e te Kaitiaki mo te Katoa i runga i te panui whakaatu ki a ia tonu ake i runga ranei i te panui ki te nupepa aha ranei tetahi atu tono ranei i runga ano i ta te Kaitiaki mo te Katoa i whakaaro ai he tika. Ka tuhituhi ki te kaitango riihi kua kore tona mana ki taua riihi, a i reira ano ka mutu tonu tona mana ki taua riihi, a ko nga moni katoa i utua e te kaitango riihi i raro i nga tikanga o tenei tekiona ka tukuna whakareretia atu ki te Kaitiaki mo te Katoa, a ko aua moni ka whakapaua i runga i nga whakahaere o tenei Ture.

Ekore tetahi kaitango riihi e whai mana ki te tuku tono mo tetahi riihi hou i raro i tenei tekiona kia utua ra ano e ia ki te Kaitiaki mo te Katoa nga moni reti katoa i tika kia utua i raro i tana riihi, timata mai i te ra i timata ai taua riihi hou, ekore ano hoki e taea e ia te tuku tono kia oti ra ano i a ia te whakarite nga whakaaetanga me nga tikanga me nga ritenga e mau ana i roto i te riihi.

Ko nga tau o nga riihi hou katoa mehemea e tukuna ana i raro i tenei tekiona me timata i te ra i tukua atu ai te tono mo te riihi hou ki te Tari o te Kaitiaki mo te Katoa.

Ko nga tikanga katoa o tenei Ture kihai i hangai ki nga tikanga o tenei tekiona me haere tonu me te pa ki nga riihi i hanga i raro i nga tikanga o tenei tekiona.

### ***Tikanga Motuhake mo te riihi ki nga Maori.***

- Ahakoia etahi tikanga o tenei Ture e pa ana ki te tuku whenua i runga i te pukapuka tuhi mai tetahi atu tuku ranei ka ahei e te Kaitiaki mo te Katoa i runga i tona whakaaro motuhake—
  - Te riihi e te Kaitiaki mo te Katoa ki tetahi Maori tetahi whenua i tukua ki a ia kia nohoia e te Maori kua ia i runga i te riihi honohono.
  - Kaua tetahi riihi e hanga,—
  - Mo tetahi whenua e takoto ana i roto i tetahi taone paro ranei kia nui atu i nga eka e;
  - Kei nga whenua i waho tata atu o te taone kaua e nui atu i te rima eka;
  - Kei nga whenua o waho rawa i te taone ara o te tuawhenua kaua e neke atu i te ono rau me te wha-tekau eka;
  - Kei nga whenua haerenga kararehe kaua e neke atu i te rima mano eka:

A ko te Kaitiaki mo te Katoa tonu te kaiwhiriwhiri mehemea i tau taua whenua e meatia ana kia riihitia i raro i tenei tekiona a mehemea hoki i uru mai ki tetahi o nga ahua whenua kua whakahuatia ake nei.

Ko nga moni reti me nga ritenga me nga whakaaetanga me nga tikanga o nga riihi i raro i tenei tekiona kei ta te Kaitiaki mo te Katoa ano i whakatau ai, ko nga moni reti ia me kaua e hoki iho i te rima pauna i roto i te rau i runga i nga moni utu i whiriwhiri o aua whenua, a ma te Kaitiaki ano mo te Katoa e whakatau nga utu mo aua whenua.

Ko nga riihi katoa e tukuna ana i raro i tenei tekiona ka pera ano te maha o nga tau me nga riihi i tukua i raro i nga tikanga o te Apiti ki tenei Ture a ka ahei ano hoki te whakahou i runga i nga tikanga me nga ritenga kua oti to whakamarama mai e taua Apiti mo nga whakahounga riihi i raro o taua Apiti, me te tau ano ia ki runga i aua riihi nga tikanga me nga ritenga me nga here e ahei te Kaitiaki mo te Katoa te tohutohu i runga i nga ture whakahaere tikanga.

Ka ahei te Kaitiaki mo te Katoa i runga ano i tona whakaaro i runga ano hoki i etahi ture whakahaere

tikanga te haukoti te here i nga mana me nga take a nga Maori ki te hoko i aua riihi i te whenua ranei i roto i aua riihi i tetahi paanga ranei ki nga whenua i roto i aua riihi, a ko aua haukotinga me aua here ka mana tonu ano he mea whakamana e te Ture.

Ekore e whai mana tetahi Maori i runga i te ture te hoko i tetahi riihi i te whenua ranei i roto o taua riihi, tetahi paanga ranei i roto i taua riihi, a mehemea e kotiti ke ana taua hoko i nga tikanga o tenei Ture, ki etahi ki tetahi tikanga ranei, tetahi haukotanga ranei, here ranei i hanga e te Kaitiaki mo te Katoa, a ko nga hoko katoa whakamatauranga ranei ki te hoko e poka ke ana i nga tikanga o tenei Ture, etahi atu tikanga ranei haukotinga mai ranei here ranei i hanga i runga i nga ture whakahaere tikanga kua kiia ake nei ka tino kore rawa atu.

Otia ka ahei ano te Kaitiaki mo te Katoa i ia wa i runga i te tuhituhi kua ia he huarahi ke atu te whakarereke te whakakore te whakamutu i tetahi o nga tikanga me nga here me nga haukotinga e mau ana i roto i tetahi riihi i hanga ranei e te Kaitiaki mo te Katoa.

Ko nga Maori kaitango riihi i raro i tenei tekiona me nga Maori e whai riihi ana i raro i tenei tekiona e whai paanga ana ranei ki taua riihi, ahakoa tetahi mahuetanga o tetahi mea e mau ana i roto i tetahi Ture e mana nei i naiane i a e mana ranei a muri ake nei, a e whakarereke ana i nga tikanga, ka tau tonu kia whakaekea kia utua e ratou nga tiuti, nga taake, nga reiti, nga tono, me nga utu i runga i nga utu i whiriwhiria mo nga whenua i tangohia e ratou ano he pakeha aua Maori.

Me utu e te kaitango riihi nga moni reti mo te hawhe tau tuatahi o te riihi i mua o te whakaotinga o te riihi e te Kaitiaki mo te Katoa a me utu ano hoki nga utu e toono pera ano me nga riihi e tukua ana i raro i etahi tikanga o tenei Ture, hui atu ki nga tiuti pane Kuini e hiahia ana.

Ko te riihi mehemea he mea tika kia rehitatea me rehita e te Kaitiaki mo te Katoa i mua o te tukunga o te riihi a ma te kaitango riihi ano e utu te rehitatanga i raro i "Te Ture Whakawhiti Whenua, 1885," i raro ranei i "Te Ture Rehita Tiiti, 1868," i runga ano i nga take o taua riihi.

## Etahi Tikanga.

- Ko nga Maori e hipa ake ana o ratou tau i te tekaumawhitu tau ahakoa e whai whakamarumarua ana kahore ranei ka ahei te tuku i nga whakaotinga mo nga moni e tika ana kia riro i a ratou, a ka ahei ano hoki ratou i runga i te tuhituhi i raro ano i o ratou ringa me te titiro ano o te Tiati o te Kooti Whenua Maori e tetahi Kaiwhakawa (J.P.) Tie Pi ranei e tetahi Roia o te Hupirimi Kooti ranei e tetahi Pohimahita ranei, i te hainatanga o o ratou ingoa kei reira ka taea o ratou te whakamana i tetahi Maori kaumatua te tango i ana moni me te tuku whakaaetanga mo te rironga mai o aua moni i tika kia utua i runga i te tukunga o te pukapuka whakamana, erangi ia ekore e taea e tetahi Maori te tuku mana tono utu kia taea rano te wa e tika ana kia utua aua moni i tika kia homai, a ko ana tono pera ekore rawa e mana; Otira i runga i etahi tikanga mo te utu i hanga i raro i tetahi mana ka tika tonu taua utunga mai, ki te kore ia te tangata e utu ana i aua moni e tuku panui mea tuhituhi i tukuna taua mana tono i te wa kihai i tika kia utua. Ko nga mana e kiia ake nei ekore e ahei kia whakaekea he pane Kuini tiuti ki runga.
- Haunga ia nga mea e whakamaramatia ana e tenei Ture, kua tetahi Maori e hoko e tuku i tona whenua i tona panga ranei ki tetahi whenua i tukua ki te Kaitiaki mo te Katoa, kua ano hoki nga moni reti, nga moni e hua mai ana nga hua ranei, ekore ano hoki tetahi tuku i runga i te wira e mana mehemea e poka ke ana i nga tikanga, i nga here, i nga haukotinga tetahi pukapuka take, i whiwhi ai tetahi Maori ki tetahi take, ko te hea ko te whenua me te paanga ranei o tetahi Maori ki aua whenua, ki nga moni reti ranei, ki nga mea e hua mai ana etahi atu moni ranei e puta mai ana i reira, i roto ranei i te whenua, paanga ranei o tetahi Maori i raro i tetahi riihi ekore e ahei kia hopukia haunga ia te mana mo te Kaitiaki mo te Katoa ekore e ahei te hopu te hoko te whakapiri i tetahi taumahatanga pewhea ranei, e ahei ranei te tuku ki te Apiha Kaiwhakaoti ki nga kai tuku nama ranei, kaitiaki pekerapu ranei, e tau ranei ki raro i tetahi ture e pa ana ki te pekerapu e meinga ranei hei taonga pekerapu. Erangi ko nga Maori kaitango riihi i raro i tenei Ture, e whai take ana e pupuri ana i tetahi riihi i raro i aua tikanga tetahi whenua paanga ranei ki taua whenua ka ahei te tuku i taua whenua i raro i etahi atu tikanga o tenei Ture, erangi ekore tetahi Maori e ahei te tuku i taua riihi i tetahi paanga ranei i runga i te wira haunga ia ki te Maori.
- Ekore e pa atu he raruraru ki te Kaitiaki ki tetahi o ana apiha ranei ino tetahi mea i mahia hetia i mahue ranei i a ia i a ratou ranei i raro i tenei Ture, i raro ranei i te mana o tenei Ture haunga ia mehemea ehara i te tino mangere ki te mahi kahore ranei i mahia, i mahue ranei ekore ano hoki tetahi tangata e ahei te whiu kia riro mai i te Kaitiaki mo te Katoa i ana apiha ranei tetahi mea i ngaro tetahi mate ranei, erangi ma te tuku ra ano e te Kooti i kawea ai taua kehi i tetahi tiwhikete me te ki na te tino mangere o te Kaitiaki mo te Katoa i ngaro ai aua mea i mahue ai hoki tetahi i a ia i ana apiha hoki. Mehemea e whakaekengia ana tetahi keehi ki te Kaitiaki mo te Katoa ki ana apiha ranei mo tetahi mate tetahi mea ranei i ngaro i runga i te tino mangere me te mahue o etahi mea i te Kaitiaki mo te Katoa i ana apiha ranei ka taea ano te



whakatau kia utua aua mea e te Kaitiaki mo te Katoa e ana apiha ranei, a ko nga utu me tango mai i roto i nga moni topu o te koroni, i roto ano i nga moni e whakaritea ana e te Runanga Nui mo taua ritenga, ekore ia e whakamana tetahi atu whakataunga i waho atu o tenei. Ko nga tono me nga utu katoa mo te whakahaerenga i nga tikanga o tenei Ture e te Kaitiaki mo te Katoa me ana apiha me tango mai i roto i nga moni e tae mai ki ona ringa i raro i nga tikanga o tenei Ture, a e puta mai ana hoki i nga whenua i tukua ki te Kaitiaki mo te Katoa mo nga moni i pau a te Kaitiaki mo te Katoa me ana apiha i te whakahaerenga i aua mea.

- Ekore e ahei te whakaeke i tetahi whakawa ki runga i te Kaitiaki mo te Katoa ki ana apiha ranei ki tetahi tangata ranei e mahi ana i raro o te Kaitiaki mo te Katoa ahakoa penei pera ranei taua mahi i a ia e whakahaere ana i nga tikanga o tenei Ture i te whakahaere ranei i nga tikanga o tenei Ture mo tetahi he pohepe ranei, takahi ranei, tetahi mea ranei i mahue i raro i tenei Ture ki te kore e panuitia i runga i te tuhituhi me te whakaatu i te take o taua keehi, me te whakaatu ano hoki i te whare o te tangata e whakaeke ana i te whakawa, me te kainga whare ranei o tona roia kaiwhakahaere ranei mo taua take e te kaiwhiu e tetahi atu tangata ranei ki te kaikaro ki te tangata ranei i whakaekea ai taua keehi a kia kotahi marama i muri o te panuitanga te whakawakia ai taua keehi ara ki te mea kihai i whakahaerea taua keehi i roto i nga marama e toru i muri iho o taua hara a mehemea i pa tetahi mate i roto i nga marama e toru i muri iho i taua hara me whakawa i roto i aua marama e toru.

I runga i aua whakawa ka ahei e te kaikaro te ki ko taua he i mahia e ia i runga i te whakaaro e mahi tika ana ia i raro i nga tikanga o tenei Ture, a ka ahei ano ia te tuku i nga korero mo taua take, a mehemea e whakaaro ana te Kooti he tika tonu taua karo me whakakore atu taua keehi.

I runga i te whakawakanga o tetahi kehi e kore e ahei te kai tono tana kaiwhakahaere ranei ki te korero i tetahi korero ra waho o te keehi kihai i uru i ki te panui.

Ekore e ahei te kaitono tana kaiwhakahaere ranei ki te whakahaere tonu i taua whakawa mehemea kua oti te whakarite taua rauraru e te kaikaro, e te tangata ranei i whakaekea ai taua whakawa ki runga i a ia i mua o te timatanga o te keehi, a mehemea kaore ano kia whakaritea ki ahei te kaikaro te tangata ranei e whakahaere ana mo te taha ki aia i runga i te whakaae a te Kooti i whakawakia ai taua take ki te utu ki roto i te Kooti i te wa e pai ai ia nga moni i pai ai ia, a i reira ano ka peratia taua keehi e te Kooti me nga keehi e utu nei i nga taunahatanga i runga i etahi atu keehi ki roto i te Kooti.

Kahoro he mea e mau ana i mua ake nei e meinga kia pa ki tetahi take whakawa a tetahi Maori ki te Kaitiaki mo te Katoa a mo tetahi pohehetanga o te tiaki.

- Ko nga whenua kua whakataua ki raro i ki te mana o te Kaitiaki mo te Katoa, ka ahei te tango mo nga mahi mo te katoa, me puta ano he utu mo aua whenua e tangohia ana, i runga ano i nga tikanga e tangohia nei e utua nei nga whenua i raro i te mana o "Te Ture Mahi Nunui, 1882," a mo runga mo aua tu tikanga e meingatia ana aua whenua, he whenua, i raro i nga tikanga o "Te Ture Mahi Nunui, 1882;" a i te mea e hiahiatia ana kia tangohia he whenua tetahi taha ranei, ka meingatia ko te Kaitiaki mo te Katoa te tangata whaitake nona taua whenua, ara mo runga mo taua tangohanga me taua whakaputanga utu; a ko nga tikanga katoa kua whakaritea i roto i "Te Ture Mahi Nunui, 1882," kia mahia kia kua ranei e mahia e te tangata whaitake, ka ahei kia mahia kia kua ranei e mahia e te Kaitiaki mo te Katoa; a ko nga kupu whakaatu e tika ana i roto i "Te Ture Mahi Nunui, 1882," kia tukuna atu ki te tangata whaitake, kia tukuna ranei e ia, i te mea e tangohia ana tetahi whenua, me tuku atu ki te Kaitiaki mo te Katoa, mana ranei e tuku; a i nga tono utu katoa ko te Kaitiaki mo te Katoa hei kaitono, a ko nga moni e tika ana kia puta hei utu pera, me utu ki te Kaitiaki mo te Katoa. Ko nga moni katoa e whakaputaina ana hei utu pera mo te whenua e tangohia ana, me pupuru e te Kaitiaki mo te Katoa, i runga i te tikanga tiaki mo nga Maori whaitake ki te whenua e tangohia ana, a me whakahaere aua moni i runga i nga tikanga kua whakaritea i te tekiona tahi tekau o "Te Ture Whakatikatika, 1891, i te Ture Tari Tiaki mo te Katoa," a ko nga hua e puta mai ana i aua moni, me whakahaere ano i runga i nga tikanga e whakahaerea ai nga reti me nga moni e puta mai ana i aua rahui. "Mahi mo te katoa" a ko te tikanga o enei kupu i roto i "Te Ture Mahi Nunui, 1882," me te apiti atu hoki o enei mea, ara, kura mo te katoa, takotoranga pukapuka mo te katoa, me nga whenua takarohanga mo te katoa.
- Mehemea he tamaiti kahore ano i tae noa ki te rua-tekau-ma-tahi ona tau, he porangi, he tangata mate, he tangata kore kaha tetahi Maori, tangata ranei, ka ahei te Kaitiaki mo te Katoa, i ia wa i ia wa ki te whakatu i tetahi tangata hei kai-tango i nga moni e tika ana kia utua ki taua Maori, tangata ranei, ki te whakakore ranei i te tuunga o taua tangata; a ma te tangata kua whakaturia peratia ra e whakahaere aua moni i runga i tana tikanga i kite ai ia te tika ana hei oranga, hei akonga ranei i taua Maori tangata ranei. A tae atu ki taua whakatuunga pera ka ahei te Kaitiaki mo te Katoa, ki te whakahaere i nga mana e ahei nei te tangata ki te whakahaere mehemea i whakaturia i raro i tenei tekiona.
- Ka whai mana te Kawana i ia wa i ia wa ki te hanga, ki te whakarereke, ki te whakakore ranei i nga ritenga whakahaere:—

Hei whakarite i te tikanga mo te wehewehe me te ruuri i tetahi rahui, i te mahi whakatikatika rohe, me te whakatakoto rori.

Hei whakataua i nga utu tika mo te mahi ruuri, i nga utu ranei mo tetahi pukapuka e whakaputaina ana, i tetahi mahi, mea ranei, e mahia ana i raro i nga tikanga o tenei Ture, me te whakarite ko wai te tangata mana e utu.

Hei whakarite tikanga mo nga wkakahaere katoa a te Tari Kooti. Whenua Maori, a tetahi Kaiwhakawa ranei o taua Kooti, a te Kaitiaki ranei mo te Katoa, a tetahi atu Kaitiaki, a tetahi atu tangata ke atu ranei, e whakahaere tikanga ana i raro i nga tikanga o tenei Ture.

Hei whakarite utu mo te Kaitiaki mo te Katoa, kua e hipa ake i te whitu pauna tekau hereni o roto o ia rau pauna o nga moni e utua ana ki te Kaitiaki mo te Katoa, hei whakarite hoki i nga utu e tika ana kia utua atu i nga moni e puta mi ana ki te Kaitiaki mo te Katoa, hei utu mo te whakahaerenga i tenei Ture;

Hei whakahaere tikanga hei tiaki i nga ngaherehere me nga rakau, hei tiaki kei pau i te ahi;

Hei whakahaere tikanga tuku raihana tua rakau, kani rakau ranei, keru kapia, etahi atu tu raihana ranei;

Me era atu tikanga e mana ai nga ritenga o tenei Ture, kaore nei i ata whakamaramatia.

- Me mahi e te Kaitiaki mo te Katoa he pukapuka o nga ingoa o nga tangata whaitake ki nga whenua taonga ranei kua whakataua ki te Kaitiaki mo te Katoa, me nga hea whaipaaanga o aua tangata, me nga ingoa o nga tangata whaitako ki nga moni reti, me nga painga e puta mai ana i aua whenua taonga ranei, a mana e whakatikatika e apiti atu ranei ki taua pukapuka nga mea e tika ana, kia marama ai te takoto o nga rarangi moni.
- Mehemea ka whakataua e te Kooti Whenua Maori e tetahi Kaiwhakawa ranei o taua Kooti—
  - He ota wehewehe,
  - He ota whakatu kaiwhakakapi mo te hea whaipaaanga o tetahi tupapaku,
  - He ota whakataua i te whaipaaanga ki te whenua taonga ranei,
  - He ota whakatu Kaitiaki mo tetahi Maori whaitake, kaore ano i tae ona tau ki te rua tekau ma tahi tau, he porangi ranei, e mana kore ana ranei ki ta te ture, he ota ranei hei whakakore i te Kaitiaki pera;
  - He ota ranei e pa ana ki te whenua ki te taonga pera ranei, ki tetahi whaipaaanga ranei,

Kua tau nei taua whenua taonga ranei ki te Kaitiaki mo te Katoa, kei reira ko te mea tika me hohoro tonu te tuku atu a taua Kooti Kaiwhakawa ranei i te tauira o taua ota ki te Kaitiaki mo te Katoa, a me tuhi e te Kaitiaki ki tana pukapuka ingoa tangata whaitake. Ko ia tangata kaore tona ingoa i roto i taua pukapuka ingoa, e tau ana ki a ia he hea whaipaaanga o tetahi atu tangata whaitake ki tetahi whenua taonga ranei kua whakataua ki te Kaitiaki mo te Katoa, ki nga moni reti ki nga moni hua ranei, e kore e maharatia ko ia te tangata whaitake kia tukuna atu ano ki te Kaitiaki mo te Katoa nga tohu whakatika i tana ki kua tau ki a ia, ara i runga i ta te Kaitiaki i mahara ai e tika ana, kia tuhia ra ano hoki tana ingoa ki te pukapuka rehitia.
- Ko te hainatanga ingoa o tetahi tangata e mau ana tona ingoa i te pukapuka he tangata whaitake ki tetahi hea, whaipaaanga ranei ki te whenua ki te taonga ranei e tiakina ana e te Kaitiaki mo te Katoa, nga moni ranei e puta mai ana i te whenua i te taonga ranei, ko tana hainatanga ingoa mo te rironga atu ki a ia te tohu kua utua atu e te Kaitiaki mo te Katoa; a e kore e whaitikanga kia tonoa atu ano ki te Kaitiaki mo te Katoa ina ngaro, ina kotiti ke aua moni, e hara hoki i te mea mana e titiro te whakapaunga tikatanga o aua moni, kua hoki e pa atu he tikanga ki te Kaitiaki mo te Katoa; ina mahara ina tino mohio ranei ia kua utua nga moni ki tetahi atu tangata e hara ra i te tangata totika mana aua moni.
- Ka ahei te Kaitiaki mo te Katoa ki te tono atu ki te Kooti Whenua Maori kia whakataua nga hea whaipaaanga o nga Maori whaitake ki te whenua, taonga, moni ranei e tiakina ana e te Kaitiaki mo te Katoa; a me pera ano te mahi whiriwhiri a te Kooti, mehemea nei he tono i raro i "Te Ture Kooti Whenua Maori, 1886," kia rapua nga whaipaaanga i raro i nga tikanga a taua Ture; a me pa mai ano nga tikanga o taua Ture, whakariterite mai ai nga tikanga ahua rereke. Ko nga moni e pau ana i te Kaitiaki mo te Katoa i a ia e whakahaere ana i nga tikanga o tenei tekiona me te tekiona e whai aki nei, ma nga Maori whaitake e utu, i runga ano i te ahua e te whaipaaanga o ia tangata o ratou, a ma ia whaipaaanga e whakaea nga moni e whakataua ana ki ia paanga.
- I te mea kaore ano kia whakataua e te Kooti Whenua Maori nga take ki te whenua e tiakina ana e te Kaitiaki mo te Katoa, ka ahei te Kaitiaki mo te Katoa ki te tono atu ki te Kooti kia whiriwhiria nga take, a kei reira me rapu nga take e te Kooti i runga ano i nga tikanga e rapua ai nga take whenua Maori ina tonoa i raro i nga tikanga o "Te Ture Kooti Whenua Maori, 1886." Kua e roherohea nga take whaipaaanga ki tetahi whenua e tiakina ana e te Kaitiaki mo te Katoa kia whakaae ra ano te Kaitiaki mo te Katoa.
- Me tau mai te mana o te Kooti Whenua Maori ki nga whenua e tiakina ana e te Kaitiaki mo te Katoa, engari me haere ano i raro i nga tikanga o tenei Ture, a ki te pera ka ahei ano te whakahaere me te whakaputa ota mo ana whenua pera ano mehemea nei he whenua e purutia ana e nga Maori i raro i o ratou tikanga: Engari kua e roherohea te whenua e tiakina ana e te Kaitiaki mo te Katoa kia tuhia ra ano

te whakaae atu a te Kaitiaki mo te Katoa.

- Ka ahei te Kawana ki te whakarite tikanga whakahaere mo te Kooti Whenua Maori, mo tetahi Kaiwhakawa ranei, mo runga mo nga tikanga katoa e whakaritea ana e tenei Ture kia mahia.  
Ko nga mana kua whakataua e "Te Ture Kooti Whenua Maori, 1886," hei whakarite tikanga whakahaere me mana hoki mo nga mahi e whakahaerea ana i raro i nga tikanga o tenei Ture, engari kaua e poka ke atu i nga tikanga e whakaritea ana e te Kawana i raro i te mana o tenei Ture. Ko nga tikanga whakahaere e mahia ana inaianei tera ranei e mahia a muri ake nei, e poka ke ana i nga tikanga e whakaritea ana e te Kawana, me kaua e mana engari ko a te Kawana i whakarite ai me mana mo runga mo nga tikanga o tenei Ture.
- Ka ahei te Kaitiaki mo te Katoa ki te whakahaere i nga moni e tiakina ana e ia ki nga huarahi nama moni kua whakaritea i te tekiona tahi tekau o "Te Ture Whakatikatika, 1891, i te Ture mo te Tari Kaitiaki mo te Katoa," ka taea hoki te nama ki tetahi rihi e whakaputaina ano i raro i tenei Ture. Ka ahei te utu nga moni hua e puta mai ana ki nga Maori whaitake, i runga i te whaipaaanga o ia tangata.  
Ka ahei te Kaitiaki mo te Katoa ki te utu atu i etahi o aua moni hua hei oranga, hei akoranga, hei painga ranei mo nga Maori whaitake, i runga ano i tana i mahara ai he mea tika.  
Ko nga moni e puta hua mai ana a kaore i te whaitikanga kia utua tonutia atu i naianei, ka tika kia whakamahia ano i runga i aua tu tikanga nama moni.
- I te mananga o tenei Ture, ko nga kaitiaki katoa e tu ana i runga i te mana o "Te Ture Whakahaere i nga Whenua Tuturu a nga Maori, 1888," i runga ranei i te mana o etahi atu Ture kua whakakorea atu e tera, me mutu katoa aua kaitiaki a me tu ko te Kaitiaki mo te Katoa hei whakakapi mo ratou. A ko nga whenua me nga taonga me nga moni katoa me nga mana i tau ki aua kaitiaki, me tau inaianei ki te Kaitiaki mo te Katoa ko ia hei kaitiaki; a mo nga kaitiaki tera e whakaturia a muri ake nei, ko te Kaitiaki mo te Katoa hei kaitiaki, engari ka ahei te Kaitiaki mo te Katoa ki te whakatu i tetahi atu kaitiaki hei whakakapi mona. Ka tika ano kia utua ano ki te Kaitiaki mo te Katoa nga moni utu mo te kaitiaki kia pera ano me tera e whakaritea ana e "Te Ture Whakahaere i nga Whenua Tuturu a nga Maori, 1888," a me whakapiki me whakahoki iho ranei aua utu i runga i ta te Kawana i whakarite ai.  
I te mananga o tenei Ture me hohoro tonu te tuku atu a te Tumuaki o nga Kaiwhakawa ki te Kaitiaki mo te Katoa—  
**He** taura totika o nga ota katoa e whakaputaina ana i raro i nga tikanga o "Te Ture Whakahaere i nga Whenua Tuturu a nga Maori, 1888," i raro ranei i nga Ture kua whakakorea e taua Ture;  
**He** pukapuka whakaatu atu ko ewhea o aua ota e whaimana tonu ana;  
**He** pukapuka whakaatu atu i nga whenua e pangia ana e aua ota;  
**Ngā** ingoa, me nga kainga, me nga mahi oranga o nga kaitiaki i whakaturia i raro i aua ota, me nga tamariki, me nga porangi, me era atu tangata kore mana ki ta te ture, e whaitake ana ki nga taonga kua whakataua e aua ota ki etahi kaitiaki;  
**Me** era atu tikanga e pa ana ki aua mea i runga i te tonu a te Kaitiaki i ia wa i ia wa.  
Ko nga kaitiaki katoa i whakaturia i raro i "Te Ture Whakahaere i nga Whenua Tuturu a nga Maori, 1888," i raro ranei i nga Ture kua whakakorea a taua Ture, i te mananga o tenei Ture me hohoro tonu,  
Te utu, te hoatu ki te Kaitiaki mo te Katoa nga moni me nga taonga katoa e tiakina ana a whakahaere ana ranei e ratou:  
Te tuku atu i te rarangi moni whakaatu atu i te whakahaeretanga o aua mea e tiakina ana, a me whakaatu atu i runga i te huarahi e hiahiatia ana e te Kaitiaki mo te Katoa, me te pau katoa te tuhituhi nga mea katoa a tonoa atu aua e ia;  
Te whakaatu atu era atu mea katoa e hiahiatia ana e te Kaitiaki mo te Katoa.  
Mehemea ka kore e rongo tetahi kaitiaki i whakaturia peratia ki te mahi i nga mea kua whakaritea i runga ake nei i runga i te tonu a te Kaitiaki mo te Katoa, ka ahei te Kaitiaki mo te Katoa ki te tonu tamana i te Hupirimi Kooti hei whakahau i taua kaitiaki kia mahi i aua tikanga; a ka ahei te Hupirimi Kooti, tetahi Kaiwhakawa ranei o taua Kooti ki te whakaputa ota mo taua take, whakarite hoki i nga utu, i runga i tana i mahara ai he mea tika. Kaua a whakataua he utu hei utu ma te Kaitiaki mo te Katoa mo runga mo ia whakawa pera engari ano mehemea e mahara ana te Kooti te Kaiwhakawa ranei kaore i whaitake kia tonoa he whakawa e te Kaitiaki mo te Katoa.
- Mehemea kei raro i "Te Ture Tuku Whenua, 1885," tetahi whenua kua whakataua ki te Kaitiaki mo te Katoa, a kaore ano kia whakaputaina he karaati he tiwhikete ranei, kei reira ka ahei te Kawana ki te whakaputa karaati i raro i taua Ture mehemea a whaitikanga ana kia pera, mana a whakahau ki te Kairehita whenua kia whakaputaina ki te Kaitiaki mo te Katoa he tiwhikete whakatau i taua whenua ki a ia.
- Mehemea e whakamana ana tetahi wahine kua marenatia, tetahi tamaiti, tetahi atu tangata ranei e mana kore ana ki ta te Ture, kia tango raihana kia reti ranei, kia pupuru ranei i tetahi whenua whaipaaanga ranei,

me mana taua whakaritenga ahakoa te kore mana o taua tangata ki ta te Ture; a kaore e whaitikanga ki motuhake rawa he taonga ma ia wahine pera kua marenatia, a ki te whakarite tikanga ia me pa atu ano ki ona taonga katoa o mua o a muri ranei hei taunaha whakamana mo tana mahi tika utu tika ranei i nga moni mo taua whakaritenga.

Mehemeahe wahine marena, he tamaiti ranei kei a ia tetahi riihi raihana ranei i raro i tenei Ture, ka ahei ano ki te hoko atu i taua riihi raihana ranei, ano i whaimana i raro i te Ture. Engari kua enei tikanga e pa atu ki te tamaiti kaore ano kia tae ki te tahi tekau ma whitu ona tau.

- Ko nga riihi katoa kua mahia e te Kaitiaki mo te Katoa, me nga tikanga katoa o aua riihi i mahia i raro i nga tikanga o nga Ture e whakakorea ana e tenei, ka meingatia i tika i whaimana, ahakoa i he i kore mana ranei i raro i nga tikanga o aua Ture e whakakorea atu nei e tenei.

Kaua nga tikanga o tenei e pa atu hei whakatika hei whakahe ranei i tetahi riihi i whakawakia i mua o te mananga o tenei Ture.

- Na mo runga mo ia riihi i whakaputaina i raro i tenei Ture, i raro ranei i nga Ture kua whakakorea e tenei Ture, a kua wehewehea kua maha nga riihi me nga tangata e riihi ana i nga wahi o te whenua kotahi, a e hiahia ana ratou ki te whakakore i nga riihi, kia ahei ai te tuku riihi hou mo ia wahi o taua whenua, a ki te whakaae ratou ki te taea e ratou te whakarite i nga tikanga katoa mo aua riihi hou, a ki te whakaae te Kaitiaki mo te Katoa ki nga tikanga e whakaritea ana mo aua riihi hou, ka ahei ia ki te whakakore i te riihi tuatahi ka tuku ai he riihi hou, i runga i nga utu me nga tikanga e whakaaetia ana e ia.

Ki te hiahia tetahi kai-tango riihi ki te roherohe i te whenua e retia ana e ia kia tukuna ai e ia he riihi mo ia wahi, ka ahei te Kaitiaki ki te whakakore i te riihi tuatahi, whakaputa ai he riihi mo nga wahi o taua whenua ki te kai-tango riihi ki tana tangata ranei i pai ai mehemea ra he tangata tika, a ka ahei te Kaitiaki ki te whakarite i te utu mo ia wahi mo ia wahi, me nga tikanga katoa o roto o te riihi tawhito i runga i tana i mahara ai he mea tika.

Engari ko nga moni e pau ana i te whakakorenga o te riihi tawhito me te mahinga me te riihitanga me nga pane Kuini o nga riihi hou, me utu katoa era e nga tangata na ratou i tonono kia mahia houtia.

- Me mahi e te Kaitiaki mo te Katoa i ia tau he rarangi moni o nga moni i pau i roto i taua tau, a me tuku atu ki te Minita i mua i te o nga ra o i ia tau.

Me tuhi rawa nga ingoa o nga mema o te Poari hei tohu whakatika ki aua rarangi moni, a ko te Kaitiaki mo te Katoa tetahi o aua mema. A me haina hoki e te Kaitiaki me tatahi atu mema o te Poari tetahi pukapuka whakamarama i nga mahi katoa i mahia e ia mo runga mo nga whenua me nga taonga e whakahaerea ana e ia, kua whakataua ki a ia i runga i te mana o tenei Ture, me era atu mea e whakahaua ana e te Kawana i ia wa i ia wa.

Ko aua rarangi moni, me taua pukapuka whakaatu i nga mahi, me tuku ki nga Whare e rua o te Paremete i mua o te toru tekau ma tahi o nga ra o Hurae i ia tau, mehemea o noho huihui ana te Paremete, a ki te kore me tuku atu i roto i nga ra tekau ma wha i muri tata o te tuwheratanga o te Paremete.

- Ko nga tikanga o "Te Ture Whakakore Mana" e pa nei ki nga mema o te Paremete kua e pa ki tetahi Maori e tu ana e utua ana ranei mo tana urunga ki te mahi i raro i nga tikanga o tenei Ture.
- Mehemea ka kore e taea te mahi wawe nga tikanga e whakaritea nei ikonei kia mahia, ka ahei te Kawana ki te whakaroa atu i te wa hei whakaritenga mai i aua mahi. A ki te pera ka mana taua mahinga ano i mahia i roto i te wa i whakaritea ai i raro i tenei Ture.
- A ahakoa nga tikanga o "Te Ture Takoha Whenua, 1891," o tetahi Ture whakatika ranei i taua Ture, kua te Kaitiaki mo te Katoa kua hoki tetahi Maori e utu takoha mo te whenua taonga ranei kua whakataua nei ki te Kaitiaki mo te Katoa i raro i nga tikanga o tenei Ture, mo nga oranga ranei e puta ana mai ki te Kaitiaki mo te Katoa ki nga Maori ranei.
- Kaua te Kaitiaki mo te Katoa nga Maori ranei e tika kia utu moni reiti ki nga hunga whakahaere Kawanatanga takiwa mo nga whenua kua whakataua ki te Kaitiaki mo te Katoa i raro i tenei Ture, mo nga hua ranei e puta mai ana, engari ano nga mea e whakaritea ana i roto i tenei Ture.
- Ko ia tangata kua hipa atu i te tekau ma whitu ona tau, ka kii i roto i nga tikanga o tenei Ture kua rite ona tau, ahakoa kaore ano kia kaumatua.
- I te mea e hokona ana e riihitia ana he whenua o te Kaitiaki mo te Katoa, e kore e whaitikanga kia meingatia ma te Kaitiaki e arai nga tonono pana atu i nga kai-hoko kai-riihi ranei, engari heoi ano ta te Kaitiaki he whakaatu atu kaore i herea e ia i taunahatia ranei taua whenua i waho atu o nga tikanga kua whakaaturia atu ana e ia.
- Me rehitia e ia Kairehita Whenua Takiwa nga riihi e whakamana ana e te Kaitiaki mo te Katoa, i raro i "Te Ture Tuku Whenua, 1885," ahakoa kaore i te tukuna tahitia atu te Karauna karaati o te whenua.

## **Nga Ture e Whakakore ana.**

- E whakakorea ana e tenei Ture "Te Ture Rahui Maori, 1882," "Te Ture Rahui Maori o te Waipounamu, 1883," "Te Ture Rahui Maori o te Tai-hauauru o te Waipounamu mo whakatu, 1887."  
Ahakoa aua whakakorenga,—  
Me mana tonu nga tikanga o aua Ture i whakakorea nei, mo runga mo nga raihana, riihi, riihi tuarua ranei, whakaritenga ranei, mo nga kai-tango raihana, kai-riihi me era atu tangata e whaitake ana i raro i aua tikanga, me mana hoki nga Ota a te Kaunihera, me nga Panui, me nga whakatuunga tangata, whakaritenga i nga wa tuunga, whakaritenga tautohe, whakatuunga, whakaritenga utu, whakaritenga tikanga whakahaere, me era atu tikanga i whakaritea i raro i nga Ture e whakakorea atu nei, e whaimana ana i te wa e timata ai te mana o tenei Ture, a me mana tonu aua tikanga, engari ka ahei te whakakore te whakarereke ranei, i raro ano i nga tikanga o aua Ture kua whakakorea atu nei, ano e mana tonu ana aua Ture.  
Ko nga mana i tukuna ki te Kaitiaki mo te Katoa i raro i te Ota o te Kaunihera Panuitanga me era atu ritenga ranei, i raro i te mana o aua Ture, tau ai he mana ki te Kaitiaki mo te Katoa, me te whakaae me te kore whakaae atu ranei o te Poari Kaitiaki tetahi atu tangata hunga ranei, ko aua mana me tau ki te Kaitiaki mo te Katoa i raro i tenei Ture, a mana e mahi, ano he mea tuku ki a ia aua mana i raro i nga tikanga o tenei Ture.  
Kaua nga tikanga o tenei Ture e pa ki nga take whaipaaanga ranei i whakamana o aua Ture kua whakakorea atu nei, engari ano mehemea e whakaritea ketia ana i roto nei; a me mana tonu nga tikanga o aua Ture hei whakahaere i aua tikanga.  
Ko nga tikanga o "Te Ture Whakamarama Tikanga, 1888," mo nga Ture e whakakorea ana, me pa katoa mai ki nga Ture e whakakorea ana e tenei Ture, haunga anake era tikanga e ata kapea ana ki waho e tenei Ture.

## Kupu Apiti. WAHI I.

### NGA TINI TIKANGA.

- I te mea tena tetahi tangata kahore ona mana ona take ranei, kua mutu ranei tona take me tona mana kua murua ranei kua whakakorea ranei tona take ki tetahi whenua a e noho ana ia i runga i tetahi whenua i tukua ki te Kaitiaki mo te Katoa ahakoa kei roto kei waho ranei aua whenua i tetahi takiwa maina, ka ahei te Kaitiaki mo te Katoa, tetahi tangata ranei i whakaturia e ia i runga i te tuhituhi kia tu ia te tuhituhi i tetahi pukapuka ki te Kooti o te Kaiwhakawa tuturu o te takiwa i takoto ai taua whenua kia riro mai ai taua whenua i taua tangata, a e kore te mana o te Kooti o te Kaiwhakawa ranei e taca te pehi i runga i te mea e whakaarahia mai ana he take ki te whenua, kei te neke ake ranei te utu o te whenua nga moni reti ranei o taua whenua i te mana o te Kooti o te Kaiwhakawa ranei ki te whiu kia riro mai aua moni. A mehemea i te whakawakanga kahore te kaikaro e tae atu ki te Kooti, ki te tae mai ranei a kahore e taea e ia te whakamarama tana take ki taua whenua ki te whakamaramatia ranei e te kaitono ki te Kooti ki te Kaiwhakawa ranei kua mutu kua kore te take a te kaikaro i tono ai ki wanganui i a ia me te Kaitiaki mo te Katoa kua tika ranei kia murua kia whakakorea te take a te kaikaro, ka meinga tonu i reira e te Kooti kua kore te take a te kaikaro me te tuku i te ota kia tau te whenua ki te kaitono i reira ano i te ra ranei i pai ai te Kooti me te tono kia utua nga utu mo te whakawakanga e te kaikaro. Mehemea kahore e tukua mai te whenua i runga i taua ota ka ahei e te Kooti e te Kaiwhakawa ranei e tetahi Tie Pi te tuku i tetahi warati kia riro mai taua whenua.  
Ko nga tikanga o te tekiona iwa tekau ma-rua iwa tekau-ma-toru me te iwatekau-ma-rima o "Te Ture Kaiwhakawa Tuturu, 1867," ka pa ki tetahi take whakahaere i raro i tenei tekiona.
- I runga i etahi whakahaerenga take mo runga i te pokanoa o te noho i runga i te whenua o te mahi o te peke ki runga ki ta te ture, a he whenua i tukuna ki te Kaitiaki mo te Katoa, ki te kitea te tika i runga i te ture o taua noho o taua mahi o taua peke ki runga i taua whenua ka tau te taumahatanga ki runga i te kaikaro a i runga i aua whakahaeretanga take ko nga whenua e whakawakia peratia ana ka kiiia kua tukua ki raro i te mana o te Kaitiaki mo te Katoa ahakoa kahore he korero tautoko i aua take ara mehemea kaore he korero karo i aua korero a te kaikaro a ko nga pukapuka katoa me nga mapi me nga tiwhikete me nga tauira o nga tiwhikete e tika ana a i puta mai i nga ringa o te Tumuaki o nga Kairuri o te takiwa e takoto ana aua whenua, e te Kaitiaki mo te Katoa ranei ka meinga ko nga korero o aua pukapuka tonu nga korero tika a kahore he take e tukuna mai ai nga pukapuka tawhito, a kahore ano hoki he take e haere mai ai nga apiha tetahi kupu ranei o te tika o ta ratou hainatanga.
- Ko te Kaitiaki mo te Katoa tonu te tino kaiwhakatau mehemea kua whakamana nga tikanga me nga

ritenga o tetahi riihi o ka whiwhi tonu ia ki nga mana me nga tikanga i tukuna ki tetahi hunga e tenei Ture e te Ture ranei i tukua ai taua riihi e tetahi atu Ture ranei e pa ana ki te muru riihi a ka ahei te whakahaere i runga tonu i nga tikanga e tohutohungia mai ana e aua Ture ahakoa te whaka korenga o aua Ture ka ahei ano hoki te whakahaere i raro i tenei Ture hei whakamaro i nga tikanga e tae ai te whakaoti i nga tikanga o tetahi riihi pera, kia riro mai ai ranei tetahi whenua, whakapainga ranei o aua whenua, moni ranei i murua mo te takahi i tetahi o aua tikanga.

- A te wa e whiriwhiria ai te utu o tetahi whenua a mehemea kahore he whakaritenga ketanga, kei reira ma te Kaitiaki mo te Katoa e whiriwhiri i aua utu i runga ano i te huarahi i pai ai ia, a ka whakataua tonutia taua utu ko te utu tika, erangi ka ahei e te Kaitiaki mo te Katoa te whiriwhiri hou i nga utu o tetahi whenua i ia wa i ia wa.

## TUKUNGA UTU A TE KAITONO.

- Kahore tetahi tono mo te tuku mo te noho ranei i tetahi whenua e tika mehemea i te tono mea tuhituhi a i tuhituhia e tetahi tari i tetahi wahi ranei i whakaritea e te Kaitiaki mo te Katoa mo taua tikanga i roto ano hoki i nga haora i whakaritea e te Kaitiaki mo te Katoa hei puaretanga mo te tari te wahi ranei ki te katoa hei whakahaere i nga mahi, hei tukunga pukapuka ranei ra roto i te poutapeta me te tuhi ano i te ingoa o te Kaitiaki mo te Katoa ki waho o te whare hei tuku atu ki tona tino tari i te Taone o Poneke. Mehemea e tukua atu ana ra roto i te poutapeta ekore e whakaarohia he tono tuturu taua tono kia tae rano ki te tari ki te wahi ranei i whakaritea e te Kaitiaki mo te Katoa ki tana tino tari ranei.
- Mehemea e tukuna ana he tono i tetahi tari i tetahi wahi atu ranei haunga te tino tori me tuhituhi e te apiha e te tangata ranei e tango ana i taua tono te ra me te haora i tae mai taua tono, a i reira ano me tuku taua tono me te pukapuka o te haora o te ra ano hoki i tae mai ai ki te tino tari.
- Ka whai mana te Kaitiaki mo te Katoa i nga wa katoa i runga ano i nga take mo te taha ki nga Maori whai take mo te taha ranei ki te katoa i runga ano i tona whakaaro te tango te whakakore ranei i tetahi tono.
- Me apiti mai ki nga tona katoa i te Wai III. me IV. o tenei Apiti tetahi korero ra runga i te ture me te haina e te kai tono i runga i tetahi o nga ahua e mau ana i roto i te Apiti a e pai ana e tika ana mo ia keehi:  
Ko nga tono whenua katoa e tae mai ana i roto i te wa i whakapuata ka kiia i rite tonu to taenga mai, ekore ia tetahi tono haunga ia i raro i te Wahi IV. e tangohia i taua tangata ano mo tetahi whenua nuku atu tona rahi i te rua mano eka hui atu ki roto i taua rua mano eka kia kaua e nui atu i te ono rau me te wha tekau eka nga eka whenua tino pai.

Kia kotahi tonu wahanga o nga tono katoa a te ra ano i whakaritea ai e te Kaitiaki mo te Katoa mo taua mahi.

Ekore tetahi tono e taeu te whakaae mehemea nga utu i whakaaturia i tukua mai i te utu i whakataua mo taua whenua, a e kore ano hoki tetahi tono e tangohia mehemea kahore i whakapiria mai tetahi ki rarunga i te ture penei ano me to ahua kua whakahuatia i runga ake nei, me te tuku mai ano hoki i nga moni reti mo nga marama e ono me rite tonu te maha o nga utu ki te huarahi o te maha o nga moni i whakahuatia i roto i te tono, a ko aua moni ka whakapaua mo te hanganga me te rehitatanga me era atu mahi e pa ana ki taua riihi, pera ano me nga tikanga whakahaere ture e tohutohu ai te Kaitiaki mo te Katoa, hui atu ki nga pane kuini me nga tiuti; a ko aua moni me utu tonu ki te moni ki te tieke ranei ara tieke mea maaka e te peke e tika ana.

Ko te kaitono i hira nga utu o tana tono ara mehemea e tae ana nga utu o taua tono ki nga utu i whakataua, ka kiia ara mehemea e whakaae ana te Kaitiaki mo te Katoa ki te tango i taua tono ka kiia ko taua tangata te kaitango o taua riihi, a ka whai mana ia ki te noho i taua whenua ina oti i aia te whakaoti i te riihi mo era atu tikanga katoa e whakamaramatia ana e te ture mo taua mahi.

Mehemea e rite tahi ana te nui o nga moni a nga tangata tokorua maha atu ranei, a mehemea e neke ake ana i ta etahi utu, kei reira i muri tonu iho i te wahanga o nga pukuka tono me kokiri e te Kaitiaki mo te Katoa ki te rota i runga ano i tana i pai ai hei whakatau ko wai o aua tangata te tangata i tika kia riro i a ia te riihi.

Ko nga moni i whakatakotoria me nga moni i tukua mai e nga tangata kihai i riro i a ratou tetahi riihi me whakahoki atu a ratou moni ki a ratou.

Ko nga whenua katoa e panuitia ana kei te puare mo te riihi i raro i tetahi Wahi o tenei Ture a kahore ano i riihitia ka puare tonu mo te riihi a taea noatia te unuhanga e te Kaitiaki mo te Katoa a ki te mea o maha atu ana nga kaitono mo te riihi i te tangata kotahi i te ra kotahi mo taua whenua ano, me kokiri ki te rota te whakataunga o te tangata mana te riihi.

Otia kahora tetahi mea e meinga hei take akiaki i te Kaitiaki mo te Katoa ki te whakaae atu ki te tangata i hira nga moni o tana tono i ta tetahi atu tono ranei.

## UTU WHIRIWHIRI MO NGA WHAKAPAINGA.

- Ko nga whenua i tukua ki te Kaitiaki mo te Katoa mehemea e tukua ana i runga i te utu whiriwhiri mo nga whakapainga mo aua whenua, ko aua utu i runga i nga keehi katoa kahore nei ho whakaritenga i tenei Ture, me utu kia kotahi marama i mua o te mutunga o te riihi pera ano me ta te Kaitiaki mo te Katoa i tohutohu ai, a mehemea kua murua te riihi mo te takahi i nga tikanga mo whakatau e te Kaitiaki mo te Katoa kia whiriwhiria nga utu o nga whakapainga o te whenua i roto i taua riihi i runga i te tangohanga mai o taua whenua a me utu aua utu ki te Kaitiaki mo te Katoa e te kaihoko i taua riihi i mua o tona ekenga ki runga i taua whenua.
- Ahakoa tetahi mea e mau ana i roto i te tekiona i runga nei ka ahei e te Kaitiaki mo te Katoa te whakahoki iho i te utu tuatahi i tangohia ai taua whenua te utu ranei o nga whakapainga i runga i tetahi whenua kahore e taea te tuku i runga i aua utu whiriwhiri kua kiia ake nei no te mea e kiia ana he nui rawa te utu, a ka ahei ano hoki e te Kaitiaki mo te Katoa i ia wa te panui kia tukuna taua whenua i runga i te riihi me te whakahoki iho i nga utu i retia ai i te tuatahi a i kitea ai he tika kia peratia.  
A e kore ano hoki e ahei o tetahi tangata te tuku tonu ki te Kaitiaki mo te Katoa ki tetahi atu tangata ranei mo te whakahokinga iho o aua utu whiriwhiri.
- I te mea e utua ana nga utu e te kaihoko o te riihi kua kiia ake nei mo nga whakapainga ka ahei mehemea e whakaae ana te Kaitiaki mo te Katoa te utu ki te kaitango tuatahi o taua riihi tetahi atu tangata ranei e tika ana kia riro i a ia aua moni haunga ia nga moni kihai i ea i tera kairiiri tuatahi kua puta ra ki waho, a ki te mea e murua ana me tongo ano etahi o nga moni hei utu mo nga moni i pau i te tangohanga o te whenua i te hokonga atu ano hoki o te riihi.
- Mehemea kua oti etahi whakapainga ki runga i te whenua a ki te mahara te Kaitiaki mo te Katoa he mea tika kia utua nga moni mo aua whakapainga ki te kairiiri ki te tangata ranei e noho ana i runga i te whenua, ka ahei e te Kaitiaki mo te Katoa te whakarite ko te tangata e tango ana i taua whenua i runga i te riihi i te Kaitiaki mo te Katoa me utu e taua tangata ki te Kaitiaki mo te Katoa i aua utu mo aua whakapainga.
- Kahore tetahi kaitango riihi e puta ana ki wahe o taua riihi e whai mana ki te tuku i tetahi tonu ki te Kaitiaki mo te Katoa mo nga utu mo nga whakapainga i mahia e te kaitango riihi ara ki te kore taua kaitango riihi e utu i nga utu o aua whakapainga ki te Kaitiaki mo te Katoa erangi ka ahei taua tangata te hamene kia utua nga utu mo nga whakapainga me te whakahaere i nga tikanga whakawa katoa i runga i te ingoa e te Kaitiaki mo te Katoa kia riro mai ai aua moni i runga i te tukunga o tetahi pukapuka whakawatea mai i ta te Tiatu o te Hupirimi Kooti i mahara ai kua ea nga moni i pau mo te whakawakanga.

## UTU WHAKAEA ME TE APITIREIHANA.

- Ko nga tonu whakaea i tukuna ki te Kaitiaki mo te Katoa mo tetahi take i raro o tenei Ture mo nga whakapainga mo etahi atu mea ranei me whakarite i raro i nga tikanga o te Wahi III. o te Ture Mo Nga Mahi a te Katoa, 1882, ara mehemea kahore he whakitenga ketanga mo reira hoki nga tikanga o te Wahi III. me era atu tikanga katoa o taua Ture e ahei ana te paro atu ki taua Ture a ka kiia kua whakaurua ki tenei Ture.  
I runga i aua tonu ko te Kaitiaki mo te Katoa tonu te kaiwhakahoki kupu.
- Kei nga wahi i whakaritea ai me tuku ki te apitireihana tetahi take e puta ake aua i raro i tenei Ture ko te tukunga o taua keehi ara mehemea kahore he whakarereketanga me tuku ma nga kaiapitireita kotahi maha atu ranei i whakaturia e tetahi taha e tetahi taha e whakatau, a ma aua kaiapitireita e whakatu i te kaiwhakatau i ta raua.  
Mehemea kihai i taea e tetahi taha e tetahi taha te whakatu kaiapitireita i roto i nga ra o rua tekau ma tahi i muri i te tononga a tuhituhi kia whakaturia e tetahi taha kei reira ko te kaiapitireita i whakaturia e tetahi taha mana anake e whakahaere to apitireihana a ko tana whakataunga te whakataunga tuturu hero hoki i nga taha e rua i runga i taua whakataunga.  
Mehemea kahore e taea e aua kaiapitireita te whakaae i runga i te take i tukuna ki a ratou ki a whakawakia i roto i nga ra e rua tekau ma waru i muri iho o te tukunga o taua keehi kia ratou pena ka tukua taua take ma tetahi tangata atu e whakatau i whakaturia e nga kaiapitireita mana e whakatau a ko taua whokataunga ka tuturu oti tonu atu me te here ano hoki i nga taha e rua i runga i taua whakataunga.  
Ko aua mahi apitireihana katoa me whakahaere tonu i runga i te huarahi e whakaturia ana e "Te Ture Apitireihana, 1890," a ka tau ano hoki ki raro i taua Ture kua whakahuatia nei i muri nei pera ano mehemea he mea tuku taua keehi kia whakawakia i runga i to whakaae mea tuhituhi a nga taha e rua.  
Ma ia taha ano e utu nga utu mo taua tukunga ki te apitireihana me nga utu mo te whakataunga o te

amupaea.

- I mua o te whiriwhiringa o tetahi take i tukuna ki te kaiwhiriwhiri utu, ki te apitireita ranei ki te amupaea ranei i raro i tenei Ture me penei ta ratou whaiki:—  
Ko ahau ko I, A.B., e tiuo ki pono aua kahore oku paanga penei pahea ranei i roto i tenei tako a ka tino pono taku mahi me taku mahi ano i ranga i toku matauranga me te whiriwhiri tika nga utu e hiahiatia ana i raro i nga tikanga o "Te Turo Whakahaere Rahui Maori, 1883."  
A e ki pono ana ahau me te mahara ano he tika a i runga i tetahi Ture o te Runanga Nui o Niu Tireni Me "Te Ture Tiei Pi, 1882,"

## NGA RIIHI, NGA TUKU, ME ETAHI ATU PUKAPUKA.

- I runga i te whakaritenga o nga tikanga o tenei Ture me tuku e te Kaitiaki mo te Katoa nga riihi me nga whakahou i nga tuku o aua whenua, me etahi atu pukapuka i raro i nga tikanga o tenei tekiona me nga tekiona e waru o muri iho e pa ana ki nga riihi katoa me nga whakahounga tukunga ranei o nga riihi me etahi atu pukapuka i raro tenei Ture:—  
‡ te mea e whakamana ana te Kaitiaki mo te Katoa ki te tuku ki te whakaoti i tetahi riihi pukapuka ranei ahakoa he pehea tona ahua ka ahei te hanga taua pukapuka kia rite ki te ahua e whakaaturia ana e nga tikanga whakahaere ture i hanga e te Kaitiaki mo to Katoa.  
Ko nga ahua e hiahiatia ana i raro o tenei Ture ka ahei te whakarereke kia tau ai ki nga tikanga o tetahi keehi e ara mai ana.  
‡ Me utu mo nga riihi katoa mo etahi atu pukapuka ranei i whakaputaina i whakaotia e te Kaitiaki mo te Katoa ena utu tonono ranei i runga ano i nga tikanga whakahaere ture i pai ai te Kaitiaki mo te Katoa ki te hanga, a tera ano e hiahiatia e te Kaitiaki mo te Katoa nga utu me nga tonono kia utua i mua i te tukunga me te whakaotinga o te riihi pukapuka ranei e te Kaitiaki mo te Katoa a ka ahei ano hoki ia te whakakore i te whakahaere o tetahi take mehemea kahore e utua aua tonono mo aua utu.
- Mehemea kahore tetahi kaitango riihi e whakaoti i tana riihi i roto i nga ra e toru tekau i muri iho o te tukunga i tetahi panui mea tuhituhi i runga ano i te huarahi i pai ai e hiahia ai te Kaitiaki mo te Katoa kei reira ko nga moni i utua mo te riihi mo te rehitanga ka meinga i muri iho i tetahi kupu a te Kaitiaki mo te Katoa kua murua ki a ia a ko te take o taua tangata ki te tango i taua riihi ka mutu rawa atu.
- Ma te Kaitiaki mo te Katoa e hanga nga riihi a me whakaurn ki roto i aua riihi nga whakaaetanga nga tikanga me nga ritenga i raro ano i tenei Ture. I runga ano i ta te Kaitiaki mo te katoa i whakaaro ai he tika a me haere tonu i raro i enei tikanga:  
‡ Ekore tetahi kaitango riihi e ahei te tuku i taua riihi i te whenua ranei i uru ki taua riihi i tetahi wahi ranei o taua whenua te tuku ranei kia nohoia taua whenua i runga i te tuku i te mokete i tetahi atu tuku ranei.  
‡ Mehemea e hiahiatia ana kia ki pono tetahi kaitango riihi i runga i te ture e kore tetahi kaituku riihi e kore ano hoki tetahi kaihoko i tetahi riihi i raro i tetahi mana hoko i whakataua ki tetahi kaimokete kaiwhakaoti kaitiaki ranei i runga i te pekerapu e tukuna kia tango kia noho ki runga i taku whenua i uru ki taua riihi kia tukua rano tetahi pukapuka ki i runga i te ture ki te Kaitiaki mo te Katoa pera ano me to ahua kua kiia ake nei a kia pera ano hoki tona mana.  
‡ Ko nga kaitango riihi katoa e tuku ana i a ratou riihi ka riro tonu i a ratou nga mana me nga tikanga katoa a me tau ano hoki aua tikunga ki runga i a ratou pera auo me nga tikanga i whakaekea ki runga i te kaitango riihi tuatahi e te Kaitiaki mo te Katoa.  
‡ Ekore tetahi tuku o tetahi riihi e tika mehemea kahore nga tikanga katoa o te riihi nga tikanga katoa ranei i tukuna ai taua riihi e whakamana ara mo te utu i nga moni reti me etahi atu tonono i te wa i tukuna ai tara tonono i te wa i tukuna ai taua riihi.  
‡ I mua o te whakaaetanga o tetahi tuku a tetahi kairiihi ki tetahi e te Kaitiaki mo te Katoa tera ia e tonono ki te kaituku kia oati pono ia i runga i te ture kua oti i aia te whakahaere i nga tikanga katoa o te riihi taea noatia te ra i meatia ai kia tukuna taua riihi ki tetahi atu tangata a i runga i taua oati tera e hiahiatia kia ki pono te kaituku mo runga i etahi atu tikanga mo runga i taua whenua i runga ano i ta te Kaitiaki mo te Katoa i whakaaro ai he tika kia peratia.  
‡ Ki te kore e whakaotia e tetahi kaitango riihi tetahi o nga tikanga o tana riihi i roto i nga ra e toru tekau i muri iho i te ra i tika ai kia whakaotia e ia, ka ahei te muru i taua riihi i runga i te tuku i te panui e te Kaitiaki o te Katoa ki te kaitango riihi, a ka kiia ia i runga i taua murunga kei te noho he i runga i te ture i runga i taua whenua i uru ki roto i taua riihi.  
‡ Ko nga tikanga kua kiia ake nei mo runga i nga riihi ka mana tonu te whakahaere a ka kiia hei tikanga here i te Kaitiaki mo te Katoa me nga kaitango riihi ki nga tikanga o te riihi, ano he mea tuhituhi ki roto i te riihi.  
‡ Ekore tetahi kaituku mokete i raro i tenei wahi o tenei Apiti e hiahiatia kia whakapuaki i tetahi kupu oati,



haunga ia mehemea he kaihoko ia i raro i nga tikanga o te mokete erangi me whakapuaki kupu oati ia i mua o te whakaaetanga a te Kaitiaki mo te Katoa.

- Ko nga riihi e tukuna ana e te Kaitiaki mo te Katoa mo nga whenua i raro i "Te Ture Tuku Whenua, 1885," ka ahei mehemea e hiahiatia ana kia rehitatia te rehita e te Kaitiaki mo te Katoa i raro i taua Ture, a mehemea kahore te whenua i raro i taua Ture me rehita i runga i nga huarahi i whakaritea e tetahi ture mo tena wa a e pa ana ki te rehita tiiti pukapuka hoki. Ko nga utu mo te rehitatanga me utu e te kaitango riihi.

Ko nga whakahaere katoa mo nga riihi poka ke i nga tikanga o te tekiona waru tekau ma toru o tenei Ture mo runga i nga tukunga riihi ka tino kore atu, kua ano hoki te Kairehita Takiwa Whenua e rehita i tetahi whakahaere mo tetahi riihi kia tukua rano ki a ia te tiwhikete mea haina e te Kaitiaki mo te Katoa kua whakaotia nga tikanga o te riihi.

- Ko nga kaitango riihi katoa hui atu ki nga Maori kaitango riihi ka tau ki a utua e ratou nga reiti katoa me nga taake me nga whiriwhiringa utu o ia ahua i whakaekea ki runga ki te kaitango riihi ki te tangata ranei e noho ana i runga i te whenua e uru ana ki roto i taua riihi mo te wa e riihitia ana e ia.
- Ko nga kupu oati katoa i tukuna i raro i tenei Ture e kore e ekengia e te tiuti i raro i tetahi Ture e mana nei i naianei e paahitia ranei a muri ake nei a e pa ana ki nga pane tiuti.
- Mehemea e marama ana ki te Kaitiaki mo te Katoa kua ngaro tetahi tiiti i tukuna e ia i moti ranei i runga i tetahi huarahi ka ahei e ia te hanga tetahi riihi hou hei whakamana mo taua riihi i runga ano i nga ritenga me nga tikanga o ia kehi i pai ai ia.

## **NGA KAITANGO RIIHI, NGA HAUKOTINGA, NGA WHIU, ME NGA MURUNGA.**

- Ka ahei e tetahi tangata tekauma whitu ona tau nuku ake hoki te tango riihi i raro i te Wahi III. and IV., o tenei Ture erangi ekore te tangata kua murua tona take ki te pupuri i te whenua i riihitia e ia i runga i taua takahanga i nga tikanga o te riihi i tana tino takahanga ranei i nga tikanga o tenei Ture e ahei te tango i tetahi atu riihi kia pahitea rano nga tau e rua i muri iho i te murunga o tera riihi ana, a ma te whakaae mea tuhituhi a te Kaitiaki mo te Katoa te taea ai e ia te pupuri i tetahi riihi i raro i tenei Ture.
- E kore tetahi wahine marena kahore nei i roto i a ia tetahi pukapuka whakarere i tana tane tetahi ota tiaki i a ia ranei e ahei te tango i tetahi riihi i raro i te Wahi III., IV., ranei o tenei Apiti haunga ia nga tikanga a muri nei whakatakotoria ai.

E kore nga tikanga o tenei tekiona e pa ki tetahi wahine marena i whiwhi ki tetahi riihi i raro i tetahi wira i runga ranei i te whenua i waiho wira kore.

- Kua tetahi tangata e ia ake ra roto ranei i tetahi atu tangata e wahi mana ki to tango ki te pupuri ahakoa i runga i te tono o mua i runga ranei i te tuku i runga ranei i tetahi atu huarahi te pupuri i tetahi whenua ahakoa pehea te take i raro i tenei Ture ki waho atu i a ia ake a mona ake a hei painga mona.

Kua ano hoki tetahi tangata i te mea e tono aua ia a kua tukua tana whakaaetanga ahakoa he whakaaetanga e herea ana e te ture kahore ranei kua ia e tuku i tetahi atu tangata ki te tango i runga i te hoko i tetahi atu tango ranei i te whenua i tukuna ai te tono tetahi wahi ranei o taua whenua paanga ranei a te kaitango o roto o taua whenua penei ekore ia e tukuna hei kaitango riihi i raro i tenei Ture.

Ko te tangata e takahi ana e whakahau ana ki te takahi e whakahau ana ranei i tetahi atu tangata ki te takahi i etahi tikanga o tenei Ture i runga i te tango riihi e hara i te tango mona ake, ka tika kia whiua taua tangata kia kua e iti iho nga moni i te kotahi rau pauna, kua ano hoki e koni ake i te rima rau pauna, a ko nga tangata katoa e akiaki ana e whakahoa ana ki te takahi i nga tikanga o tenei ture ka pera ano te nui o te whiu mo ratou.

- A ko nga whenua katoa e tangohia ana i raro i tenei Ture a i neke ake te rahi i ta tenei Ture i whakatakoto ai ka panuitia e te Kaitiaki mo te Katoa kua kore aua riihi me nga tikanga katoa e whakahaerea, a ko nga moni i tukua mai kua murua, A mehemea e panuitia ana tetahi panui pera ki roto i te tari mo te Kaitiaki o te Katoa ka meinga he panui tuturu taua panui.
- Ki te mea ka tika kia tangohia tetahi riihi i tetahi tangata i runga i tetahi huarahi a i runga i nga peratanga katoa me whakatuwhera ano te whenua mo te reti erangi me whakaeke ki runga i taua whenua nga utu mo nga whakapainga ara mehemea tera he whakapainga a me ata whiriwhiri ano nga utu o nga whakapainga i runga i nga huarahi kua tohutohungia ake nei.
- Ka ahei tetahi kaitohutohu tetahi kaiwhakahaere ranei o tetahi kaporeihana te tuku panui i runga i nga tikanga e hiahiatia ana e tenei Ture a ka ahei ano hoki te whakarereke i te ahua o aua panui.
- Mehemea ka oati teka te tangata i runga i nga oati e hiahiatia ana e tenei Ture i raro ranei i etahi tikanga whakahaere ture, ka kiia kua hara taua tangata a ka ahei te whiu kia utua e ia nga moni kia kotahi rau pauna me maka ranei ki te whare herehere mo te wa kua e neke atu i te tau kotahi a me mahi ia i reira

- kahore ranei, a ko te take i roto ai taua whenua i runga i te oati teka ka tino murua rawatia
- Ki te mea e whakaaro ana te Kaitiaki mo te Katoa he teka nga korero i tukua mai i runga i te oati a mehemea ranei i te kotiti ke te mahi a te tangata hei takahi i nga tikanga o tenei Apiti, ka ahei te Kaitiaki mo te Katoa i runga ano i tana i whakaaro ai te tono kia uiuia nga tikanga o taua keehi me te panui kua murua ana take katoa ki te whenua me nga moni i utua i runga i taua whenua.
  - Kahore he mea i roto i tenei tekiona e kiia hei arai i tetahi tangata kei whiua ia mo te mahi korero teka.
- Mehemea e tino oati teka ana tetahi tangata i runga i te oati e hiahia ana e tenei Ture mo runga i te whenua i tukuna ai taua oati ko te whenua e riihitia peratia ana ka ahei i runga ano i te whakaaro a te Kaitiaki mo te Katoa te muru, a mehemea ka murua ko te whenua i riihitia me nga whakapainga katoa o runga ka riro mai i te Kaitiaki mo te Katoa me te kore ano e utua tetahi utu mo te riihi.
- I runga i te murunga o tetahi riihi me tuku e te Kaitiaki mo te Katoa tetahi panui i hainatia e ia ki te Rehita Takiwa Whenua kia mohio ai ia kua murua taua whenua, a ko taua panui tonu te mana tuhituhi ki te rehita i nga kupu muru, whakakorenga hoki o taua riihi.
- I nga murunga katoa o nga riihi ka ahei kia whiua ano taua tangata i murua taua riihi kia utua e ia nga moni reti etahi atu taumahatanga ranei i runga i taua riihi, mo te takahi hoki i nga tikanga o taua riihi tae noa ki te wa i tangohia ai taua whenua e te Kaitiaki mo te Katoa, kua ia i muri iho.

## WHIRIWHIRINGA I NGA WHENUA.

- Ko nga whenua katoa e tukuna ana ki te Kaitiaki mo te Katoa me wehe kia wha nga wehenga ara—
  - Whenua Taone ko nga whenua i rahuitia i mua ake nei, e rahuitia ranei a muri ake nei hei taone hei kainga ranei, a i uru mai hoki ki tenei nga whenua i roto i tetahi paro taone ranei:
    - Whenua o waho tata o nga whenua Taone:
    - Nga Whenua kihai i rahuitia hei taone hei kainga ranei mo etahi atu mahi a te katoa.
    - Whenua Haerenga Kararehe kihai nei i uru ki nga whenua i runga ake nei.
  - Ka ahei te Kaitiaki mo te Katoa i ia wa te panui i roto i te Kahiti ko tetahi whenua kihai ano i oti te wehe ka whakaurua ki roto ki ia wehenga o nga whenua kua kiia ake nei a ka taea ano hoki te wehe mai i tetahi whenua kia kaua e uru ki tetahi o nga wehenga kua kiia ake nei erangi mo etahi atu wehenga.
  - Ko nga whenua o waho rawa atu o te taone ara nga tua whenua ka whiriwhiria e te Kaitiaki mo te Katoa kia rua wehenga, ko nga whenua tino pai me nga whenua kihai i tino pai a ka ahei te riihi i runga i nga utu e mau iho nei ara.
    - He whenua tino pai kaua e hoki iho nga moni reti e i runga i te whiriwhiringa kihai i hoki iho nga moni utu o taua whenua i te rau tekau hereni mo te eka.
    - A mo te whenua i hoki iho tona pai kia nga moni reti i runga i te whiriwhiringa e tae ana nga utu ki te rima hereni i te eka mo te whenua.
  - Ka ahei e te Kaitiaki mo te Katoa te whiriwhiri hou i aua whenua me te whakatau i te utu a ko aua utu mea whiriwhiri me kaua e hoki iho i nga utu i whakaritea mo ena tu whenua.
  - Ka ahei e te Kaitiaki mo te Katoa te unu mai i tetahi whenua kei riihitia ahakoa kua tukua mai nga tono kia riihitia. A i runga i aua tono e kore e tae e nga kaitono te tono i tetahi utu ki te Kaitiaki mo te Katoa.
  - Kahore tetahi whenua e puritia ana i raro i tetahi huarahi i raro i tenei Ture e tae te hoko mo te kore ea o nga moni reiti i tika kia utua e te kairiiri e te kainoho ranei i te whenua.
    - Erangi ka kiia te kore eanga o nga reiti o te whenua i tangohia i te Kaitiaki no te Katoa a i tika kia utua i runga i taua riihi i raro hoki i tetahi ture he takahi tena i nga tikanga o te riihi a i meinga hei huarahi muru i taua riihi pera ano me te korenga o te utu i nga moni reti.
    - Mehemea kahore e taea e tetahi kaitango riihi whenua i raro i tenei Ture te utu ki tetahi ropu whai mana i nga reihia mo taua whenua a i tika kia utua e ia a kihai i utua e ia i roto i nga ra kotahi tekau ma wha i muri i te tononga e taua ropu whai mana te tono ki te Kaitiaki mo te Katoa kia utua, a ka ahei te Kaitiaki mo te Katoa mehemea kahore e utua ana moni i te mutunga o nga ra e toru tekau i muri iho o te tukunga o te panui ki a ia e te Kaitiaki mo te Katoa te ki kua tino kore atu taua riihi, a me utu e te Kaiteaki mo te Katoa nga reiti kihai i utua e te kaitango riihi, me te whakaeke i enei utu ki runga i te whenua ki runga ranei i nga moni i riro mai i a ratou mo te whakapainga i te whenua.
    - Ko nga tikanga katoa o tenei tekiona me pa ki nga kaitango riihi katoa i raro i tenei Ture i raro ranei i tetahi Ture e mana ana i mua ake nei.

## Wahi III.

## TE RIIHITANGA O NGA WHENUA.

- Ka ahei e te Kaitiaki o te Katoa i ia wa i runga i te panui i roto i te *Kahiti* i runga hoki i tetahi atu huarahi i pai ai te Kaitiaki mo te Katoa te panui i tetahi whenua e hara nei i te whenua e puare ana mo te riihi i raro i te Wahi IV. o tenei Ture kia riihitia i runga i te tono erangi kua nga piihi whenua e neke atu te rahi i te ono rau me te whatekau eka i runga ano i te huarahi me nga tikanga e whakahuatia ana i roto i tenei Wahi o tenei Ture.
- Me whakataua e aua panuitanga katoa nga moni reti me te wa e puare ai taua whenua mo te riihi me te wahi i takoto ai ko te wa mo te riihitanga me kua e hoki iho te panuitanga i nga ra e toru tekau i muri iho o te panuitanga.

Kei nga whenua tuawhenua kua e hoki iho nga moni reti i te i runga i nga moni whiriwhiri e rua tekau hereni mo te eka mo te whenua tino pai me nga moni reti e i runga i nga utu whiriwhiri e rima hereni mo te eka mo te whenua kihai i tino pai. Ka ahei e te Kaitiaki mo te Katoa i roto i tetahi o ana panui te whakaeke i te utu mo te eka mo ia poraka mo ia tekiona ranei i roto i ia poraka a ka ahei hoki i raro i tetahi panui hou e tukuna ana mo nga tikanga hoki o tenei ture te whakataua i tena utu whenua me te whakanui ake me te whakahoki iho ranei i te utu o te reti.

- Ko nga whenua taone katoa me nga whenua o waho tata atu i te taone:—  
Ka ahei te panui mo te riihi kia pena te rahi o nga tekiona me nga moni reti a ma te Kaitiaki mo te Katoa e whakataua kia pena te rahi o te tekiona me te rahi o nga moni reti i raro ano i tenei tikanga kua tetahi whenua taone e tukua i runga i te riihi kia hoki iho nga moni reti i te i runga i nga utu whiriwhiri i hoki iho i te ruatekau pauna me te eka, a kua e hoki iho to nga whenua hoki iho te pai i te mo te tau i runga i te utu whiriwhiri kua e hoki iho i te rua pauna i te eka.  
Ka ahei ranei mehemea kahore e taea te reti i roto i te wa i whakataua ai e te Kaitiaki mo te Katoa me reti mo nga tau kua e neke atu i te tekau ma wha tau mo nga moni reti kua e hoki iho i te rima pauna mo te ran o nga moni whiriwhiri o te utu o aua whenua kotahi nei ia te mea e kore e whai mana te kaitango riihi ki te tono utu mo nga whakapainga i te mutunga o tana riihi.
- Ko nga whenua i riihitia i raro o tenei Wahi o tenei Apiti me pupuri ara me riihi e te kaitango riihi mo nga tau e rua tekau ma tahi: Ko aua tan me timata i te tahi o nga ra o Hanuere o Hurae ranei timata mai ano i te ra i tuhia ai te riihi, me apiti atu ano hoki te wa i waenganui i te ra i tuhia ai te riihi me taua ra.  
Ko aua riihi me whakahou i runga i nga tikanga a muri nei whakaritea ai.  
Ko nga moni reti mo runga i aua riihi me utu hawhe tau i mua tonu o te riihi i runga i te tahi o nga ra o Hanuere me Hurae i roto i ia tau ki te Kaitiaki mo te Katoa.

### ***Nga Whakapainga.***

- Ko nga kaitango riihi whenua katoa i raro i tenei Wahi o tenei Apiti me mahi e ia etahi whakapainga tuturu i runga i te whenua e riihitia ana e ia:—  
I roto i te tau tuatahi timata mai i te ra i timata ai te riihi me mahi e te kaitango riihi i nga whakapainga kia rite ki te tekau pauna i roto i te tau i runga i nga utu whiriwhiri o aua whenua.  
I roto i nga tau e rua i muri iho i te ra i timata ai te riihi me whakapau e te kaitango riihi kia kotahi tekau atu nga pauna e whakapaua e ia i runga i nga whakapainga i runga i nga utu whiriwhiri o te whenua.  
A i muri iho, otia i roto i nga tau e ono i muri iho o te ra i timata ai te riihi me mahi te Kaitango riihi i nga whakapainga kia rite ki te tekau pauna o roto o ia rau pauna o nga utu whiriwhiri o te whenua;  
A hui atu ki aua whakapainga me mahi e te kaitango riihi i roto i nga tau e ono i muri iho i te ra i timata ri te riihi nga whakapainga tuturu i runga i te whenua tino pai kia rite ki te pauna kotahi mo te eka a mo runga mo nga whenua e hara i te tino whenua me rite nga whakapainga ki nga utu o ia eka o taua whenua, kua ia nga whakapainga i apitia ki etahi whakapainga e neke ake i te tekau hereni i runga i nga whenua hoki iho tona pai.  
A ko nga kaitango riihi katoa ina tonoa e te Kaitiaki mo te Katoa me korero me haina i tetahi oati i runga i te ture mo runga i taua whakaae ka tino tuturu taua whakaoti i nga tikanga me nga whakapainga i noho ai ia i runga i taua whenna riihitia e ia a taea noatia te wa i tukuna ai taua oati.
- Kei nga whenua e tata ana ki te taone ka ahei e te Kaitiaki mo te Katoa i runga ano i tona whakaaro te mea me whakarere i nga tikanga mo nga whakapainga ara nga tikanga kia pera te nui o nga moni e whakapainga kua mahia a e tika ana i runga i ta te Kaitiaki mo te Katoa i whakaaro ai.
- A ko te Kaitiaki mo te Katoa i runga i tana whakahaere i nga tikanga o te tekiona waru tekau ma toru i runga ranei i tona mohio i runga i tetahi kupu oati kahore e ahei e te kaitango riihi te mahi i nga whakapainga ki runga i te whenua i runga i nga tikanga o tenei Ture, ka ahei te whakaae kia tapaetia ara kia tukuna tona paanga ki taua whenua e puritia ana e ia i raro i tenei wahi o tenei Ture ki tetahi tangata

kihai i whakataka kei tango riihi a ma taua tangata e tuku kupu oati i raro i nga tikanga i puritia ai taua whenua pera ano me te Ahua kua tukuna ki tenei Ture.

## **RIIHI O NGA WHENUA RIRIKI.**

- Ahakoa tetahi mea i roto i tenei Ture ka ahei e te Kaitiaki mo te Katoa i ia wa te wehe mo te riihi me te mana ki te whakahou i te riihi pera ano me nga tikanga e mau ana i roto i tenei wahi o tenei Apiti etahi wahi whenua tuawhenua kia kaua e neke ake i te rima tekau eka, me te puare ki nga tangata katoa i runga i te tono ki te Kaitiaki mo te Katoa i runga ano i te huarahi i pai ai ia.  
Me tuku mai e nga kaitono katoa i roto i ta ratou tono te kupu oati i runga i te ahua kua whakahuatia i roto i te tekiona ono tekau ma rua o tenei Apitii kia rite ranei ki taua ahua me te whakatikatika ano ia i te ahua kia tau ki taua keehi me te tuku mai ano hoki i nga moni e whakahuatia ana i roto i te tekiona i runga ake nei.  
Mehemea e neke ake ana i te tangata kotahi nga tangata e tono ana a e ahua rite tonu ana te rahi o nga moni mo te whenua kotahi me whakatau te whenua ki te tangata mana i runga i te tikanga rota i runga ano i ta te Kaitiaki mo te Katoa i tohutohu ai.  
Ko nga whakahoutanga o nga riihi whenua i wehea a kua kiia ake nei ka hanga i nga tikanga o etahi atu riihi i raro i tenei wahi o tenei Apiti.  
Ko nga riihi katoa i raro i tenei tikanga me riihi mo nga tau e rua tekau ma tahi me te whakahou i aua riihi i ia wa i runga i nga ritenga a muri nei whakatakatoria ai.  
Kaua tetahi kaitango riihi e ia ake e ia ranei me etahi atu tangata e tango topu ranei i nga eka e neke ake ana i te rima tekau eka i raro i tenei tikanga. Ko nga riihi e tangohia e puritia puatia aua ka tino whakakorea.  
Ko nga moni o te reti me kaua e hoki iho i te rima pauna i runga i nga utu whiriwhiri o te whenua kaua e hoki iho i nga hereni e mo te eka.  
Haunga ia nga tikanga kua whakahuatia i runga ake nei, ka pa nga tikanga katoa o tenei Ture ki nga whenua i tangohia i raro i tenei tekiona.

### ***Whakamutunga Riihi.***

- Ka ahei e tetahi kaitango riihi i runga i te whakaae a te Kaitiaki mo te Katoa ki te whakarere i te whenua i uru ki roto i tana riihi i runga ano i nga tikanga i pai ai te Kaitiaki mo te Katoa, a e kore e tika ma te tangata e whakarere ana i tana riihi te tango he riihi hou o taua whenua kia pau rano te tau kotahi i muri iho i te ra i whakarerea ai taua riihi, ahakoa ko ia te kaitango riihi tuatahi i tuku ranei, i reti tuarua ranei, ara mehemea tera tetahi atu tangata e tono ana mo taua riihi hou erangi ma te Kaitiaki mo te Katoa e whakaae mea tuhituhi ka tahi ka taea.

## **Wahi IV. WHENUA RIRIKI HAERENGA KARAREHE.**

- Ko nga whenua haerenga kararehe ka ahei e te Kaitiaki mo te Katoa i ia wa i runga i te panui i roto i te Kahiti i runga ranei i tetahi atu huarahi e pai ai ia te wehe me te wehewehe hei whenua haerenga kararehe.  
Ko te rahi o te whenua haerenga kararehe me kaua e neke atu i te rima mano eka. Ko nga tau o te riihi me rua tekau ma tahi tau, me te whai mana hoki ki te whakahou i te riihi pera ano me nga ritenga a muri nei whakaaturia ai.
- Ka ahei te panui e puare ana nga whenua haerenga kararehe mo te riihi i runga i te tono, mo nga moni reti kaua e hoki iho i te rua pauna me te tekau hereni i te tau i runga i nga moni whiriwhiri o te whenua i whakataua hoki e te Kaitiaki mo te Katoa i runga ano i taua i pai ai a kihai i hoki iho i te mo te eka.
- Kaua tetahi tangata e tango riihi i raro i tenei Wahi o tenei Ture:—  
Kia maha atu i te haerenga kararehe kotahi.  
E te tangata e whiwhi ana ki tetahi whenua ona ake, whenua ranei e puritia ana e ia i runga i runga i te riihi i riihitia mai ranei i tetahi tangata ke atu, i tetahi kamupani ranei, kaporeihaua ranei, tetahi hunga mana ranei e whiwhi ai taua tangata mono ake, ki a ia ranei me etahi atu, a ka whiwhi ia, ratou ranei ki etahi whenua i tenei i tena wahi o te koroni a ki te huia tahitia aua whenua tera e neke ake i te kotahi mano eka haunga nga whenua i uru ki roto ki te haerenga kararehe e tono ana ia ranei.  
He tangata kua whakataka kua kore e mana ki te tango whenua i raro i nga tikanga o tenei Ture.  
E kore nga tikanga o tenei tekiona e pa ki nga tangata tera e whiwhi ki te riihi riihi tuarua ranei i runga i te marena i raro ranei i tetahi wira i runga ranei i tetahi whenua i waiho wira kore.  
Ko nga riihi i riro mai e puritia ana hoki o tetahi tangata a i riro mai poka ke i nga tikanga o tenei

tekiona ka kiia kua kore e mana a kahore i mana mai ano i te tukunga o te rihi o taua whenua.

- Ka whai mana te tangata i runga i taua rihi ki te tuku kararehe ki runga i te whenua i uru ki roto i te rihi mona ake, ki nga kai katoa e tangohia ana e ia i runga i te whenua o nga wahi i ngakia e ia i runga i te huarahi kihai i poka ke i nga tikanga o tana rihi o tenei Ture ranei o tetahi ture whakahaere tikanga ranei i raro i taua Ture. Ekore tetahi rihi e tuku i tetahi mana ki nga rakau ki nga kohatu whaiutu i runga i raro ranei i te whenua i riihitia.

- Ko nga rihi katoa me tau ki raro i enei tikanga ara:—

He tikanga me nga mana haere huarahi e haeretia ana e te tangata ka takoto puare tonu ki te katoa, a ka ahei te Kawana te Kaitiaki ranei mo te katoa i ia wa te tango whakaritenga kore ki te kaitango rihi etahi atu huarahi ra roto i tetahi wahi o te whenua i riihitia a e kiia ana he mea tika kia kawea ma reira a e hara nei i te wahi whenua e pa tata ana ki te kianga nohoanga i te whenua i whiriwhiria e te kaitango rihi i runga i te whakaae a te Kaitiaki mo te Katoa. Ko aua huarahi tera e tangohia ana e te Kawana e te Kaitiaki mo te Katoa ranei ka meinga hei huarahi mo tena wa anake ranei he huarahi tuturu ranei pera ano me nga whakaatu i roto i te panui mo aua huarahi i roto i te *Gazette*.

He tikanga e te Kaitango rihi i runga i te whakaae a te Kaitiaki mo te Katoa te whiriwhiri kia kaua e neke atu i te kotahi rau rima tekau eka e piri ana ki te taha me te uru mai ano te wahi i turia e te whare ekore e taea te hanga he huarahi ki reira kia whakaae marire to kaitango rihi a ka ahei ano ia te kaitango rihi te tapahi i nga rakau hei taiepa hei hanga whare ranei ki runga anake i te whenua i riihitia.

He tikanga e uru ana ki roto i te rihi me tau ki raro i nga tikanga o tetahi ture e pa ana ki te mahi maina a e mana ana i te wa i tukuna ai taua rihi me nga ture whakahaere tikanga i hanga i raro i aua mahi maina a ko nga kaupuri maina raiti katoa raihana mahi ranei ka ahei te whakahaere i ana maina raiti me aga raihana mahi i runga i nga whenua e riihitia ana i raro i tenei Wahi o tenei Ture.

- Me noho nga kaitango rihi ki runga i tetahi wahi o te whenua i riihitia; i roto i nga tau e toru ara mehemea he repo he whenua ngaherehere ranei, mehemea he whenua parae ko etahi wahi anake ranei he parae me noho e te kaitango rihi i roto i te tau kotahi a ko taua noho me tuturu a taea noatia te mutunga o te rihi erangi ko nga tikanga o taua noho ka ahei te whakangawari e te Kaitiaki mo te Katoa.
- Me mahi e nga kaitango rihi i nga whakapaiuga pumau ki runga i te whenua kia rite nga utu ki nga moni reti o te whenua i te tau kotahi a mo mahi hoki aua whakapainga i roto i te tau kotahi timata mai i te timatanga o te rihi a i roto i nga tau e rua i muri iho me mahi nga whakapainga kia rite nga utu ki nga moni reti o te tau kotahi timata mai i te mutunga o te tau tuatahi, a i muri iho erangi i roto i nga tau e ono i muri mai i taua ra me mahi nga whakapainga kia rite te utu ki nga moni reti o nga tau e rua, a i runga i nga whenua ngaherehere apiti atu ki era me mahi i nga Whakapainga pumau ki runga i te whenua i uru ki roto i te rihi kia rite nga utu o aua whakapainga ki te tekau hereni whiriwhiri mo nga eka katoa ara mehemea he whenua hoki iho te pai kia rima hereni.

Ko nga moni e utua ana mo nga whakapainga e te kaihoko i te rihi ka meinga aua moni he whakapainga pumau i mahia e te kaihoko ki runga i te whenua pera te nui me nga whakaaturanga mai nga tikanga o tenei tekiona.

- Me utu nga moni reti i raihitia e taua rihi ki te Kai tiaki mo te Katoa i roto i ia hawhe tau i mua tonu o ia hawhe tau.
- Kaua tetahi tangata kamupane ranei tangata kotahi ranei huihui tahi ranei ki etahi atu tangata e pupuri i tetahi rihi, haerenga kararehe ranei kia maha atu i te haerenga kararehe kotahi i raro i tenei Wahi o tenei Ture.

- Ko nga rihi katoa i raro o tenei Wahi ka kiia kua uru enei tikanga e mau ake nei ara:—

He tikanga kia utua nga moni reti i nga wa kua whakahuatia ikonei;

He tikanga ki te tahuri te kaitango rihi tetahi atu tangata ranei e ki ana e whai take ana, paanga ranei ra roto i raro ranei i te kaitango rihi, a ki te mea aua tangata kia hanga tetahi kirimene kataraka ranei, ki te mea ranei ka whakahau kia hoatu kia tango ranei i tetahi puna mea whakarite, kia ahei ai te takahi te whakakotiti ke i nga tikanga o tenei Ture ki te tahuri ranei i runga i tetahi huarahi pehea ranei, ki te mohio huna ranei e mahi ana i tetahi mahi tahae i runga i tenei Ture ka ahei kia murua taua rihi kia whakakorea. He tikanga me tupato te kaitango rihi ki te arai kei wera nga rakau te ngaherehere ranei i runga i te whenua i uru ki roto ki taua rihi, ka ahei ano ia te Kaitiaki mo te Katoa te tuku mana kia whakawateatia nga rakau te ngaherehere ranei i runga i te tahu ki te ahi i tetahi atu huarahi ranei i runga i nga tikanga i whakaaro ai te Kaitiaki mo te Katoa.

He tikanga me kaua e tukua e te kaitango rihi kia tupu kia toro haere i runga i te whenua nga tataramoa i runga i te whenua i uru ki roto ki taua rihi.

A ko nga rihi katoa me whakauru i ena atu tikanga i pai ai te Kaitiaki mo te Katoa a i tohutohu ai ia kia tuhia ki roto i te rihi.

- Ko nga tuku paanga take ranei ki tetahi whenua haerenga kararehe e puritia ana i runga i te rihi me rehita

ki te tino Tari i runga i te tuku i tetahi tauira o taua tuku, a ekore o mana taua tuku kia oti raru te rehitā, a ekore tetahi paanga take ranei ahakoa e kawea ana ki te Kooti i runga ranei i tetahi huarahi e meatia kia tukua taua paanga take ranei.

Kahore tetahi tuku e rehitatia ki roto i te Rehita Tuku Whenua i raro ranei i tetahi ture e pa ana ki te rehitatanga tiiti puhapuka ranei erangi me matua tuhituhi ki roto i te tiiti me whakapiri ranei tetahi tiwhikete mea haina e te Kaitiaki mo te Katoa hei whakatu mai kua whakaritea nga tikanga o tenei tekiona.

- Mehemea kahore e utua nga moni reti i roto i nga ra e toru tekau i te ra i tika ai kia utua ka apitia atu kia rua hereni i te pauna o nga moni i tika kia utua i taua ra a ko aua moni reti apiti ki aua moni apiti ka ahei te mea kia riro mai i runga i tetahi huarahi i whakaritea e tenei Ture kia riro mai ai aua moni reti kahore ano i ea. Otira mehemea kua mate te kaitango riihi i mua o te wa i tika kia utua aua moni reti, ka ahei te whakaroa atu i te wa e te Kaitiaki mo te Katoa ki a kaua e roa atu i te toru marama.
- Ka ahei te Kaitiaki mo te katoa te whakaae kia whakarerea tetahi riihi i raro i tenei wahi o tenei Ture i runga i nga tikanga e pai ai ia.

## Wahi V. WHAKAHOUTANGA O NGA RIIHI.

- Ko nga riihi katoa me whakahou i ia wa i runga i te mutunga o nga tau e rua tekau ma tahi. I runga i te mutunga o tetahi riihi me panui ano taua riihi kia tangohia e te kairihi tuatahi i roto i nga marama kaua e hoki iho i te tekau ma rua marama i mua o te mutunga o te riihi i runga i nga moni reti kia kimihia, a muri ake nei hoki whakaaturia ai.

Me whiriwhiri nga utu e tetahi kaiwhiriwhiri utu i whakaturia e te Kaitiaki mo te Katoa mo nga utu e tika ana kia utua mo te whenua e uru ana ki taua riihi i taua wa me te whiriwhiri ano hoki i nga utu mo nga whakapainga pumau i mahia a e takoto ana i runga i taua whenua.

¶ Muri iho i te whiriwhiringa me te panuitanga o nga utu whiriwhiri kua kiia ake nei, a me whakamana i runga i te tukunga o tetahi tauira o aua whiriwhiringa ki te kaitango riihi ki te Kaitiaki hoki mo te Katoa erangi kaua taua panui i tukua e hoki iho i nga marama kotahi tekau ma rua i mua o te mutunga o nga tau o te riihi i tukuna ai ki te kaitango riihi me tuku he panui mea tuhituhi e te kaitango riihi ki te Kaitiaki mo te Katoa mehemea e pai ana ia ki te tango i tetahi riihi hou o taua whenua mo nga tau ano e rau tekau ma tahi i muri iho i te mutunga o nga tau o taua riihi i runga i nga moni reti kaua e hoki iho i te rua pauna me te tekau hereni i runga i te rau pauna mea whiriwhiri i nga utu o taua whenua haunga i nga utu o nga whakapainga e whiriwhiria e te kaiwhiriwhiri. Ko taua riihi hou me ahua haere tonu nga tikanga i runga i ngo tikanga o te riihi o mua, haunga ia nga moni reti e utua mo taua riihi.

Mehemea kahore te kaitango riihi e riihi aua i te whenua e whakaae ki nga utu whiriwhiria kua kiia ake nei, na ko nga moni reti e tika ana kia utua me whakatau i runga i te Apitireihana i runga i nga tikanga kua whakaritea i te tekiona whitu tekau ma waru.

- Mehemea kahore te kaitango riihi e whakaae kia whakahontia te riihi kua whakahuatia atu nei ki te kore ranei ia e pai, ki te mangere ranei ia ki te whakaoti i te riihi i roto i nga ra e toru te kau i muri iho i te tukunga o te tono ki a ia kei reira panuitia kia tukuna mai nga tono mo taua whenua mo te riihi kia kotahi marama e panui ana i mua o te mutunga o nga tau i tukuna ai taua riihi, a ko aua tono he tono kia rua tekau matahi nga tau e riihi ana i raro i enei tikanga me enei ritenga, ara:—

¶ Ko nga moni reti tuturu ka pera ano te nui me nga utu i whakataua e te Kaitiaki mo te Katoa kaua ia e neke ake aua moni i nga moni i tukuna ai taua riihi ki te kaitango riihi e noho nei i runga i te whenua.

¶ Ko te maha o aua moni reti me whakaatu i roto i te puni o tetahi tikanga o te tono me apiti atu e te kaitono ki taua tono nga moni reti mo te hawhe tau a ki te kore e riro te riihi i a ia me whakahoki ana moni ki aia.

¶ Mehemea ka panuitia he tangata ke te tangata nana i hoko te riihi a ehara i te tangata i aia te riihi i mua me tuku e ia i roto i nga ra e toru tekau ki te Kaitiaki mo te Katoa i mua o tana nohoanga i taua whenua nga moni hei utu mo nga whakapainga tuturu pera ano me nga utu i whakataua i runga i te whiriwhiringa, a ki te kore e utua e ia aua moni ka kiia kua murua tona mana ki taua riihi hui atu ki nga moni i tukuna e ia mo taua riihi.

¶ I runga i te ra i mutu ai te riihi o naianei i muri iho ranei, mehemea e marama ana ki te Kaitiaki mo te Katoa kua tukuna te riihi o te whenua e te kaitango riihi kua puta ki waho ki te kaitango riihi hou a kahore i takakinotia nga whakapainga i runga i te whenua e takoto ana i reira i te wa i whiriwhiria ai nga utu o aua whakapainga, me utu e te Kaitiaki mo te Katoa ki te kaitango riihi i puta ki waaho nga moni i riro mai i a ia i te kaitango i taua riihi kua kiia ake nei.

¶ Mehemea kua takakinotia etahi o nga whakapainga ma te Kaitiaki mo te Katoa ma tetahi tangata ranei e whakaturia e ia e whiriwhiri i te utu o nga whakapainga i takakinotia me te whakatau i nga utu mo te

whakapai i aua whakapainga, a ko aua utu i whakataua me nga moni i pau i te whakahaerenga o taua whakataua me tango i roto i nga moni i tika kia utua ki te kaitango riihi kua puta ki waho a ka utu i nga toenga ki aia hunga ia nga moni i pau i te whakataunga o taua keehi

- I te mea e tuku ana te Kaitiaki mo te Katoa i tetahi riihi me whakatakoto o ia tetahi tikanga kia riro taua whenua i raro i taua riihi hou kia timata te noho i runga i taua whenua i te tahi o nga ra o maehe i roto i tenei i tena tau, a me kaua e tukuna e ia taua riihi kia pau rano te marama kotahi e panui ana a ka whai maua te kaitango riihi i roto i taua marama ki te Whiriwhiri ki te whakaae mehemea ka tangohia e ia te riihi hou kua kiia ake nei.
- Mehemea kahore i tukua taua riihi kua kiia ake nei ki tetahi tangata ke atu haunga te kaitango riihi, ki te mea ranei kahore taua tangata i whakaoti i tana riihi i roto i nga re e toru tekau, kihai ranei i utu i nga moui reti mo te hawhe tau, me nga utu o nga whakapainga kua kiia ake nei, kei reira ka ahei ano te kaitango riihi tutahi i roto i nga ra e toru tekau te whakaae kia tangohia e ia te riihi hou kua kiia ake nei, a mehemea kahore ia e whakaae ki te tango, ki te kore ranei e whakaae ki te mangere ranei ia ki te whakaoti i taua riihi i roto i nga ra e toru tekau kua kiia ake nei, heoi ka noho tonu ia hei kairihi mo taua whenua mo tenei tau tae atu ki tena tau me te utu i nga moni reti i meatia kia utua e ia i runga i taua riihi kua mutu ra, me te mahi ano ia i nga mahi me te whakotuturu i nga whakaaetanga me nga tikanga e mau ana i roto i taua riihi, kia kitea ranei e te Kaitiaki mo te Katoa tetahi tangata e hiahia ana ki te tango i te riihi hou, mehemea ranei i mua o te kitenga o taua tangata e te Kaitiaki mo te Katoa, kua whakaae ano te kaitango riihi o mua ki te tango i te riihi hou mo tetahi atu rua tekau ma tahi tau kua kiia ake nei.
- Ekore tetahi kaitango riihi e whakarere ana i tana riihi e whai mana ki te tono ki te Kaitiaki mo te Katoa kia utua e ia nga whakapainga i mahia e ia i runga i te whenua ara mehemea kahore e utua e te tangata e tango ana i taua riihi nga whakapainga a tera kua puta ki waho ki te Kaitiaki mo te Katoa, ka ahei e te kaitango riihi i puta ra ki waho te hamene kia utua, aua whakapainga me te whakahaere i nga tikanga katoa o te ture kia riro mai ai aua moni i runga i te ingoa o te Kaitiaki mo te Katoa i runga i te tuka pukapuka ki a ia i marama ai te Tiati o te Hupirimi Kooti he pukapuka arai i a ia runga i tetahi taumahatanga.

## **Wahi VI. RAIHANA MO TE TAPAHU RAKAU HARAKEKE ME. ETAHI ATU MEA.**

- Ka ahei e te Kaitiaki mo te Katoa te tuku raihana i runga i nga ahua e tohutohungia ana e te Kaitiaki mo te Katoa i runga hoki i nga tikanga e pai ai te Kaitiaki mo te Katoa hei whakamana i nga kaupupuri ki te noho mo tetahi wa Kaua e neke atu i te whitu tau timata mai i te tukunga o aua whenua erangi kaua e neke atu i te waru tekau eka whenua ahakoa kia a wai ranei mo nga tikanga e mau iho nei ara:—  
Hei tapahi hei tua hei tango rakau tapeha ranei;  
Hei tapahi hei kawē harakeke ki tahaki;  
Hei kerī kapia;  
Hei tango uku hei hanga pereki oko ranei;  
Hei tango hei kawē ki wahi ke i te onetea kirikiri kohatu ranei;  
Hei tango hei kawē ki wahi ke i te kuano i etahi atu mea ranei;  
Hei mahi kohatu aha atu ranei;  
Hei turanga Mira kani rakau Mira Paraoa Mira harakeke;  
Hei turanga whare mahi hiako me etahi atu mahi pera;  
Hei turanga whare patu kararehe, hei mahinga pereki hoki;  
Hei mahinga oko, waapu taunga kaupuke;  
Hei turanga Paparakautā i nga wahi tokoiti te tangata i etahi takiwa;  
Hei mahinga taramuwe hei kainga hanga ropi.
- Ka ahei te Kaitiaki mo te Katoa i runga ano i tona whakaaro te tuku raihana kia nohia tetahi whenua tuawhenua kaua e nuku atu i te rua rau eka mo nga tikanga kua whakahuatia i roto i te tekiona rua rau tekau ma rua mo nga tau kaua e neke atu i te toru tau, ka ahei ano hoki te kaupupuri raihana i ia wa i te wa ano e whakaaturia ana e te raihana te toro a ki te kore e whakakakorea e te Kaitiaki mo te Katoa taua tikanga ka ahei te tango riihi o aua whenua e puritia ana i raro i taua raihana, a ko aua riihi me tuku mo ena tau kaua e neke atu i te rua tekau ma tahi tau i runga i nga moni reti mo te tau I runga i te ahua i raro ano hoki i ena tikanga i whakataua ai e te Kaitiaki mo te Katoa.
- Ka ahei e te Kaitiaki mo te Katoa i runga i te tono a tetahi tangata kani rakau tetahi atu tangata ranei te wehe i tetahi poraka nga poraka whenua whai rakau kaua e neke ake i te ono rau eka me te tuku raihana o

etahi tekiona kaua e neke ake i te rua rau eka o ia piihi i runga ano ia i te ahua o nga rakau, ka ahei te tuku i runga i nga tikanga o te tekiona i runga ake nei i raro ano i nga tikanga e whakaaturia ana i ia wa e nga ture whakahaere tikanga.

Ekore tetahi raihana ke atu i te raihana tuatahi e tukua haunga ia te tiwhikete a tetahi tangata i whakaturia mo tena mahi e te Kaitiaki mo te Katoa hei whakaatu i pai te tapahi o nga rakau e hiahia ana hei hoko a i tapahia i runga i te tekiona i tukuna ai te raihana i mua atu.

Ko nga raihana rakau katoa mehemea e pai ana te Kaitiaki mo te Katoa me whakauru tetahi tikanga ko etahi rakau e pai ana hei hoko kaua e hoki iho te maha i nga rakau i tuaina i runga i te raihana me ata whakatipu i runga i te whenua i roto i te raihana.

- Ko tetahi tangata raihana kore e noho ana e mahi ana i tetahi whenua i tukua ki te Kaitiaki mo te Katoa mo nga tikanga kua whakahuatia ake nei i roto i tenei Wahii o tenei Ture ki te kitea tona hara mo taua mahi ana ka ahei te whiu kia utua e ia nga moni kaua e neke atu i te rua tekau pauna me maka ranei ki te whare herehere mo tena wa kaua e neke atu i te marama kotahi.

## WahiVII.NGA RAHUI.

- Ka ahei e te Kaitiaki mo te Katoa i ia wa i runga i etahi whakaaturanga te wehe hei rahui tetahi whenua i tukua ki te Kaitiaki mo te Katoa i runga i tana mahara e hiahia mo enei tikanga e mau ake nei ara:—  
Hei huarahi hei piriti whakawhitinga, hei awa puni nga awa nga waikeri maioro keringa kohatu rua kirikiri tahuna kirikiri.  
Hei tunga makete patu kararehe nga pauna nga waikaukau nga whare horoi.  
Hei tunga whenua hoki mo nga kura me nga hohipera.  
Hei whakatupuranga, Rahuitanga rakau, hei tiakanga ranei i nga manu Maori.  
Hei kari, papa takaro, wahi ahua, mo te iwi hei toma rua tupapaku.  
Tetahi whenua whai wai ariki, wai rongoa e whakaarohia ana e ia me rahui hei ora mo te katoa, tetahi whenua ranei whai mea ataahua hei mea miharo ma te katoa.
- Mehemea e wehea ana tetahi whenua mo tetahi wa me panui taua whenua ki roto i te *Gazette* me te tuku i te panii ki te Minita.  
I muri iho i te paunga o nga ra o te marama kotahi kaua ia e hoki iho i nga marama e ono i muri iho i te panuitanga o taua panui, ko nga whenua e whakaaturia i roto i taua panui haunga ia mehemea e tuku panui ana te Kowana ki te Kaitiaki mo te Katoa e whakahe ana ia ki te wehenga tuturu o aua whenua, me panui taua wehenga tuturu ki roto i te *Gazette* a ki te kore e wehea tuturutia ki te whakahe ranei te Kawana, ko te wehenga noatanga mo tetahi wa ka tino kore atu.
- I runga i te perehitanga o aua panui kua kiia ake nei ko nga whenua e whakaaturia ana i roto i aua panui ka meinga aua whenua mo nga tikanga i wehea ai aua whenua a ka ahei i ia wa te tuku e te Kaitiaki mo te Katoa i runga i te whakahe a te Kawana i roto i tona Kaunihera tetahi ropu takiwa mo aua tikanga me tuku ranei i runga i tetahi atu huarahi i pai ai te Kaitiaki mo te Katoa i runga i te whakahe a te Kawana i roto i tona Kaunihera i runga ano i taua i kite ai he tika hei painga mo te katoa i raro ano ia i nga tikanga me pupuri aua whenua i runga i te tiaki mo nga tikanga i wehea ai taua whenua ara ki te kore aua tikanga e whakarereketia i runga i te ture.

## AHUA. OATI I RUNGA I TE TONO MO TE RIIHI I RARO I TE WAHI III.

Ko Ahau Ko e tino ki pono ana—

- Kua tae oku tau ki te tekau ma whitu tau nuku ake hoki.
- Ko ahau te tangata i raro ano ia i nga tikanga o "Te Ture Whakahaere Rahui Maori, 1893," a e tono ana ahau mo te hoko (e hiahia ana ranei ahau kia tukua mai ki ahau kia tango riihi i tetahi atu) o te riihi o tera wahi katoa (I konei me tino whakaatu i te ahua o te whenua kia tino mohiotia ai).
- E tango ana ahau i taua riihi moku ake a hei painga moku a e hara i te tango hei mahi hei painga ranei mo tetahi mo etahi atu tangata.
- Hui atu ki te whenua e tona nei, ehara ahau i te tanga whai take, kairihi ranei, kainoho ranei, penei



pewhea ranei i tetahi whenua ahakoa e ahau ake, huihui tahi ranei me etahi atu tangata, i tenei i tena wahi o te koroni, a kihai i neke ake hui katoa i te 2,000 eka whenua, hui katoa kihai i neke i te 640 eka whenua tino pai.

- Kahore ahau i roto i te tau kotahi i muri iho i tenei ra i whakarere i tetahi riihi whenua i raro i nga tikanga o te Ture kua whakahuatia nei mo tetahi riihi e tonoa nei e ahau.

A e tino ki pono ana ahau me te mahara ake ano he tika a i runga i nga tikanga o tetahi Ture o te Runanga Nui o Nui Tireni i huaina ko "Te Ture Tie Pi, 1882."

I whakataua i i tenei ra i te o, 189, ki toku aroaro e he Tie Pi i roto i te Koroni o Niu Tireni.

# AHUA. OATI I RUNGA I TE TANGO RIIHI O TETAHI WHENUA ITI HAERENGA KARARAHR I RARO I TE WAHI IV.

Ko ahau ko e ki pono ana—

- Kua tae oku tau ki te tekau ma whitu nuku ake hoki.
- Ko ahau te tangata i raro i nga tikanga o "Te Ture Whenua, 1892," o hiahia ana ko ahau hei kaihoko, e hiahia ana ranei kia tukua mai ki ahau te riihi o tetahi whenua o nga whenua haerenga kararehe ara ko tera piihi whenua katoa. (I konei me whakaatu te whenua kia tino mohiotia ai te whenua.)
- Ko ahau te kaihoko o tetahi riihi hei whenua moku ake a hei painga ano moku ake a ehara i te whenua hei painga penei pewhea ranei mo tetahi tangata etahi tangata ke atu ranei.
- Ehara ahau i te tangata e pupuri ana i te riihi o tetahi whenua haerenga kararehe i tetahi atu wahi o te koroni kahore hoki oku take paanga ranei ki aua riihi.
- Ehara ahau i te tangata e whiwhi ana ki tetahi whenua oku ake, ki tetahi whenua ranei e puritia ana e ahau i runga i te riihi i te raihana pewhea ranei i tetahi wahi o te koroni, ahakoa moku ake mea huihui tahi ranei me etahi atu tangata a i tae te nui ki te 1,000 eka i runga ake i te whenua e hokona nei e ahau te riihi.

A e ki pono ana ahau inaiane me te wakaaro ake ano hoki ho pono he tika taku korero i runga ano hoki i nga tikanga o tetahi Ture o "Te Runanga Nui o Niu Tireni e huaina ana ko te Ture Tie Pi, 1882."

A.B.

I Oatitia i tenei ra i te 189, ki toku ki to aroaro he Tie Pi i roto a mo te koroni o Niu Tireni hoki.

Native Reserves Administration.

## Analysis.Title.

### General Provisions.

- Short Title.
- Interpretation.
- Definition of lands to be vested in Public Trustee by the Act.
- Certain reserves to be subject to this Act. Act not to apply to Confiscated Territory.
- Vesting of real and personal property vested under repealed Acts.

### [unclear: As] to Bringing Reserves and Land Owned by Natives Under act.

- Governor in Council may vest in Public Trustee land reserved for benefit of Natives.
- Owners of Native hereditaments may bring same under Act with consent of Governor in Council.

## ***By-Laws and Regulations.***

- Public Trustee may make by-laws and regulations.
- Governor's approval establishes validity of by-law or regulation.
- By-laws and regulations may provide for penalties.

## **Administration.**

- The Public Trustee to have power to carry out provisions of Schedule to Act, acting with concurrence of the Board.
- How power to carry out contracts may be exercised.
- Public Trustee may compound.
- Lands vested in public Trustee under Act to be administered by Public Trustee under provisions of Act and Schedule.
- Public Trustee may carry out any contract valid when land becomes vested.
- Interpretation of "benefit."
- Restrictions to be removed for certain purposes.
- Powers of Public Trustee.
- Public Trustee may survey lands, lay off roads, and make advances.

## ***Special Provisions relating to Leases Contracts in force prior to Land being vested in Public Trustee***

- Public Trustee may accept surrender of leases in force before and when land vested by Act, and may grant new leases.

## ***Special Provisions as to leasing to Natives.***

- Lands may be leased to Natives under provisions, &c., required by Public Trustee.

## **Miscellaneous.**

- Natives over seventeen years may give valid discharges for moneys.
- No Native owner to alienate except by will in favour of a Native.
- The Public Trustee not to be liable except for wilful neglect, default, or omission. Expenses incurred to be chargeable on land in respect of which they arise.
- Conditions regulating actions or proceedings against the Public Trustee.
- Lands may be taken under "The Public Works Act, 1882."
- Public Trustee may appoint person to receive moneys payable to Native owner who is under any disability.
- Governor may make regulations.
- Public Trustee to keep a register showing the names of Native owners.
- Native Land Court to forward to Public Trustee duplicate of orders of Court respecting lands.
- Receipt of person named in register to discharge Public Trustee of all liability.
- Public Trustee may require Native Land Court to determine interests of Native owners.
- Public Trustee may require Native Land Court to ascertain title to land. Proviso that no partition without consent of Public Trustee.
- Native Land Court to have jurisdiction over land, but subject to this Act.
- Governor may make special regulations for practice and procedure under Act of Native Land Court.
- Investment of moneys not being income, and distribution of income.
- Public Trustee to become trustee in place of all trustees under "The Maori Real Estate Management Act, 1888."
- Governor may by warrant direct District Land Registrar to issue to Public Trustee certificate of title.
- Any person under disability to be bound by Contract or obligation authorised by Act.
- Validation of leases heretofore granted by Public Trustee.
- Public Trustee may accept surrender of any lease for purpose of subdivision of land.
- Accounts of Public Trustee to be prepared, and laid with report before the General Assembly.
- Disqualification Acts not to apply to Natives appointed under this Act.
- Governor in Council may extend period for performing of any act, matter, or thing required by this Act.

- Exemption from payment of land-or incometax.
- Exemption from assessment by local authority.
- Seventeen years to be deemed of full age.
- No covenants in conveyance, &co., by Public Trustee to be implied against him.
- District Land Registrar to register without production of Crown grant.

## Repeals.

- Acts repealed. Provisions of repealed Acts to remain in force for purposes of carrying out obligations authorised by repealed Acts.  
Schedule.

## A Bill Intituled

Title. An Act to consolidate the Law relating to the Administration of Native Reserves.

Be it Enacted by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows: —5

## General Provisions.

- Short Title. The Short Title of this Act is "The Native Reserves Administration Act, 1893."
- Interpretation. In this Act, if not inconsistent with the context,— 10
  - "Alienate" and "alienation" respectively include a limited disposition as well as an absolute one, whether by sale, lease, mortgage, charge, incumbrance, or otherwise:
  - "Appraiser" means any person appointed to make any valuation under this Act: 15
  - "Authorised surveyor" means any surveyor acting for or under the direction of the Surveyor-General or his deputy, or any surveyor appointed by the
  - "Board" means the Board constituted under "The Public Trust Office Act, 1872," together with two Natives to be 20 from time to time appointed by the Governor to hold office during pleasure:
  - "Cultivation" includes drainage, the felling of bush, or the clearing of land for cropping, or clearing and ploughing for and laying down with artificial grasses: 25
  - "Forfeiture" or "forfeited" means forfeiture or forfeited to the Public Trustee:
  - "Land vested in the Public Trustee" means land which by virtue of the provisions of this Act vests in the Public Trustee: 30
  - "Lease" includes license:
  - "Lessee" includes licensee, and includes the executors, administrators, and assigns of the lessee or licensee:
  - "Local authority" means the Council or Board of any borough, town district, county, road district, or other 35 district authorised to levy rates respectively; and includes any body of persons, corporate or incorporate:
  - "Minister" means the Colonial Treasurer:
  - "Native hereditaments" means all lands (except Native lands) owned by Natives under any title whatever otherwise 40 than by purchase originally from the Crown or any person or Corporation:
  - "Native lands" means lands owned by Natives under their customs or usages, but which ownership has not been ascertained by the Native Land Court: 45
  - "Natives" means aboriginal natives of New Zealand, and includes half-castes and their descendants:
  - "Original holder" means the person to whom any lease or license was first granted:
  - "Owners" means Native owners:
  - 5 "Pastoral lands" includes all lands vested in the Public Trustee occupied as or adapted for runs, as herein defined:
    - "Pasturage lease" means a lease authorising the occupation of pastoral lands as runs:
    - "Public Trustee" means the Public Trustee incorporated under "The Public Trust Office Act, 1872":
    - 10 "Residence" wherever required by this Act means the home of a lessee of any land vested in the Public Trustee, or, with the consent of the Public Trustee, the home of the family of such lessee, and such home shall be a habitable house, to be approved of by the Public Trustee:
    - 15 "Run" means any land occupied by virtue of a lease for depasturing purposes, or adapted for but not occupied for such purposes:

20 "Substantial improvements of a permanent character" means and includes reclamation from swamps, clearing of bush, gorse, broom, sweetbriar, or scrub, cultivation, planting with trees or live hedges, the laying-out and cultivating of gardens, fencing, draining, making roads, sinking wells or water-tanks, constructing water-races, sheep-dips, making embankments or protective works of any kind, in any way 25 improving the character or fertility of the soil, or the erection of any building:

"Surveyor-General" means the principal officer of the Department of Lands and Survey or his deputy:

"Tenderer" means a person tendering under this Act:

30 "The Native Land Court Act, 1886," includes that Act and all the amendments of that Act, and any Act passed in substitution for that Act:

"The Native Reserves Act, 1882," includes that Act and all the amendments of that Act:

35 "The Westland and Nelson Native Reserves Act, 1887," and "The South Island Native Reserves Act, 1883," includes those Acts and any amendments of those Acts:

"This Act" includes all Schedules thereto, and any by-laws or regulations made under this Act; and where in the 40 Schedule to this Act the term "this Act" is used such term shall include the body of this Act as well as the Schedule, unless a different intention shall be manifested:

45 "Town" means any parcel of land outside a borough divided into areas for building purposes.

The title to land (being land reserved for the benefit of Natives) shall be deemed to be ascertained when the title has been ascertained by the Native Land Court.

- All land within any of the definitions following shall for Definition of lands to be vested in Public Trustee by the Act.

50 the purposes of this Act be and become vested in the Public Trustee, as provided by this Act:—

Land which has been or shall hereafter be excepted or reserved by or for Natives on the cession or surrender of land to the Crown, and specified as so excepted or reserved in the 55 conveyance, cession, or surrender:

Land which has been or shall hereafter be reserved or excepted for the benefit of Natives upon sale by them to the Crown of any land:

Land comprised in blocks guaranteed to or set apart for the benefit of Natives by Colonel McLeverty, or according to 5 the directions of any Commissioner appointed to investigate purchases of land made from Natives by the New Zealand Company:

Land reserved for the benefit of Natives by the New Zealand Land Company or the New Zealand Company: 10

Land reserved or set apart for the benefit of Natives under the authority of any Act of the General Assembly of New Zealand now or hereafter passed, unless otherwise specially provided:

Land vested in the Public Trustee by "The Native Reserves 15 Act, 1882," or the control and management whereof is given by that Act to the Public Trustee; land the control and management of which is vested in or given to the Public Trustee by "The Westland and Nelson Native Reserves Act, 1887," or "The South Island Native 20 Reserves Act, 1883;" land which by virtue of the provisions of any of the Acts repealed by this Act, or by any of the Acts repealed by the Acts repealed by this Act, have become Native reserves, or which is by the said Acts vested in the Public Trustee or placed under his management 25 or control:

Land which the Governor in Council may, for the purposes of this Act, and under the authority thereof, declare to be vested in the Public Trustee:

Lands vested by or to become vested in the Public Trustee 30 by this Act.

Nothing herein contained shall be deemed to apply to land granted under "The Poverty Bay Grants Act, 1869," and "The Poverty Bay Grants Act Amendment Act, 1871," or to reserves affected by or vested in the Public Trustee by "The West Coast 35 Settlement Reserves Act, 1892," or any of the Acts thereby repealed.

If doubts arise whether or not any land comes within the provisions of this section, the Governor, by Order in Council, gazetted in the *Gazette* and *Kahiti*, may settle such doubts, and declare whether 40 or not such land comes within such provisions. Such order shall be final and conclusive.

Land which by virtue of this section is or is to become vested in the Public Trustee shall become so vested as follows:—

As to land which is at the time of the passing of this Act 45 within any of the definitions from (1) to (8) inclusive, such land shall, by virtue of and as from the coming into operation of this Act, become vested in the Public Trustee:

As to land which, after the coming into operation of this 50 Act, comes within any of the definitions from (1) to (8) inclusive, such land shall immediately upon the same coming within any of such definitions, and without any grant, conveyance, or other assurance, become vested in the Public Trustee. 55

- Certain reserves to be subject to this Act. All Native reserves made within the territory described in the

Schedule referred to in the fourth section to "The Native Reserves Act, 1882," and which at the commencement of that Act were subject to the provisions of any Act thereby repealed, shall be subject to the provisions of this Act. 60

Except as hereinbefore provided, this Act shall not have any Act not to apply to Confiscated Territory. operation in that part of the colony known as the "Confiscated Territory," described in the Schedule referred to in the fifth section to "The Native Reserves Act, 1882."

- 5 All real and personal property which at the time this Act Vesting of real and personal property vested under repealed Acts. comes into operation is vested in or held by the Public Trustee under or by virtue of any of the Acts hereby repealed shall become vested in the Public Trustee under this Act.

## **As to Bringing Reserves and Land Owned by Natives Under Act.**

- 10 After the Native title to any land hereof or hereafter reserved Governor in Council may vest in Public Trustee land reserved for benefit of Natives. for the benefit of Natives is ascertained, and which land is not vested in the Public Trustee by this Act, and notwithstanding any other of the provisions of this Act, the Governor may by Order in Council vest such land in the Public Trustee for the purposes of this 15 Act. Such order shall be published in the *New Zealand Gazette* and the *Kahiti*, and shall be conclusive upon all points, and particularly upon the following:—
  - ¶ That the land has been reserved for the benefit of Natives;
  - ¶ That the title to such land has been ascertained;
  - ¶ That such land is vested in the Public Trustee.
- Native hereditaments, whether subject to restrictions against Owners of Native hereditaments may bring same under Act with consent of Governor in Council. alienation or not, may, by the majority in number of the owners thereof, with the consent of the Governor, be brought under the provisions of this Act; and, if the Governor gives such consent, 25 then an Order in Council may be made vesting such land in the Public Trustee, and thereupon such land shall vest in the Public Trustee in terms of such order.

Trustees or committees for infants, lunatics, or others under any disability may, on behalf of such persons, and notwithstanding the 30 terms of the trust, give any consent or do or omit any act or thing to vest Native hereditaments in the Public Trustee. Married women without the consent of their husbands may give any consent or do or omit to do any act or thing to vest Native hereditaments in the Public Trustee under this Act.

35 A Native over the age of seventeen years shall for the purpose of this section be deemed of full age.

The Order in Council shall be published in the *New Zealand Gazette* and also in the *Kahiti*, and, when so published, be conclusive evidence that such land is vested in the Public Trustee.

40 Before the Governor gives any consent, or any order as aforesaid is made, the Governor shall refer the application to the Native Land Court for the purpose of ascertaining—

- ¶ Whether a majority in number of the owners consent to such land being brought under the provisions of this Act;
- ¶ Whether there are any circumstances which render it advisable or not that such land should be brought under the provisions of this Act.

The Court shall thereupon proceed to ascertain whether or not such majority do so consent, and whether it is advisable or not that 50 such land should be brought under the provisions of this Act, and shall report to the Governor accordingly.

Upon such reference the Court shall ascertain the names of the persons having shares or interests in such land and the respective shares and interests of each of such persons therein, and whether or not any dealings have taken place with such land and the nature thereof, and shall report to the Governor accordingly.

## **By-laws and Regulations.**

- Public Trustee may make by-laws and regulations. The Public Trustee may, with the concurrence of the Board, 5 make, alter, and revoke by-laws or regulations for regulating the general conduct of business and proceedings under this Act, and for Carrying into effect the objects of this Act and the administration thereof, and for all such other purposes as the Public Trustee is by this Act empowered to make by-laws or regulations. Such by-laws 10 and regulations shall not be repugnant to the provisions of this Act, nor to any regulations made by the Governor, and they shall not come into operation until approved of by the

- Governor.
- Governor's approval establishes validity of by-law or regulation. A copy of any by-law or regulation sealed with the common seal of the Public Trustee, if purporting to be approved of by the 15 Governor, shall be received as conclusive evidence of the same having been made and approved of as by this Act required, and shall be judicially noticed without further proof.
- By laws and regulations may provide for penalties. Any by-law or regulation may provide for a penalty for every breach thereof, of an amount which shall be in the discretion of the 20 Court inflicting the same, and shall in no case exceed *twenty* pounds.

## Administration.

- The Public Trustee to have power to carry out provisions of Schedule to Act, acting with concurrence of the Board. The Public Trustee shall have and may exercise, in addition to all other powers, duties, and functions given by this Act, all the powers, duties, and functions set forth in the Schedule hereto, 25 and may do or omit all acts and things, and enter into all contracts, to give effect to such powers, duties, and functions.

All powers, duties, and functions given to or vested in the Public Trustee by this act shall be exercised by the Public Trustee with the concurrence of the Board, but, so far as concerns the validity of any 30 act, deed, matter, or thing done or omitted under this Act, any person dealing with the Public Trustee shall not be concerned to inquire whether such act, deed, matter, or thing was or was not done with the concurrence of the Board, or be affected by notice, express or implied, that it was not done with such concurrence; and, notwithstanding 35 the absence of such concurrence, the same shall, as regards such person, be as valid and effectual as if the Board had concurred therein.

The Governor may authorise the Public Trustee to exercise, without the Board's concurrence, any of the powers, duties, and 40 functions given to or vested in the Public Trustee by this Act which require the Board's concurrence, and in such case the Public Trustee may exercise such powers, duties, and functions as if by this Act the Board's concurrence thereto had not been requisite.

The Board may from time to time by resolution, either generally 45 or in any particular case or class of cases, authorise the Public Trustee to do or omit to do any act or thing which requires the Board's concurrence without such concurrence, and in such case the Public Trustee may do or omit to do such act or thing as if by this act the Board's concurrence had not been required thereto, and the 50 Board may revoke such authority.

When any act or thing is required to be done or omitted by the Board, or any power or authority is vested in the Board, such act or thing may be done or omitted, or such power exercised, at any meeting of the Board at which a quorum is present, by a majority of the members of the Board present.

Until otherwise fixed a quorum shall be members, and the Governor may from time to time alter the quorum.

5 At meetings of the Board the Chairman or presiding member shall be the same as in cases of a Board meeting under "The Public Trust Office Act, 1872," and shall have in cases of equality of votes a casting-vote as well as a deliberative one.

- The Public Trustee may enter into contracts as follows, How power to carry out contracts may be exercised. 10 that is to say:—
  - Any contract which if made between private persons would be by law required to be in writing, under seal, the Public Trustee may make in writing, signed by the Public Trustee and by two members of the Board, and sealed 15 with the corporate seal of the Public Trustee, and such contract may in the same manner be varied or discharged.
  - Any contract which if made between private persons would by law require to be in writing, signed by the parties to be charged therewith, the Public Trustee may, without 20 the corporate seal, make in writing.
  - Any contract which if made between private persons would be by law valid, although made by parol only and not reduced into writing, may be made by the Public Trustee by parol only without writing, and such contract may in 25 the same manner be varied or discharged.
- The Public Trustee may compound with any person for such Public Trustee may compound. sum of money or other recompense as he thinks fit in respect of the breach of any contract, or any penalty thereunder, or of any debt due to the Public Trustee, or of any tort, whether before or after any 30 action or suit is brought.
- Land which by virtue of this Act is or becomes under the Lands vested in Public Trustee under Act to be administered by Public Trustee under provisions of Act and Schedule. provisions thereof vested in the Public Trustee shall be so vested, subject to all valid leases and contracts affecting the same, upon trust

for the owners, upon the same trusts, if any, as such land was subject to at the time it is so vested in the Public Trustee, but to be managed, dealt with, and disposed of by the Public Trustee under the provisions of this Act and the Schedule hereto, and not otherwise. Land so vested shall, subject to the provisions of this Act, be used, and the rents, income, and proceeds thereof be applied, for and towards the purposes or objects to which the same are applicable respectively, and none other:

Provided that where any of such purposes or objects have become obsolete, or no longer possible of attainment, the Public Trustee, with the consent of the Governor in Council, may direct for what purpose or object similar to the original purposes and objects such land or moneys may be applied.

If by death or otherwise there is no person entitled to the share or interest of any owner of land vested in the Public Trustee, or any moneys arising therefrom, the Public Trustee shall hold the same upon trust for such purposes as the Governor in Council may from time to time appoint.

Public Trustee may carry out any contract valid when land becomes vested.

- When at the time any land becomes vested in the Public Trustee such land shall be subject to any valid contract, the Public Trustee may carry out such contract, and may do, execute, and perform all such acts, deeds, matters, and things as may be necessary to carry out or perform the same, and may agree to rescind, alter, or vary such contract, upon such terms and conditions as he thinks fit.
- Interpretation of "benefit." Where in or by any instrument in Writing constituting the trusts of any Native reserve heretofore or hereafter made any trust shall be expressed as being for "the benefit of" or "in trust for the benefit of" any Natives, whether individually or collectively, the said word "benefit" in such writing shall be construed to include the physical, social, moral, or pecuniary benefit of such Natives, and shall extend to include the providing of medical assistance and medicines; and the proceeds of any such reserve may be applied accordingly.
- Restrictions to be removed for certain purposes. For the purposes of this Act, all trusts, restrictions, conditions, and limitations subject to which owners derive title to land vested in the Public Trustee shall not be deemed to exist; otherwise such trusts, restrictions, conditions, and limitations shall remain and continue.
- Powers of public Trustee. The Public Trustee shall for the purposes of this Act, and subject thereto, be deemed to be the owner in fee-simple of all land vested in him by virtue of this Act, and, in addition to any other powers, shall, as regards land so vested, also have the following powers:—
  - ¶ To recover possession thereof by action, suit, or other proceeding; to enforce, by action, suit, distress, or otherwise, the payment of all moneys and damages, the performance or observance of any contract; and to enforce the liability in respect of any tort;
  - ¶ To give time for the payment of any rents, income, moneys, or profits payable or arising out of or in respect thereof, without being responsible for any loss occasioned thereby;
  - ¶ To give notices, make demands, and do all acts, deeds, matters, and things necessary for the purpose of carrying into effect any of the covenants, agreements, powers, or provisions contained in any lease or tenancy thereof, or any of the powers or provisions conferred by this Act or by law for the purpose of enforcing payment of money or damages, or for enforcing the observance of any contract or obligation, or any right arising thereout;
  - ¶ To enforce, both civilly and criminally, all rights and remedies arising thereout;
  - ¶ To let the same to any person, whether a Native or not, for any reasonable rent upon a tenancy from year to year, determinable upon three months' notice on either side, as if the Public Trustee was the absolute owner thereof.

No Native owner in possession of land vested in the Public Trustee shall, in an action in which the Public Trustee seeks to recover possession thereof, be entitled to set up as against the Public Trustee a right to such possession grounded only upon such Native owner being a person entitled to a share or interest in such land.

- Public Trustee may survey lands, lay off roads, and make advances. The Public Trustee, subject to the regulations of the Survey Department of the colony, may, as regards land vested in him,—
  - ¶ Make surveys thereof, and subdivide the same as he thinks fit;
  - ¶ Lay off any portions thereof for public roads, and may make such roads. Any road so laid off shall, upon a notice being published in the *New Zealand Gazette* that the same has been laid off as a road, be deemed a public highway, and shall vest in Her Majesty as from such publication.

Out of any moneys standing to the credit of his account the Public Trustee may from time to time advance or pay such moneys as may be necessary for the purpose of giving effect to and carrying out the provisions of this section.

Any moneys so advanced or paid shall be a charge upon the lands surveyed or lands benefited by such expenditure in such proportions as the Public Trustee shall determine, and shall be repayable, with

interest thereon not exceeding seven pounds per centum per annum, out of the rents received by the Public Trustee: Provided that it shall be optional with the Public Trustee to make such repayments out of the first year's rents, or to extend the same respectively 10 over a period not exceeding seven years.

### ***Special Provisions relating to Leases and Contracts in force prior to Land being vested in the Public Trustee.***

- If land vested in the Public Trustee shall when such land is so vested be subject to any valid lease, the Public Trustee, if he thinks fit, at any time within two years after such land shall become so vested, may accept a surrender thereof and grant a new lease of the land comprised in the surrendered lease or any part thereof under the provisions hereof, subject to the conditions following:—
  - ¶ The lessee shall, in such manner and form as shall be provided by the Public Trustee by regulations, make application for a new lease.
  - ¶ If the Public Trustee in his discretion considers the application ought to be given effect to, then a valuation shall be made by an appraiser appointed by the Public Trustee of the land included in the lease to be surrendered as for an estate in fee-simple, without the substantial improvements of a permanent character thereon, and also a valuation of all substantial improvements of a permanent character in existence at the time of such valuation on the land comprised in such lease, and which improvements would at the end or other sooner determination of the term become the property of the landlord. When by or under any lease surrendered as aforesaid, or by any statute under which the lease was made, provisions are made for the renewal of the term, and the lessee would under such provisions be entitled, if he does not become under the renewal provision the lessee, to have paid to him by a new lessee the value of any improvements on the land, or where by or under any such lease or statute provisions are made for renewing the term at a rack-rent of the land demised without the improvements thereon, then such valuations as are by this subsection directed to be made shall be made, but the lessee shall not pay for the value of such improvements. After the making and publishing of the above-mentioned valuations, which shall be effected by serving a copy of the same on the lessee and another copy on the Public Trustee, the Public Trustee may, at his discretion, grant to the lessee a lease of such land with a right of perpetual renewal, as provided by this Act, upon the following terms and conditions:—
    - ¶ The lessee shall pay to the Public Trustee the value of all substantial improvements so ascertained as aforesaid, or if unable to pay the same the Public Trustee may if he thinks fit take security therefor over the new lease at a rate of interest of not less than five pounds per centum per annum, as fixed by the Public Trustee.
    - ¶ The rent shall be five pounds per centum per annum on the value of the land as fixed by the valuation, and shall be payable half-yearly in advance.
    - ¶ The lease shall contain such covenants, conditions, and provisions as the Public Trustee may think proper.
  - ¶ If the land is within any city, town, or borough, no lease shall be granted to any one lessee or to two or more lessees jointly or in partnership of more than two acres of land.
  - ¶ If the land is outside any city, town, or borough, and is in the opinion of the Public Trustee rural or suburban land, no lease shall be granted to one lessee or to two or more lessees jointly or in partnership of more than five acres of suburban land or six hundred and forty acres of rural land.
  - ¶ If the land is not within any city, town, or borough, and is not rural or suburban land, then no lease shall be granted to one lessee or two or more lessees jointly or in partnership of more than five thousand acres of land.
  - ¶ Any person who would be disqualified under any of the other provisions of this Act from holding any lease thereunder shall be disqualified from holding a lease under the provisions of this section.
  - ¶ No lessee shall, under the provisions of this section, unless the same is otherwise expressly provided, be entitled to hold any greater area of land than he would be entitled to hold under the other provisions of this Act; and all the provisions of this Act which limit the area of land or the number of leases to be held by any one person or by two or more persons jointly or in partnership shall extend and apply to leases to be granted under this section.
  - ¶ If the land to be leased is within any city, town, or borough, then the term of the lease shall be the same as in cases where under the other provisions of this Act land in any city, town, or borough is leased, and such lease shall be perpetually renewable in like manner and subject to the like conditions. If such land is in the opinion of the Public Trustee rural or suburban land, then the term of the lease shall be



the same as in cases where under the other provisions of this Act rural or suburban land is leased, and such lease shall be perpetually renewable in like manner and subject to the like conditions. Where the land is 40 not within any city, town, or borough, and is not rural or suburban land, the term of the lease shall be the same as in cases where under the other provisions of this Act land is leased as small grazing-runs, and such lease shall be perpetually renewable in like manner and subject to the 45 like conditions.

If any doubt arises as to which of the classes of land hereinbefore mentioned in subsections *four*, *five*, and *six* of this section any land to be leased comes under, the Public Trustee shall decide the doubt, and his decision 50 shall be final and conclusive.

The Public Trustee shall notify to the lessee, who under the provisions of this section becomes entitled to a new lease, that he is prepared, upon the lessee complying with the provisions of this section and surrendering his lease, and 55 executing the new lease, to grant to him a new lease as provided by this section.

Within twenty-one days after the Public Trustee has given the notification under subsection *eleven*, the lessee may, by notice delivered at the principal office of the Public Trustee, notify that he declines to take a new lease, whereupon the 5 application for a new lease shall be at an end, and all moneys paid or deposited with the Public Trustee under the provisions of this section, and any regulations made under the provisions of this Act relating thereto, shall be forfeited to the Public Trustee and shall be applied to the 10 general administration of this Act.

The lessee shall pay the first half-year's rent payable under the new lease before the Public Trustee executes such new lease, and shall pay the like costs and charges as in cases where leases are granted under the other provisions 15 of this Act, together with any stamp duty required.

The lease, if registerable, shall be registered under "The Land Transfer Act, 1885," or "The Deeds Registration Act, 1868," according to the title, by the Public Trustee before being delivered to the lessee.

20 If any lessee under this section shall, within thirty days after being required by notice so to do, fail to execute the new lease, then the Public Trustee may by notice (given in such manner, either personally or by advertisement, or, otherwise, as the Public Trustee thinks 25 proper) to the lessee notify that his right to the grant of such lease is forfeited, and thereupon such right shall be absolutely forfeited, and all moneys paid by the lessee under the provisions of this section shall be absolutely forfeited to the Public Trustee, and such moneys shall be 30 applied to the general administration of this Act.

No lessee shall be entitled to make application for a new lease under this section until he shall have paid to the Public Trustee all rent due under his lease up to the date of the commencement of such new lease, nor shall 35 he be entitled to make such application until he has performed all the covenants, conditions, and provisions contained in his lease.

The term of every new lease, if granted under this section, shall commence from the day when the application for 40 the new lease is delivered at the office of the Public Trustee.

All the provisions of this Act which are not inconsistent with the provisions of this section shall extend and apply to leases made under the provisions of this section.

## **45 Special Provisions as to leasing to Natives.**

- Notwithstanding any of the provisions of this Act relating Lands may be leased to Natives under provisions, &c., required by Public Trustee. to the disposal of lands by tender or otherwise, the Public Trustee may in his absolute discretion—

Lease in possession, and not in reversion, to Natives any 50 land vested in the Public Trustee.

No lease shall be made,—

In the case of land situated in any town, borough, or city, of more than acres;

In the case of suburban land, of more than five acres; 5

In the case of rural land, of more than six hundred and forty acres;

In the case of pastoral land, of more than five thousand acres:

And the Public Trustee shall be the sole judge as to 10 whether or not land to be leased under this section comes within one or other of the classes referred to.

The rent, conditions, covenants, and provisions of leases under this section shall be such as shall be fixed by the Public Trustee: Provided that the rent to be reserved 15 shall not be less than five pounds per centum per annum on a valuation, to be determined by the Public Trustee, of the land to be leased as for an estate in fee-simple.

Every lease granted under this section shall be for the like terms of years as in cases of leases granted under the 20 provisions contained in the Schedule to this Act, and shall be renewable in like manner and subject to the like conditions as is provided by the said Schedule in the case of renewals of leases

thereunder, subject nevertheless to any provisions, limitations, and restrictions which the Public Trustee may by regulations prescribe.

The Public Trustee may in his discretion, by regulations, limit and restrict the rights and powers of Natives to alienate such leases, or the land comprised therein, or any estate or interest therein; and such limitations and restrictions shall have the same force as if enacted by Statute.

No Native shall have any right at law or in equity to alienate any lease, or the land comprised therein, or any estate, or interest therein or thereunder, if such alienation is contrary to the provisions of this Act, or to any provisions, limitations, or restrictions made by the Public Trustee; and all alienations or attempted alienations which shall be contrary to any provisions of this Act, or to any provisions, limitations, or restrictions made by regulations as aforesaid, shall be absolutely void:

Provided that the Public Trustee may from time to time by writing, but not otherwise, alter, vary, waive, or release any of the provisions, restrictions, or limitations contained in any lease or made by the Public Trustee.

Native lessees under this section, and Natives holding or owning a lease under this section or any estate or interest therein, notwithstanding any exemption contained in any Act or law now or hereafter in force to the contrary, shall be liable to the same obligations, duties, taxes, rates, charges, and assessments with respect to the land demised as would be the case if the Natives were Europeans.

The lessee shall pay the, first half-year's rent payable under the lease before the Public Trustee executes such lease, and shall pay the like costs and charges as in cases where leases are granted under the other provisions of this Act, together with any stamp-duty required.

The lease, if registerable, shall be registered at the cost of the lessee under "The Land Transfer Act, 1885," or "The Deeds Registration Act, 1868," according to the title, by the Public Trustee before being delivered to the lessee.

## 10 Miscellaneous.

- Natives over seventeen years of age, whether under coverture or not, may give valid discharges for moneys which they are entitled to, or may by writing under their hands, attested by a Judge of the Native Land Court, Justice of the Peace, solicitor of the Supreme Court, or Postmaster, authorise any Native, being an adult person, to receive and give discharges for any moneys due when such authority is given; but no Native shall give any authority before such moneys are actually due and payable, and any authority so given shall be void: Provided that, so far as concerns any payment made under any authority, such payment shall be valid unless the person making the payment has received previous notice in writing that the authority was given before the moneys were actually due and payable. Any authority as aforesaid shall not be liable to any stamp duty.
- Except as by this Act provided, no Native shall alienate or dispose of his estate or interest in any land vested in the Public Trustee, or in the rents, income, profits, or other moneys arising thereout, except by will in favour of a Native; but no disposition by will shall be valid if contrary to the conditions, restrictions, and limitations of any instrument or title under which such Native derives title. The share, estate, and interest of any Native in such land, or in the rent, income, profits, or other moneys arising therefrom, or the estate or interest of any Native under a lease, shall not (except so far as the Public Trustee is concerned) be liable to be seized, sold, attached, or levied upon by any process whatever, or become vested in any Official Assignee or creditors' trustee in bankruptcy, or be subject to any law relating to bankruptcy or insolvency, or be assets in bankruptcy: Provided that Natives being lessees under this Act, or owning or holding a lease thereunder, or any estate or interest therein, may alienate the same subject to any other provisions of this Act; but no Native, shall dispose of such lease or of any estate or interest therein by will except to or in favour of a Native.
- The Public Trustee shall not, nor shall any of his officers, be liable for any act or thing wrongfully done or omitted by him or them under this Act, or under the presumed authority of this Act, unless the Public Trustee or his officers have been guilty of actual wilful neglect, default, or omission; and no person shall recover from the Public Trustee or his officers any loss or damage unless the Court in which the action or proceeding is brought certifies that such loss or damage was occasioned by or through the actual wilful neglect, default, or omission of the Public Trustee or of his officers. If, in any action or proceeding against the Public Trustee or his officers for any loss or damage occasioned by the actual wilful neglect, default, or omission of the Public Trustee or his officers, judgment shall be recovered against the Public Trustee or his

officers, then such judgment shall be paid out of the consolidated revenue, out of any moneys appropriated by the General Assembly for that purpose, but otherwise no such judgment shall be capable of being given effect to. All Expenses incurred to be chargeable on land in respect of which they arise. All costs and expenses incurred by the Public Trustee or his officers in carrying into effect any of the provisions of this Act shall be deducted out of any moneys which shall come to his hands under the provisions of this Act, and arising out of the land vested in the Public Trustee with respect to which such costs and expenses shall have been incurred.

- Conditions regulating actions or proceedings against the Public Trustee. No action or proceeding shall be brought against the Public Trustee or any of his officers, or any person acting under the authority of the Public Trustee (either expressed or implied), in the exercise or intended exercise of the provisions of this Act, or in pursuance thereof, for any alleged irregularity or trespass, or any act or thing done or omitted under this Act, unless notice in writing specifying the cause of action or proceeding, and the name and residence of the intended plaintiff or prosecutor, or other person instituting such action or proceeding, and of his solicitor or agent in the matter, is given by the plaintiff or prosecutor, or other person as aforesaid, to the defendant or person against whom such action or proceeding is intended to be taken, one month at least before the commencement of the action or proceeding, nor unless the action or proceeding is commenced within three months next after the act or thing complained of is done or omitted, or, in case of a continuation of damage, within three months next after the doing of such damage has ceased.

In any such action or proceeding, the defendant or person against whom the same is taken may plead generally that the act or thing complained of was done or omitted by him in the *bonâ fide* belief that he was acting rightly under the authority of this Act, and may give the special matter in evidence; and if the Court shall be of opinion that such defence is proved, the action or proceeding shall be dismissed.<sup>35</sup>

On the trial or hearing the plaintiff or person prosecuting the claim shall not be permitted to go into evidence of any cause of action not stated in the notice.

The plaintiff or person prosecuting the claim shall not succeed if tender of sufficient amends is made by the defendant, or person against whom the proceeding is taken, before the commencement of the action or proceeding; and, in case no tender has been made, the defendant or person against whom the claim is made may, by leave of the Court in which the action or proceeding is brought, at any time pay into Court such sum of money as he thinks fit, where-upon such proceeding and order shall be had and made in and by the Court as may be had and made on the payment of money into Court in an ordinary action.

Nothing hereinbefore contained shall apply to any action or proceeding by any of the Native owners against the Public Trustee for or arising out of a breach of trust.

- Lands may be taken under "The Public Works Act, 1882." Land vested in the Public Trustee may be taken for a public work and compensation paid therefor in the same manner as where land is taken for a public work and compensation paid under the authority of "The Public Works Act, 1882," and for such purpose such land shall be deemed to be land within the meaning of "The Public Works Act, 1882"; and when such land or portions thereof shall require to be taken the Public Trustee shall be deemed, for the purpose of such taking and payment of compensation, to be the absolute owner in fee-simple thereof; and all acts and things required to be done or omitted by the owner of land under "The Public Works Act, 1882," may be done or omitted by the Public Trustee; and all notices to be given by or to the owner of land under "The Public Works Act, 1882," where land is taken, shall be given by or to the Public Trustee; and in all claims for compensation the Public Trustee shall be the claimant, and all moneys payable for compensation shall be payable to the Public Trustee. All compensation - moneys shall be held by the Public Trustee in trust for the Native owners of the land taken, and shall be invested upon such securities as are authorised by section ten of "The Public Trust Office Acts Amendment Act, 1891," and the income arising therefrom shall be applied in the same manner as the rents and income of the land taken could have been applied. "Public work," for the purposes of this section, has the meaning given to that expression by "The Public Works Act, 1882," and also includes public schools, public libraries, public cemeteries, and public recreation-grounds.
- If any Native or person is a minor or lunatic, sick, or infirm, Public Trustee may appoint person to receive moneys payable to Native owner who is under any disability. or under any disability, the Public Trustee may from time to time appoint some person to receive the moneys payable to such Native or person, and in like manner revoke such appointment; and the person so appointed shall apply such moneys in any manner he thinks fit for the maintenance, support, or education of such Native or person. Until such appointment the Public Trustee may exercise the powers which the person if appointed could or might exercise under this section.

- The Governor may from time to time make, alter, and Governor may make regulations. 35revoke regulations—
  - For providing for the mode by which any land vested in the Public Trustee shall be subdivided and surveyed and boundaries adjusted, and for laying off roads;
  - For imposing any reasonable charges for surveys or fees for any document issued or 40any act or thing done under the authority of this Act, and as to the person to pay the same;
  - For providing for all proceedings of the Native Land Court, or any Judge thereof, or the Public Trustee or other person 40acting under the provisions of this Act;
  - For providing for the payment to the Public Trustee of a commission not exceeding seven pounds ten shillings per centum upon moneys received by the Public Trustee, and for scales of charges and fees, to be paid out of moneys 50coming to the hands of the Public Trustee for defraying the cost of carrying into effect this Act;
  - For regulating the protection of forests, bush, or growing timber, and the prevention of fire therein;
  - For regulating the granting of licenses for felling or sawing timber, for digging gum, and for other licenses;
  - And for any purpose for the more fully carrying out the objects and purposes of this Act and the administration thereof, and not herein expressly or not sufficiently 5 Provided for.

Such regulations shall be published in the *New Zealand Gazette* and in the *Kahiti*, and, when so published, shall be valid as if enacted in this Act, and shall be judicially noticed without further proof. 10
- Public Trustee to keep a register showing the names of Native owners. The Public Trustee shall keep a register showing the names of the owners of any land or property vested in the Public Trustee, and the relative shares and interests of such owners therein, and the persons entitled to the rents, profits, and income thereof, and shall from time to time make such corrections in such register and such 15 additions thereto as may be necessary to keep the same accurate.
- Native Land Court to forward to Public Trustee duplicate of orders of Court respecting lands. When with respect to any land or property vested in the Public Trustee the Native Land Court or any Judge thereof makes—
  - An order for the partition thereof, or
  - An order appointing any person to succeed to a share or 20 interest of a deceased owner, or
  - An order defining the shares or interests therein, or
  - An order appointing a trustee for any Native owner, being an infant, lunatic, or under disability, or revoking the appointment of a trustee for a Native owner, being an 25 infant, lunatic, or under disability, or
  - An order in any way affecting such land or property or any estate or interest therein,

it shall be the duty of the Court or Judge to forthwith forward a duplicate of such order to the Public Trustee, and the Public Trustee 30 shall make such additions or corrections in the register as may be thereby necessary. Any person whose name is not on such register who in any way becomes entitled to the share and interest of any owner in any land or property vested in the Public Trustee, or to the rents and profits thereof, shall not be deemed to be so entitled until 35 he has produced to the Public Trustee such evidence of his being entitled as the Public Trustee may require, and his name has been entered in the register as being so entitled.
- Receipt of person named in register to discharge Public Trustee of all liability. The receipt of any person whose name appears in the register as entitled to a share or interest in any land or property 40 vested in the Public Trustee, or as entitled to the moneys arising from any share or interest in such land or property, shall be a good and sufficient discharge to the Public Trustee for any moneys payable in respect thereof; and the Public Trustee shall not be answerable or accountable for the loss, misapplication, or non-application, or be 45 obliged to see to the application, of the moneys by him so paid; nor shall the Public Trustee be affected by the knowledge, actual or constructive, that some other person than the person to whom such moneys are so paid is entitled thereto.
- Public Trustee may require Native Land Court to determine interests of Native owners. The Public Trustee may make application to the Native 50 Land Court to determine the relative shares and interests of Native owners in land, property, or money vested in the Public Trustee; and the Court shall do so in the same manner as would be done upon an application under "The Native Land Court Act, 1886," to determine the relative shares and interests of land under that Act; and all the provisions of that Act shall, *mutatis mutandis*, extend and apply accordingly. All costs and expenses incurred by the Public Trustee 5 in carrying out this section and the next section shall be borne by the Native owners, according to their shares and interests, and shall be a charge upon such shares and interests.
- Where the title to any land vested in the Public Trustee Public Trustee may require Native Land Court to

ascertain title to land. has not been ascertained by the Native Land Court, the Public Trustee may apply to the Court to have such title ascertained, and the Court shall thereupon ascertain such title in the same manner as it would ascertain the title to Native land under the provisions of "The Native Land Court Act, 1886." No partition shall be made of land without consent of Public Trustee. any land vested in the Public Trustee unless the Public Trustee consents thereto.

- Subject to this Act, the Native Land Court shall have jurisdiction over land, but subject to this Act. jurisdiction over any land vested in the Public Trustee, and proceedings may be taken and orders made with respect thereto as could be taken or made with respect to any land owned by Natives under their customs or usages, or over land owned by Natives otherwise than under their customs or usages: Provided that the Court shall not make partition of any land vested in the Public Trustee except with the consent in writing of the Public Trustee.
- The Governor may, in addition to any other powers conferred by this Act, for the purpose of any of the provisions of this Act make special regulations for the practice and procedure of the Native Land Court or a Judge thereof, or otherwise in and about any of the matters, acts, and things by this Act to be done, exercised, or performed, and may make any regulations he thinks fit to carry into effect such provisions.

The power to make rules given by "The Native Land Court Act, 1886," shall extend and apply to any proceeding under the provisions of this Act, but no rules shall be inconsistent with any regulations made by the Governor under this Act. Any rules now or hereafter made, if not consistent with regulations made by the Governor, shall, for the purposes of this Act, be subordinate to such regulations.

- All moneys may be invested by the Public Trustee in any of the securities authorised by the tenth section of "The Public Trust Office Acts Amendment Act, 1891," or may be invested upon the security of any lease granted under this Act. And the income may be paid to the Native owners entitled according to their shares, estates, and interests.

The Public Trustee may apply income for the maintenance; education, or advancement of the Native owners, in such manner and in such proportions as he thinks just.

Income not required to be immediately applied may be invested in the like securities aforesaid.

- Public Trustee to become trustee in place of all trustees under "The Maori Real Estate; Management Act, 1888." Upon this Act coming into operation, all trustees under "The Maori Real Estate Management Act, 1888," and under Acts repealed thereby, shall vacate their office, and the Public Trustee shall become trustee in their place. And all property, estate, rights, powers, duties, and functions vested in or exercisable by such trustees shall become vested in and be exercisable by the Public Trustee as trustee; and, as to appointments of trustees to be hereafter made, the Public Trustee shall be appointed the trustee, but the Public Trustee may in any case consent to the appointment of a trustee in his place. The Public Trustee shall be entitled to the same remuneration as trustees are entitled to under "The Maori Real Estate Management Act, 1888," which may be increased or diminished from time to time as the Governor may by regulations provide.

The Chief Judge of the Native Land Court shall forthwith, after this Act comes into operation, furnish to the Public Trustee—

• Certified copies of every order made under the said "Maori Real Estate Management Act, 1888," or under the Acts repealed by that Act;

• A statement showing which of such orders remain in force;

• A statement showing the specific land affected by each of such orders;

• The names, residences, and occupations as far as the same can be ascertained of the several trustees under such orders, and of the infants, lunatics, or other persons under disability whose property has by such orders been vested in trustees;

• And such other particulars relating to the matters aforesaid as the Public Trustee may from time to time require.

All trustees appointed under "The Maori Real Estate Management Act, 1888," or under any of the Acts repealed by that Act, shall forthwith, after this Act comes into operation,—

• Pay, deliver, and give possession to the Public Trustee of all moneys and property belonging to the trust in their hands or under their control;

• Furnish a detailed statement showing their administration of the trust, in such form, and containing such particulars, as the Public Trustee may from time to time require;

• Furnish such other particulars concerning their administration of the trust property as the Public Trustee may from time to time require.

If any trustee so appointed as aforesaid shall fail or neglect to comply with the provisions aforesaid,

after being requested by the Public Trustee so to do, the Public Trustee may, without issuing any writ of summons or filing any statement of claim, take out a summons in the Supreme Court against such trustee to compel him to comply with such provisions; and the Supreme Court or a Judge thereof may make such order in the matter, and as to costs, as it or he thinks fit. No costs shall be awarded against the Public Trustee unless the Court or a Judge is of opinion that the proceedings taken by the Public Trustee were taken without reasonable cause.

- Governor may by warrant direct District Land Registrar to issue to Public Trustee certificate of title. If any land vested in the Public Trustee is subject to the provisions of "The Land Transfer Act, 1885," and no grant or certificate of title shall have been issued therefor constituting a folium of the register under the aforesaid Act, then the Governor may, if the circumstances of the title are such as to warrant him in so doing, issue a warrant as is provided by such Act, directing the District Land Registrar to issue to the Public Trustee a certificate of title for such land for an estate in fee-simple, and such certificate shall be issued accordingly.
- When under this Act any person being an infant, married woman, or other person under any disability, is authorised by this Act to become lessee or licensee, or to contract or acquire or hold any land under this Act, or any estate or interest therein, such person shall be bound by his or her contract or obligation notwithstanding such disability; and in the case of a married woman it shall not be necessary that she should have property held to her separate use, and a married woman who enters into any contract or obligation shall be deemed to bind herself and her property present or future, and whether held to her separate use with or without power of anticipation or not, in every respect as would be the case of any other person not under disability.

Where any person being an infant or married woman is a lessee or licensee, such person may, subject to the provisions of this Act, notwithstanding such disability, dispose of such lease or license as if no such disability existed: Provided always that nothing herein contained shall apply to an infant under the age of seventeen years.

- All leases heretofore granted by the Public Trustee, and all covenants, conditions, and provisions contained in such leases, under or purporting to be granted under any of the Acts hereby repealed are hereby declared to be and to have been from the granting thereof good, valid, and effectual, notwithstanding that such leases, or any of the covenants, conditions, and provisions thereof, may not have been validly made or entered into under the provisions of the said repealed Acts.

Nothing herein contained shall validate or invalidate any lease which at or prior to the time this Act comes into operation is or has been the subject of any action or proceeding in which the validity of such lease or of any of the provisions of such lease is or was in question.

- When, as to any lease heretofore or hereafter made under Public Trustee may accept surrender of any lease for purpose of subdivision of land. this Act or any of the Acts hereby repealed, the land demised shall, as to different portions thereof, become vested in several persons, or where two or more persons shall hold as lessees the land comprised in one or more leases, and the whole of such persons desire to make a surrender and to take separate leases of separate portions of the land leased, and agree amongst themselves as to the apportionment of the rent, and the covenants, conditions, provisions, and agreements to be contained in such separate leases, and the Public Trustee agrees to accept such surrender and to grant separate leases of such separate portions at the apportioned rents, covenants, conditions, provisions, and agreements, then the Public Trustee may accept surrenders and grant separate leases at such apportioned rent, covenants, conditions, and provisions.

When any lessee subdivides the leased land, and desires to obtain a separate lease for each subdivision, the Public Trustee may accept a surrender of the lease, and grant separate leases for each subdivision either to the lessee or an approved nominee, and may apportion the rent, covenants, conditions, and provisions reserved and contained in the surrendered lease to and amongst the separate leases in such manner as the Public Trustee thinks fit:

Provided that all costs, charges, and expenses incurred in and about the preparation of such surrenders and leases, and the execution, stamping, and registration thereof, shall be borne and paid by the persons desiring such surrenders and separate leases.

- Accounts of Public Trustee to be prepared, and laid with report before the General Assembly. In each year there shall be prepared by the Public Trustee and submitted to the Minister, on or before the day of, accounts and a balance-sheet for the year ended on the day of preceding, accompanied by an estimate in detail of the probable expenditure of the Public Trustee during the next year.

Such accounts, balance-sheet, and estimate shall be certified as correct by two members of the Board,

of whom the Public Trustee shall be one. With such accounts, balance-sheet, and estimate shall be a report signed by the Public Trustee and one other member of 20 the Board, showing the general administration by the Public Trustee of all property vested in him under this Act, and such other particulars relating thereto as the Governor may from time to time require.

Such accounts, balance-sheet, estimate, and report shall be laid 25 annually before both Houses of the General Assembly on or before the thirty-first day of July in every year, if the General Assembly shall then be sitting, and, if the General Assembly shall not then be sitting, then within fourteen days after the then next session of Parliament. 30

- Disqualification Acts not to apply to Natives appointed under this Act. Nothing in any Disqualification Act for the time being in force affecting members of Parliament shall be deemed to disqualify or impose any penalty upon any Native in consequence of his being appointed to or holding any appointment under this Act to which any salary, remuneration, or allowance is attached. 35
- Governor in Council may extend period for performing of any act, matter, or thing required by this Act. If any act, matter, or thing required by or under this Act to be made or done at or within a fixed time or period cannot be or is not so made or done, the Governor in Council may from time to time appoint a further or other time or period for making or doing the same, whether the time or period at or within which the same 40 ought to have been made or done has or has not elapsed. And any act, matter, or thing made or done within or at the time provided by the Order in Council shall be as valid as if made or done at or within the period or time fixed by or under this Act.
- Exemption from payment of land or income-tax. Notwithstanding anything contained in "The Land and 45 Income Assessment Act, 1891," or any amendment of that Act now or hereafter made, or any Act passed in substitution of that Act, the Public Trustee shall not nor shall any Native, except as expressly provided by this Act, be liable to be assessed for or to pay any land-tax or income-tax in respect of any land or property vested in the 50 Public Trustee under this Act, or in respect of any income derived by the Public Trustee or by Natives from such land or property.
- The Public Trustee shall not nor shall any Native be Exemption from assessment by local authority. liable to be assessed for or to pay any rate or tax to any local authority upon or in respect of any land or property vested in the Public Trustee under this Act, or upon or in respect of the rent or income thereof, 5 otherwise than as expressly provided by this Act.
- A person over the age of seventeen years shall for the Seventeen years to be deemed of full age. purposes of this Act be deemed to be of full age although under full age.
- In conveyances, leases, and other assurances made by the No covenants in conveyance, &c., by Public Trustee to be implied against him. 10 Public Trustee under this Act no covenants for title or quiet enjoyment shall be implied as against the Public Trustee. In such cases the only implied covenant shall be that the Public Trustee has not done or executed or been privy to any act or deed by means whereof the property comprised in the conveyance, lease, or other assurance 15 has not by the Public Trustee been charged or encumbered in any way whatsoever.
- Every District Land Registrar shall, without the production District Land Registrar to register without production of Crown grant. of the Crown grant or other instrument of title, register under "The Land Transfer Act, 1885," any lease or other instrument purporting 20 to be made by the Public Trustee under this Act.

## Repeals.

- The several Acts following, namely, "The Native Reserves Acts repealed. Act, 1882," "The South Island Native Reserves Act, 1883," "The Westland and Nelson Native Reserves Act, 1887," are hereby 25 repealed.

Notwithstanding such repeal,—

¶ The provisions of the said repealed Acts shall remain in Provisions of repealed Acts to remain in force for purposes of carrying out obligations authorised by repealed Acts. force so far as concerns any license, lease, sublease, or contract, and as to the licensees, lessees, sublessees, or other persons claiming 30 thereunder, and as to all Orders in Council, Proclamations, appointments of persons or places or times, and arbitrations, awards, valuations, orders, rules, regulations, by-laws, or conditions made under the said repealed Acts and in force at the time this Act comes into operation, and they shall continue and be in force, but may be revoked, 35 altered, or varied under the authority of the said repealed Acts as if the same were not repealed.

¶ When, under the authority of the repealed Acts or any Order in Council, Proclamation, rules, regulations, by-laws, awards, valuations, or orders made thereunder, or under any license, lease, sublease, 40 or

contract made under the provisions of the said Acts, any power, duty, or function is vested in or to be performed by the Public Trustee with or without the consent or concurrence of the Public Trust Office Board or any other body or person, then such power, duty, or function shall vest in or be performed by the Public Trustee under this Act in all respects as if such power, duty, or function had originally been vested in or was to be performed by the Public Trustee under this Act.

Nothing in this Act contained shall, except where otherwise expressly provided, be deemed to affect any estate, right, title, or interest created or existing under or by virtue of the said repealed Acts; and all the provisions of the said repealed Acts shall remain and continue in force for the purpose of giving effect thereto.

Save as provided expressly by this Act, all the provisions of "The Interpretation Act; 1888," respecting repeals of Acts, shall apply and extend to the repeal hereby effected.

## **Schedule. Part I.**

### **General Provisions.**

- When any person, without any right or title, or whose right or title has expired or been forfeited or cancelled, shall be in occupation of any lands vested in the Public Trustee, whether such lands be within or outside any mining district, the Public Trustee, or some person appointed in writing by him, may enter a plaint in the Resident Magistrate's Court in the district in which the land lies to recover possession thereof; and the jurisdiction of the Court or Magistrate shall not be ousted on the plea that a question of title to land is involved, or that the value of the premises or rental of which possession is sought to be recovered is in excess of the ordinary jurisdiction of such Court or Magistrate.

If, on the hearing, the defendant does not appear, or appears but fails to establish in himself an absolute right or title to the possession of the land, or if it is shown by or on behalf of the plaintiff, to the satisfaction of the Court or Magistrate, that the title under which the defendant claims has, as between himself and the Public Trustee, expired or become liable to forfeiture or cancellation, the Court shall declare such title to be extinguished, and order possession of the land to be given to the plaintiff, either forthwith or on such day as the Court thinks fit, and order the defendant to pay the costs.

If possession is not given pursuant to such order the Court or Magistrate or any Justice of the Peace may issue a warrant for possession of such lands.

The provisions of sections ninety-one, ninety-two, ninety-three, and ninety-five of "The Resident Magistrates Act, 1867," shall apply to any proceedings under this section.

- In any civil proceeding for or in respect of any unlawful occupation, use of, or trespass upon lands vested in the Public Trustee, the proof that the occupation, use, or trespass in question was lawful shall lie on the defendant. And in such proceeding any lands in question shall be deemed to be vested in the Public Trustee without proof of such fact, unless the defendant prove the contrary; and all instruments, maps, plans, certificates, and copies thereof certified as true under the hand of the Surveyor-General or of the Chief Surveyor of the district within which such land is situated, or of the Public Trustee, shall be sufficient evidence of their contents without production of the originals, and without the personal attendance of such officers, or proof of their signature.
- The Public Trustee shall be the sole judge whether the terms and conditions of any lease have been complied with, and shall have all the powers and authorities conferred upon any body or person by this Act or the Act under which any such lease was granted or by any other Act relating to forfeitures of leases, and may proceed in the manner indicated in that behalf by any of such Acts notwithstanding the repeal thereof, or may proceed under this Act, to enforce the fulfilment of the conditions of any such lease, or to obtain possession of any land, improvements, or money forfeited for breach of such conditions.
- When under this Act any land is to be valued, and where it is not otherwise provided, then the Public Trustee shall ascertain such value in any manner he thinks fit, and the value so ascertained shall be conclusive; but the Public Trustee may from time to time revalue any land.

### **Tenders, Deposits.**

- No tender for the disposal or other occupation of lands shall be valid unless in writing, made at some office or place appointed by the Public Trustee for that purpose during the hours fixed by the Public



Trustee when such office or place is open to the public for the transaction of business, or is sent by letter through the post addressed to the Public Trustee at his principal office in the City of Wellington. If sent by post, the tender shall not be deemed to be made until it reaches the office or place appointed by the Public Trustee, or the principal office, as the case may be.

- Where tender is made at an office or place other than the principal office, the officer or person receiving the same shall note the day and hour of the receipt thereof, and shall forthwith transmit such tender, with a note of the time when the same was received, to the principal office.
- The Public Trustee shall at all times have power, in the interests of the Native owners or in the public interest, and in his discretion, to refuse to receive any tender.
- To every tender for land under Parts III. and IV. of this Schedule there shall be annexed or appended a statutory declaration made and signed by the tenderer in such one of the forms set forth in this Schedule as shall be applicable to the case.

All tenders for land made within the time limited shall be deemed to be simultaneous; but no tender, excepting under Part IV., shall be received from the same tenderer for any land of a greater area than two thousand acres of land, inclusive of not more than six hundred and forty acres of first-class rural land.

All tenders shall be opened simultaneously on a day appointed by the Public Trustee for the purpose. Every tender shall be incapable of being accepted where the rental tendered is less than the upset rental fixed. And no tender shall be accepted unless the same is closed up and accompanied by a statutory declaration in the form or to the effect hereinbefore referred to, together with six months' rent at the rate mentioned in the tender, and such sum to pay for the costs of the lease and registration thereof as the Public Trustee may by by-laws or regulations have prescribed, together with stamp-duty; and such sums must be paid either in cash or by a marked cheque.

The highest tenderer, if his tender shall equal or exceed the upset rental, shall, if the Public Trustee agrees to accept such tenderer, be declared the lessee, and be entitled to possession of the lands so soon as he has duly executed a lease thereof and has complied with all other conditions lawfully prescribed in that behalf.

If the rent offered by two or more tenderers is the same amount, and higher than that offered by any other person, then the Public Trustee shall, after opening all the tenders, decide by lot, in such manner as he shall think fit, which of such two or more persons shall be declared the lessee.

The deposits and fees paid by the unsuccessful tenderers for any lease shall be returned to them.

All lands which have been notified as open for leasing under any Part of this Act, and which have not been let, shall, until withdrawn by the Public Trustee, remain open for leasing, and, in case of more than one tender on the same day for the same land, the right thereto shall be decided by lot.

Provided that the Public Trustee shall not be bound to accept the highest or any tender in any case.

## Valuation for Improvements.

- Whenever lands vested in the Public Trustee are to be disposed of subject to a payment of the valuation of the improvements made on such lands, such valuation shall, in all cases where it is not otherwise provided by this Act, be made one month at least before the expiry of the existing lease (if any), in such manner as the Public Trustee shall direct; or

Whenever a lease is forfeited for breach of conditions the Public Trustee shall cause a valuation to be made of the improvements made on the land comprised in the lease by the lessee on recovering possession of the land; and

Payment of such valuation shall be made to the Public Trustee, by the purchaser of such lease, before he is admitted into possession.

- Notwithstanding anything contained in the last-preceding section, the Public Trustee may reduce the original valuation of the land or the valuation of improvements upon any land which cannot be disposed of by reason of the aforesaid valuation being deemed excessive, and the Public Trustee may from time to time offer such land for leasing, with such reduction of the original valuation as he may deem expedient.

And no person shall have any claim against the Public Trustee, or any other body or person whatsoever, by reason of any reduction of such valuation.

- The amount of the valuation of the improvements, when paid by the aforesaid purchaser, shall, if approved by the Public Trustee, be paid to the original lessee, or other person entitled, less any moneys due in respect of such land by the outgoing lessee or occupier, and, in case of forfeiture, less also the amount of expenses incurred in recovering possession of the land and the sale or other disposal thereof.
- Whenever improvements have been made on any land the value of which ought, in the opinion of the Public Trustee, to be paid to the lessee or occupant thereof, the Public Trustee may provide that any

person who acquires such land by lease from the Public Trustee shall pay to the Public Trustee such value.

- No outgoing lessee or occupier shall have any right or claim against the Public Trustee in respect of the value of any improvements made by him in case any person shall fail to pay such value to the Public Trustee; but may sue for the value of such improvements, and take all proceedings for the recovery thereof, in the name of the Public Trustee, on giving an indemnity to the satisfaction of a Judge of the Supreme Court against costs.

## Compensation and Arbitration.

- Claims for compensation against the Public Trustee in respect of any matters arising under this Act, or for value of improvements or other matters, shall, unless otherwise specially provided, be settled in the manner provided in Part III. of "The Public Works Act, 1882," for which purpose the said Part III., and all other the provisions of that Act which are applicable thereto, shall be deemed to be incorporated with this Act.

In such claims the Public Trustee shall be the respondent.

- Where it is provided that any matter arising under this Act shall be referred to arbitration, then such reference, unless herein otherwise provided, shall be to one or more arbitrators appointed by the parties on each side respectively, and an umpire to be appointed by such arbitrators.  
If either party shall fail to appoint an arbitrator within twenty-one days after being requested in writing to do so by the other party, then the arbitrator appointed by the other party shall alone conduct the arbitration, and his decision shall be final and binding on both parties.  
If the said arbitrators shall fail to agree upon the matter referred to them within twenty-eight days of the same having been so referred, then the matter so referred shall be decided by an umpire to be appointed by the said arbitrators, whose decision shall be final and binding on both parties.  
Every such arbitration shall be carried on in the manner prescribed by "The Arbitration Act, 1890," and be subject to such last-mentioned Act in the some manner as if the reference to such arbitration had been made by consent of parties under a written agreement.  
Each party shall pay his or its costs of such reference, and any costs incidental to the appointment of an umpire shall be paid equally by the parties to the arbitration.
- Before any appraiser, arbitrator, or umpire enters into the consideration of any matters referred to him under this Act he shall make the following declaration:—

I, A. B., do declare that I have no interest, either directly or indirectly, in the matter of [*Here state*], and that I will faithfully and honestly, and to the best of my skill and ability, make the appraisal and valuation required under the provisions of "The Native Reserves Administration Act, 1893."  
And I make this declaration conscientiously believing the same to be true, and by virtue of an Act of the General Assembly of New Zealand intituled "The Justices of the Peace Act, 1882."

## Leases, Transfers, and other Instruments.

- Upon compliance with the provisions of this Act, the Public Trustee shall issue leases, and renewals or transfers thereof, and other instruments, subject to the provisions of this section and of the *eight* next following sections, which shall apply to all leases and renewals or transfers of leases and other instruments under this Act:—  
Whenever the Public Trustee is authorised to issue or execute any lease or instrument, whatever may be its nature, the same may be in such form as shall be prescribed by regulations made by the Public Trustee.  
Any form required under this Act may be varied to suit the circumstances of any case which may arise.  
There shall be paid for every lease or other instrument issued or executed by the Public Trustee such fees and charges as the Public Trustee may by regulations provide; and the Public Trustee may require such fees and charges to be paid before such lease or instrument is issued or executed; and the Public Trustee may refuse to proceed in any transaction if such fees and charges are not paid.
- If any person or lessee fails to execute his lease within thirty days after being required by written notice (given in any manner the Public Trustee think fit) so to do, then his deposit and the sum paid for the lease and registration thereof shall, after a resolution of the Public Trustee to that effect has been passed, be absolutely forfeited to the Public Trustee, and the right of such person to obtain such lease shall absolutely cease.
- Leases shall be prepared by the Public Trustee, and shall contain such covenants, conditions, and

provisions, consistent with this Act, as the Public Trustee may think fit, and shall be subject to the stipulations following:—

No lessee shall, except with the consent in writing of the Public Trustee, or except by will, dispose of his lease, or the land comprised therein or any part thereof, or the possession or occupation of the land leased to or occupied by him, or any part thereof, by transfer, mortgage, or otherwise.

When a statutory declaration is required from any lessee, no transferee, and no purchaser of any lease under any power of sale vested in any mortgagee or assignee or trustee in bankruptcy, shall be admitted into possession or occupation of the land comprised in such lease until he has deposited with the Public Trustee a statutory declaration in the same form or to the same effect.

Every transferee of a lease shall have all the rights and privileges, and be subject to the same obligations, as the original lessee after the date of approval of such transfer by the Public Trustee.

No transfer of any lease shall be valid unless all the conditions of the lease or upon which the lease was granted have been complied with as to payment of rent or otherwise up to the date of such transfer.

Before any transfer is approved of by the Public Trustee, he may require the transferor to make a statutory declaration to the effect that all the conditions of his lease have been fulfilled up to the date of the proposal to transfer, and in such declaration may require the transferor to declare to such other particulars respecting the land as the Public Trustee shall think fit.

If any lessee shall fail to fulfil any of the provisions of his lease within thirty days after the day on which the same ought to be fulfilled, the lease shall be liable to be forfeited by a resolution of the Public Trustee after notice to the lessee, and he shall be deemed, upon such forfeiture, to be in illegal occupation of the land comprised in the lease.

The foregoing conditions as regards leases shall operate and be deemed to bind the Public Trustee and the lessee as fully and effectually as if they were set forth in the lease.

No mortgagee under any Part of this Schedule shall be required to make a statutory declaration unless and until he shall become a purchaser under the provisions of the mortgage, but he shall make such a declaration before the Public Trustee sanctions the transfer to him.

- Leases by the Public Trustee of land under "The Land Transfer Act, 1885," shall, if registerable, be registered by the Public Trustee under that Act, and, if the land is not under that Act, then in the manner provided by any law for the time being relating to the registration of deeds and instruments. The cost of such registration shall be paid by the lessee.

All dealings with or under leases in contravention of the provisions of section eighty-three of this Act as to transfers of leases shall be absolutely void, and the District Land Registrar shall not register any dealing with or under a lease until the production to him of a certificate signed by the Public Trustee that the said provisions have been complied with.

- Every lessee (including Natives being lessees) shall be liable for all rates, taxes, or assessments of every nature or kind whatsoever imposed upon the lessee or occupier of the lands included in the lease during the term for which he is lessee.
- All declarations made under this Act shall be exempt from duty under any Act now or hereafter passed relating to stamp duties.
- The Public Trustee, if satisfied that any lease or other instrument issued by the Public Trustee has been lost or accidentally destroyed, may grant a new lease or instrument in confirmation thereof, upon such terms and conditions in each case as he thinks fit.

## **Lessees, Limitations, Penalties, and Forfeitures.**

- Any person of seventeen years of age and upwards may become lessee under Parts III. and IV. of this Act; but no person who has forfeited the right to hold the land leased by him by reason of the wilful breach of any of the conditions of a lease, or who has committed a wilful breach of any of the provisions of this Act, shall, without the consent in writing of the Public Trustee, become the lessee, holder, or owner of a lease under this Act within a period not exceeding two years from such forfeiture or such wilful breach as aforesaid, as may be determined by the Public Trustee.
- No married woman not having obtained a decree of judicial separation or protection order shall, except as hereinafter provided, become lessee under Parts III. or IV. of this Schedule.

The provisions of this section shall not apply to any married woman who may become entitled to a lease under a will or by intestacy.

- No person shall, by himself or through any other person for him, be entitled to acquire, obtain, or hold, either by original tender, or by transfer, or otherwise in any manner, any land under any tenure under this Act unless it be exclusively for his own use or benefit.

And no person who at the time of tendering has made any promise or agreement, whether binding in law or not, to permit any other person to acquire, by purchase or otherwise, the land in respect of which tender is made, or any part thereof, or the tenderer's interest therein, shall be a lessee under this Act.

Any person who wilfully commits, incites, instigates, or employs any other person to commit, any breach of the provisions of this Act by obtaining any lease or license not exclusively for his own use or benefit, shall be liable to a penalty of not less than one hundred pounds nor exceeding five hundred pounds; and every one aiding and abetting in such breach shall be liable to the same penalty.

- The Public Trustee shall declare every transaction null and void, and all deposit moneys to be forfeited, in any case where any person has acquired land under this Act in excess of the maximum area herein prescribed. Any declaration as aforesaid shall, if the same be entered in the minutes of the Public Trustee, be final and conclusive.
- Where any lessee or person forfeits his right to a lease in any manner, and as often is such a case shall occur, the land shall be again open for leasing, charged with the value of the improvements, if any, to be ascertained and dealt with as hereinbefore directed.
- A director, attorney, or agent of a corporation may make on its behalf any of the declarations required by this Act, and forms may be altered accordingly.
- Any person who, in any statutory declaration required under this Act, or under any regulations thereunder respectively, wilfully declares to anything which is false, shall be deemed to be guilty of a misdemeanour, and liable to a penalty not exceeding two hundred pounds or to be imprisoned for any term not exceeding one year with or without hard labour; and any right or title acquired through any such declaration shall become thereby absolutely forfeited.
- When the Public Trustee has reason to believe that the statements contained in any declaration are false, or that any person in making the same has in any manner evaded or attempted to evade the requirements of this Schedule in their true intent and spirit, the Public Trustee may, in his discretion, hold an inquiry into the case, and may declare forfeited all the rights of such person to the land and all moneys paid in respect thereof.

Nothing in this section contained shall be deemed to exempt any such person from any prosecution or penalty he may have become liable to by reason of making a false declaration.

- If any person wilfully makes any false declaration required by this Act in respect of the land comprised therein, any lease acquired thereby shall be liable at the option of the Public Trustee to be absolutely forfeited; and, if forfeited, the leased land, with all improvements thereon, shall revert to the Public Trustee, without any payment whatsoever to the lessee.
- Upon the forfeiture of any lease, the Public Trustee shall send to the District Land Registrar a notice signed by the Public Trustee of such forfeiture, which shall be a sufficient authority to enter upon the register a note of the said forfeiture and of the cancellation of the lease.
- In every case of the forfeiture of a lease, the lessee shall be liable for rent or other payments in respect of his lease, and for the breach of any of the provisions thereof, up to the time when possession of the land comprised therein has been obtained by the Public Trustee, but not afterward.

## Classification of Lands.

- All lands vested in the Public Trustee shall be divided into four classes, as determined by the Public Trustee, namely,—
  - Town land, being the sites heretofore reserved or which shall be hereafter reserved for towns or villages, and includes land in any borough or city:
  - Suburban land, being land in the vicinity of any town land:
  - Rural land, being lands not reserved for towns or villages or other public purposes.
  - Pastoral land, being land not within any of the above classes.
- The Public Trustee may from time to time, by notice in the Gazette, declare that any land not already classified shall belong to either of the said classes, and also that any land shall cease to belong to either of such classes and belong to other classes.
- All rural lands may be classified by the Public Trustee into first-and second-class lands, and may be leased at the rentals following, that is to say,—
  - First-class lands, at a rent not less than per centum per annum on a value of not less than twenty shillings per acre; and
  - Second-class lands, at a rent not less than per centum per annum on a value of not less than five shillings per acre.
- The Public Trustee may, from time to time, reclassify such lands, and fix the value thereof, being a value

not less than the minimum prescribed for land of the same class.

- The Public Trustee may withdraw any land from leasing, notwithstanding that tenders may have been made to lease the same. No tenderer shall in such case have any claim against the Public Trustee.
- No lands held under this Act under any tenure shall be capable of being sold for non-payment of rates due by the lessee or occupier thereof.

But the non-payment of any rates on land held from the Public Trustee for which the lessee is liable under any law shall be deemed to be a breach of the conditions of his lease, for which such lease shall be liable to forfeiture, as in the case of non-payment of rent.

If any lessee of land under this Act shall fail to pay to a local authority any rate thereon for which he is liable, for fourteen days after demand thereof by such authority, such authority may apply to the Public Trustee for redress, and the Public Trustee may, if such rate remain unpaid for thirty days after notice served by the Public Trustee, declare such lease to be absolutely forfeited; and the Public Trustee shall pay such overdue rates to the local authority, and make this a charge against the land or out of any moneys received by them for improvements on the land.

The provisions of this section shall apply to all lessees under this Act or under any Act heretofore in force.

## Part III.

### Leasing of Land.

- The Public Trustee may from time to time, by notification in the Gazette, and in such, other manner as the Public Trustee thinks fit, offer any land, not being lands open under Part IV. of this Act, for lease by tender in areas not exceeding six hundred and forty acres, in the manner and upon the conditions mentioned in this Part of this Act.

- Every such notification shall fix the upset rental at which, and the time and place when and where, the land mentioned therein shall be open for leasing.

The time shall not be less than thirty days after the date of the notification.

In the case of rural land the upset rental shall not be less than per centum per annum upon a value not less than twenty shillings per acre for first-class land, and per centum per annum upon a value, of not less than five shillings per acre for second-class land.

The Public Trustee may, in any such notification, assign a price per acre to each block, or to each section within a block, and may, subject to a new notification being given, and to the provisions of this Act fixing the minimum prices of land, raise or reduce such price.

- All town and suburban lands—

May be offered for lease in sections the size or extent and upset rental of which shall be fixed and determined by the Public Trustee, and subject to the condition that no town lands shall be let at a rate less than per centum per annum upon a value less than twenty pounds sterling per acre; and no suburban lands at less than per centum per annum upon a value of not less than two pounds per acre; or

May, if not let within each time as the Public Trustee fixes, be let for any time not exceeding fourteen years, at a rent not less than five per centum on the value of such lands, subject that the lessee shall not have any right of compensation for improvements at the expiration of his lease.

- Lands leased under this Part of this Schedule shall be held—

For a term of twenty-one years. Such terms shall be reckoned from the next first day of January or July following the date thereof, and shall, in addition, include the period between the date of the lease and such day. Such leases shall be renewable as hereinafter provided.

The yearly rental in respect of such lease shall be payable in equal parts, half-yearly in advance, on the first day of January and the first day of July in each year, to the Public Trustee.

- No lessee shall be capable of becoming the lessee under more than one lease unless the lands are of different classes, or unless the lands comprised in the several leases adjoin each other. Lands shall be deemed to adjoin each other if only separated by a road or stream, or such interval of space as the Public Trustee may determine in each case.

No lessee shall be capable of holding, whether solely or jointly with any other person or in partnership, in the case of rural land, more than six hundred and forty acres; in the case of suburban land more than five acres, and in the case of town land more than two acres.

Any lease held by any person who shall hold or occupy by himself or by other persons under him

more than one lease or more than the area aforesaid, except as aforesaid, shall be forfeited, and be deemed to be and to have been, from the issue thereof, absolutely void and of no effect.

The provisions of this section shall not apply to persons who may become lessees or sub-lessees by marriage, or under a will, or or virtue of an intestacy.

### ***Compulsory Residence:***

- Residence on any land under this Part of this Schedule shall be compulsory, and shall commence in bush-lands or on swamp-lands within four years, and in open or partly open land within one year from the date of the commencement of the term; and thereafter such residence shall be continuous for a term or ten years.

But these conditions of residence shall not apply to any person who has acquired an interest in any lease under an intestacy or by will.

Where two or more persons are lessees under one lease, then—

One of the lessees only shall be required to reside on the land; but in all other respects each lessee shall be subject to the same conditions, limitations, restrictions, and disqualifications as prescribed in the case of any one lessee.

Any lessee in a joint lease may transfer his interest in the land to a colessee or to some other person, as provided in section one hundred and forty-seven; and, in the event of the death of a lessee in a joint application, the executors or administrators shall have the same powers to transfer the land of the deceased lessee as is provided in the case of the decease of any lessee.

- The Public Trustee may dispense with residence if the lessee reside and continue to reside on lands contiguous to the lands held under lease. Lands shall be deemed to be contiguous to each other if only separated by a road or stream, or by such interval of space as the Public Trustee may determine in each case.

- Personal residence may also be dispensed with by the Public Trustee in the cases hereinafter mentioned:—

Whenever two persons, being lessees under separate leases, have intermarried at some period not sooner than twelve months after the issue of the last of such leases, the Public Trustee may dispense with residence upon the land comprised in one of such leases, and residence on the land in one of such leases as shall be required by the Public Trustee shall be deemed to be personal residence as regards both leases.

The Public Trustee shall have a discretionary power to dispense with personal residence on sufficient and satisfactory grounds being shown for non-residence in any case whatever.

### ***Improvements.***

- Every lessee of lands under this Part of this Schedule shall put on the land comprised in his lease substantial improvements—

Within one year from the date of the commencement of his lease, to a value equal to ten per centum of the value of the land;

Within two years from such date, to a value equal to another ten per centum of the value of the land;

And thereafter, but within six years from such date, to a value equal to another ten per centum of the value of the land;

And in addition thereto shall, within six years from such date, put substantial improvements of a permanent character on first-class land to the value of one pound per acre, and on second-class land to an amount equal to the net value of every acre of such land: Provided that in no case shall the additional improvements required on second-class land be more than ten shillings per acre.

And every lessee shall, when so required by the Public Trustee, make and sign a statutory declaration as to his fulfilment of the conditions of occupation and improvement of the land leased or in his occupation up to the time of making the said declaration.

- In the case of suburban lands the Public Trustee in his discretion may dispense with conditions as to improvements of special monetary value, where such substantial improvements have been effected as in the opinion of the Public Trustee are reasonable in the circumstances.
- The Public Trustee, on compliance with the provisions of section eighty-three, or on his being satisfied by a statutory declaration that the transferor is unable or not in a condition to make the improvements on the land required by this Act, may sanction a transfer of any interest in such land held under this Part of this Act to any person not disqualified who shall make the declaration under the particular system under which the land is held, as given in the Forms to this Act.

## Leases of Small Areas.

- Notwithstanding anything in this Act, the Public Trustee may from time to time set apart for lease with right of renewal, as provided by this Part of this Schedule, portions of rural lands not exceeding fifty acres each, to be open to all persons by tender to the Public Trustee in such manner as it thinks fit.  
Every tenderer shall, with his tender, enclose a statutory declaration in the form referred to in section sixty-two of this Schedule, or to the effect thereof, the form being amended to suit the case, and shall also deposit the amounts stated in the aforesaid section.  
If more persons than one tender whose tenders are equal for the same allotment, the right shall be determined by lot, in manner as the Public Trustee shall direct.  
Renewals of leases of land set apart as aforesaid shall be made as in other cases of leases under this Part of this Schedule.  
Every lease under this provision shall be for a term of twenty-one years, renewable from time to time as hereinafter provided.  
No lessee shall, either solely or jointly with any other person or in partnership, under this provision hold more than fifty acres. Any lease so held shall be absolutely void.  
The rent shall not be less than five per centum per annum upon the value of the land, not being less than shillings per acre.  
Except as hereinbefore mentioned, all the provisions of this Act shall apply in respect of land taken up under this section.

## Surrenders.

- Any lessee may, with the consent of the Public Trustee, surrender the lands comprised in his lease, upon such terms as the Public Trustee thinks fit. It shall not be competent for the surrendering lessee for the period of one year from the date of such surrender to become the lessee of the new lease, either originally or by transfer or sub-lease, in case there should be any other applicant for such new lease, unless the Public Trustee consents in writing thereto.

## Part IV. Small Runs.

- Pastoral lands may from time to time by the Public Trustee, by notice in the Gazette, or in such other manner as he thinks fit, be set aside and subdivided into grazing-runs.  
The area of a grazing-run shall not exceed five thousand acres.  
The term shall be twenty-one years in possession, with right of renewal as hereinafter provided.
- Runs may be declared open for lease by tender, at a rent of not less than two and a half per centum per annum on the value as determined by the Public Trustee, as the Public Trustee shall think fit, not being less than per acre.
- No person shall be a lessee under this Part of this Act—  
Of more than one run; or  
Who Owns any freehold land, or land held by lease or license of any kind whatever from the Crown or the Public Trustee, or land held by lease from any other person or from any company or corporation or local authority, whereby such person, either by himself or jointly with any other person or persons, would become the owner or occupier of lands anywhere in the colony which taken together would exceed in area one thousand acres exclusive of the lands comprised in the run for which he is an applicant; or  
Who is disqualified under any provision of this Act.  
The provisions of this section shall not apply to persons who may become lessees or sub-lessees by marriage, or under a will, or by virtue of an intestacy.  
Leases acquired or held by any person in contravention of this section shall be deemed to be and to have been from the issue thereof absolutely void and of no effect.
- A lease shall entitle the lessee to the exclusive right of pasturage over the lands included in the lease, and to all crops which he may take off any part of the lands he may put into cultivation, in manner not in contravention of his lease or this Act or of regulations thereunder. No lease shall confer or give to the lessee any right to the timber or minerals on or under the land leased.
- Every lease shall be subject to the following conditions:—  
Such roads and rights-of-way as are in common use shall remain open to the public, and the Governor or the Public Trustee may from time to time take, without compensation to the lessee, such other road or

roads as may be deemed necessary through any part of the lands leased, not being part of lands immediately adjoining the homestead which the lessee shall previously have selected with the approval of the Public Trustee. Such roads as may be taken by the Governor or the Public Trustee may be either temporary or permanent, as may be expressed in any notice to that effect published in the Gazette.

¶The lessee may, with the approval of the Public Trustee, select not exceeding one hundred and fifty acres of land immediately adjoining and including his homestead, through which no road may be taken without the lessee's consent, and on which he may cut timber to be used for fencing or building purposes only on the land leased.

¶The lands comprised in the lease shall be subject to the provisions of any law relating to mining in force at the time when such lease was granted, and to all regulations made thereunder; and every holder of a miner's right or business license may exercise the same respectively over lands which may be leased under this Part of this Act.

- Lessees shall reside on some portion of the land leased: if bush or swamp land, within three years; if open or partly open, within one year; and such residence shall be continuous to the end of the term, but the conditions of such residence may be relaxed by the Public Trustee.
- Lessees shall put on the land leased substantial improvements of a permanent character to a value equal to the amount of one year's rent of the land within one year from commencement of the lease; and to a value equal to another year's rent within two years from such date; and thereafter, but within six years from such date, to a value equal to the amount of other two years' rent; and on bush land, in addition thereto, shall put substantial improvements of a permanent character on the land comprised in the lease, to the value of ten shillings for every acre of such land if first-class land, or of five shillings if second-class land.

Any money paid for value of improvements by a purchaser of a lease shall be allowed as substantial improvements put upon the land by such purchaser, to the amount of such value, within the meaning of this section.

- The lessee shall pay the rent reserved by his lease to the Public Trustee by equal half-yearly instalments, in advance.
- No person or company, either solely or jointly with any other person or in partnership, shall hold more than one run or lease under this Part of this Act.
- Every lease under this Part shall be deemed to contain the following conditions:—
  - A condition for the payment of the rent at the times herein mentioned
  - A condition that if the lessee, or any person claiming title or interest through or under the lessee, shall make or cause to be made any agreement or contract, or shall give or cause to be given or taken any negotiable security, for the purpose of defeating or evading the provisions of, or shall in any way whatsoever, directly or indirectly, commit or be privy to a fraud upon, this Act, the lease shall be liable to be forfeited and revoked;
  - A condition that the lessee shall prevent the destruction or burning of timber or bush on the land comprised in his lease: Provided that the Public Trustee may grant authority to destroy timber or bush by burning or otherwise upon such terms as the Public Trustee thinks fit;
  - A condition that the lessee shall prevent the growth or spread of gorse, broom, and sweetbriar on the land comprised in his lease:

And every lease shall contain such other conditions and provisions as the Public Trustee shall approve of and shall direct to be inserted therein.

- Every transfer of the interest in a run held under a lease shall be registered at the principal office by lodging at such office a duplicate of such transfer, and until so registered shall have no effect or operation, and no interest, either at law or in equity, shall be transferred thereby. No transfer shall be registered in the Land Transfer register, or under any law relating to the registration of deeds and instruments, unless there is indorsed thereon or annexed thereto a certificate signed by the Public Trustee that the provisions of this section have been complied with.
- If the rent of any run is not paid within thirty days after it shall become due, ten per centum on the amount unpaid shall be added thereto, and such rent, together with such addition, shall be recoverable in manner as provided in this Act for recovery of rent in arrear: Provided that, in case of the death of the lessee before the rent becomes due, the time of payment may be extended by the Public Trustee to not exceeding three months.
- The Public Trustee may accept the surrender of any lease under this Part of this Act, upon such terms as he thinks fit.



# Part V. Renewals of Leases.

- Every lease shall be renewable from time to time, upon the expiration of the term, for terms of twenty-one years. On the expiry of any lease a new lease shall be offered; to the existing lessee at least twelve months before the expiration of the lease, at a rent to be ascertained as hereinafter specified.
  - A valuation shall be made by an appraiser to be appointed by the Public Trustee of the then value of the fee-simple of the lands then included in the lease, and also a valuation of all substantial improvements of a permanent character made and then in existence on the said land.
  - After making and publishing the valuations as aforesaid, which shall be effected by serving a copy of the same on the lessee and on the Public Trustee, but not later than twelve months before the expiry of the term for which the lessee then holds the lands the lessee shall elect by notice in writing delivered to the Public Trustee, whether he will accept a fresh lease of the said lands for a further term of twenty-one years from the expiration of the then term, at a rental equal to not less than two and a half per centum of the value of the fee-simple as fixed, less the value of improvements, by the said valuation; such fresh lease to be subject to conditions similar to the previous lease, excepting as to the amount of rent payable thereunder.
    - In the event of an existing lessee not agreeing to the valuations made as aforesaid, then the rent to be paid shall be determined by arbitration, in manner provided by section seventy-eight.
- If the lessee shall not elect to accept a renewal as above mentioned, or shall refuse or neglect to execute a lease within thirty days after the same is tendered to him for the purpose, then a lease of the said lands shall, not later than one month before the end of the term for which the existing lease was granted, be offered to tender for a further term of twenty-one years on the following terms and conditions:—
  - The rent upset shall be such as shall be fixed by the Public Trustee, not being a greater sum than that at which the lease was offered to the existing lessee.
  - The amount of such rent shall be stated in the advertisement, and it shall be a condition of tendering that the tenderer shall, together with his application, deposit the amount of one half-year's rent, which shall be returned to him if he fails to obtain the run.
  - If any person other than the existing lessee be declared the purchaser, he shall within thirty days, and before being admitted into possession, pay over to the Public Trustee the amount of the value of the substantial improvements of a permanent character, as fixed by the valuation; and on failing to make such payment all his right to the lease shall be deemed to be forfeited, as well as any deposit he may have made in respect thereof.
  - On the day of the expiry of the existing lease, or thereafter, if the Public Trustee has satisfied himself that the outgoing lessee has let the new lessee into quiet possession of the land to be leased, and that none of the improvements on the land which were thereon when the valuation mentioned was made have been destroyed or appreciably damaged, the Public Trustee shall pay over to the outgoing lessee the amount received by him from the incoming lessee as aforesaid.
  - If any of the improvements have been destroyed or appreciably damaged, then the value of the improvements so destroyed, or the cost of repairing such damage, shall be decided by the Public Trustee or some person appointed by him; and the amount so fixed, with the costs attending such decision, shall be deducted from the amount payable as aforesaid to the outgoing lessee, and save the amount so deducted for costs, shall be returned to the incoming lessee.
- The Public Trustee in disposing of any new lease shall make provision that the right to take possession under such new lease shall commence on the first day of March in any year, and that no such disposal shall be made without the existing lessee having been given not less than one month's notice thereof, and that the tenant shall, during such period of notice, have a right to elect to accept a new lease as aforesaid.
- If such lease shall not be disposed of as above mentioned to some person other than the lessee, or if such person fail to execute the lease within thirty days, or to pay the half-year's rent and the value of the improvements as aforesaid, then the lessee may again, within thirty days, elect in manner aforesaid to accept a fresh lease as aforesaid; and if he do not elect to accept the same, or refuse or neglect to execute such lease for thirty days as aforesaid, then he shall continue as tenant of the said lands, from year to year, and shall pay the rent reserved by his expired lease, and observe and perform the covenants and conditions contained in the same, or until the Public Trustee shall succeed in finding an applicant for the new lease, unless, prior to the finding of such applicant by the Public Trustee, he shall elect to accept a new lease for the said further period of twenty-one years as aforesaid.
- No outgoing lessee or tenant shall have any right or claim against the Public Trustee in respect of the

value of any improvements made by him on the lands in case any incoming lessee or tenant shall fail to pay such value to the Public Trustee; but such outgoing tenant may sue for the value of such improvements, and take all proceedings for the recovery thereof, in the name of the Public Trustee, on giving him an indemnity to the satisfaction of a Judge of the Supreme Court against costs.

## Part VI. Licenses for cutting Timber, Flax, and other Purposes.

- The Public Trustee may issue licenses, in forms to be by the Public Trustee prescribed, upon such terms and conditions as the Public Trustee thinks fit, authorising the holders to occupy, for any period not exceeding seven years from the granting thereof, not exceeding eighty acres of land in any case, for any of the undermentioned purposes, namely:—
  - Cutting, telling, or removing timber or bark;
  - Cutting or removing flax;
  - Digging for gum;
  - Removal of clay for bricks or pottery;
  - Removal of sand, gravel, or stone;
  - Removal of guano or other substances;
  - Working of quarries;
  - Sites for saw-mills, flour-mills, flax-mills;
  - Sites for tanneries, fellmongers' yards;
  - Sites for slaughteryards, brick-kilns;
  - Sites for potteries, ferries, jetties;
  - Sites in thinly-inhabited districts for inns and accommodation-houses;
  - Sites for tramways and for rope-walks.
- The Public Trustee, in his discretion, may issue provisional licenses to occupy any rural land not exceeding two hundred acres for any of the purposes mentioned in section two hundred and twenty-two, for any term not exceeding three years, and the holder of a provisional license may at any time during the currency of the license apply for and, if the Public Trustee see no objection thereto, obtain a lease of the lands held under such license; and such lease shall be granted for any term not exceeding twenty-one years, at such annual rental, in such form, and subject to such conditions as the Public Trustee may determine.
- The Public Trustee may, on the application of any saw-mill proprietor or other person, set aside any block or blocks of timber land, not exceeding in the whole six hundred acres, of which licenses of sections not exceeding two hundred acres each, having regard to the quality of the timber, may be granted to the applicant in terms of the last-preceding section, subject to such conditions as may from time to time be prescribed by regulations.

No license beyond the first shall be issued except on the certificate of some person appointed in that behalf by the Public Trustee, that the marketable timber has been properly cut and cleared off the section previously licensed.

All such timber licenses shall, if the Public Trustee thinks fit, contain a provision to the effect that young marketable-timber trees, not fewer in number than the trees felled by the licensee, shall be properly planted on the area under license.
- Any unlicensed person occupying or using any lands vested in the Public Trustee for any of the purposes before mentioned in this Part of this Act shall, on conviction thereof, be liable to a penalty not exceeding twenty pounds, to be recoverable in a summary way, or imprisonment for a term not exceeding one month.

## Part VII. Reserves.

- The Public Trustee may, from time to time, either by a general or particular description, temporarily set apart as reserves any lands vested in the Public Trustee which, in his opinion, are required for any of the following purposes, namely:—
  - For roads, bridges, ferries, reservoirs, watercourses, drains, embankments, quarries, gravel-pits, shingle-beds; or

For sites of markets, abattoirs, public pounds, baths, wash houses; or

For sites and grounds for schools and hospitals; or

For the, growth and preservation of timber, or for the preservation of the native fauna; or

For gardens, parks, domains, or commons, or for the health, recreation, convenience, or amusement of the people, or for burial-grounds or cemeteries; or

Any land containing thermal, mineral, or other springs which he may think should be so reserved for the public health, or any land wherein or whereon natural curiosities or scenery may exist of a character to be of national interest.

- When any land has been set apart temporarily, notice of such reservation shall be published in the Gazette and sent to the Minister.

At the expiration of one-month, but not later than six months, after the publication of such notice, the lands described therein may, unless the Governor notifies to the Public Trustee that he objects to the setting-apart of such land, be permanently set apart, and notice of such permanent setting-apart shall be published in the Gazette, and failing such permanent setting apart, or in case the Governor objects thereto, any such temporary setting apart shall be void.

- Upon such notices being duly published as aforesaid the lands described in such notices respectively shall become and be dedicated to the purposes for which they were set apart respectively, and may at any time thereafter be conveyed by the Public Trustee with the consent of the Governor in Council to any local authority for such purposes, or disposed of in such other manner as the Public Trustee, with the consent of the Governor in Council, in the public interest may deem best, subject to the condition that they shall be held in trust for the purposes for which they were set apart, unless such purpose be lawfully changed.

## Form Declaration on applying for a Lease under Part III.

I, A.B., do most solemnly and sincerely declare—

- That I am of the age of seventeen years and upwards.
- That I am the person who, subject to the provisions of "The Native Reserves Administration Act, 1893," am applying for the purchase [or am desirous of becoming the transferee or sub-lessee] of a lease of all that [Here describe the land with sufficient particularity to identify it.]
- That I am acquiring: such lease solely for my own use and benefit, and not directly or indirectly for the use or benefit of any other person or persons whomsoever.
- That, including the lands now applied for, I am not the owner tenant, or occupier, directly or indirectly, either by myself or jointly with any other person or persons, of any lands anywhere in the colony exceeding in the whole 2,000 acres of land, inclusive of not more than 640 acres of first-class land.
- That I have not, within one year from the date hereof, surrendered a lease of lands under the above-mentioned Act for a lease whereof I am now applying.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of an Act of the General Assembly of New Zealand intituled "The Justices of the Peace Act, 1882."

A.B.

Declared at, this day of, 189, before me, a Justice of the Peace in and for the Colony of New Zealand.

## Form Declaration on taking a Lease of a Small Grazing-run under Part IV.

I, A.B., do solemnly and sincerely declare—

- That I am of the age of seventeen years and upwards.
- That I am the person who, subject to the provisions of "The Land Act, 1892," am desirous of becoming the purchaser [or am desirous of becoming the transferee] of a lease of the pastoral lands, being all that piece of land [Here describe land with sufficient particularity as to identify it.]
- That I am purchasing such lease solely for my own use and benefit, and not directly or indirectly for the use or benefit of any other person or persons whatsoever
- That I am not already the holder of any lease of pastoral lands in any part of the colony, nor have I any interest in any such lease.

- That I do not own any freehold land, or land held by lease or license of any kind whatever, anywhere in the colony, either by myself or jointly with any other person, which, exclusive of the land I am now purchasing the lease of, will exceed in area 1,000 acres.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of an Act of the General Assembly of New Zealand intituled "The Justices of the Peace Act, 1882."

A.B.

Declared at, this day of, 189, before me, a Justice of the Peace in and for the Colony of New Zealand.