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Acts Affecting Native Lands Etc. (In English and Maori), Passed by the General Assembly, Session 1904.

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- Native Lands Rating.
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# He Ture hei whakatikatika i nga Ture e pa ana ki te Reiritanga o nga Whenua Maori.

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

- Te Ingoa Poto o tenei Ture ko "Te Ture Reiti Whenua Maori, 1904"; a ko ia tetahi wahi, a me korero tahi raua ko, "Te Ture Reiti, 1894" (ka huaina i raro nei ko "te tino Ture").  
Ko tenei Ture me timata tona whai mana i te tahi o nga ra o Aperira, tau tahi mano iwa rau ma rima.
- Nga whenua Maori katoa—  
He Pakeha te kai-noho o runga;  
Kei roto i tetahi paro i tetahi takiwa taone ranei e takoto ana, kaore ranei i nuku atu i te tekau maero te tawhiti i tetahi paro i tetahi takiwa taone ranei;  
Kaore i nuku atu i te rima maero te tawhiti i tetahi rori a te Kawanatanga a te Kaute Kaunihera ranei;  
He mea i riro atu i tetahi tangata i te Karauna ranei, ahakoa i tewhea wa mo te utu totika, i runga i te hoko, i te rihi, i tetahi atu tikanga ranei;  
Kua whaitikanga ano i mua kia utu i te katoa o te reiti;
  - Kua whakakaporeihanatia i raro i te Wahi II. o te Waha-nga II. o "Te Ture Kooti Whenua Maori, 1894;"  
ka tika kia utu i te katoa o te reiti (hui atu ki nga reiti motuhake) e kohia ana i ia wa i roto i te takiwa, i tetahi wahanga ranei o taua takiwa, i tetahi wahi ranei o tetahi takiwa i rohea mo runga mo tetahi moni nama motuhake.
  - Ko era atu whenua Maori katoa, mehemea kua whakataua nga taitara, me hawhe reiti nga reiti hei utunga ma ratou; a mehemea kaore ano nga taitara i whakataua, me watea i nga reiti katoa.  
Engari mehemea e mahara ana te Minita, kei te whakaroa nga Maori whaitake ki tetahi whenua papatupu, kaore e tono kia whaka-wakia nga take, kia kua ai ratou e utu i nga reiti e whakaritea atu nei e tenei Ture, kei reira ina te Minita e tono atu ki te Kooti Whenua Maori kia whakawakia nga take ki te whenua.  
Ko nga whenua Maori katoa kua tau ki te Kai-tiaki mo te Katoa i runga i te ritenga tiaki mo nga Maori, ka tika kia utu reiti i raro i tenei tekiona, a ka kiia ko te Kai-tiaki mo te Katoa te tangata nona aua whenua i runga i nga tikanga o te tino Ture, engari e kore e tika nga reiti hei utu ma aua whenua kia neke atu i nga moni kei roto i ona ringa e pupuri ana mo runga mo aua whenua.
- Ka ahei te Kawana i ia wa i ia wa i runga i te panui i roto i te Gazette me te Kahiti—  
Ki te panui i etahi whenua Maori kaore nei i uru ki roto ki te wahanga-tekiona tahi o te tekiona i runga tonu ake nei, a, e hara i te whenua papatupu, kia utu i te katoa o te reiti;
  - Ki te kape atu i etahi whenua Maori e tika ana kia utu reiti, kia kua e utu i aua reiti i tetahi wahi ranei e ata wha-kaaturia ana o aua reiti, a ko ia panui pera ka ahei kia pa ki tetahi whenua e ata whakahuatia ana i te mea e rawa kore ana nga kai-noho o runga, mo etahi atu tino take ranei, mo etahi tu ahua whenua ranei e whakaaturia ana i roto:  
Engari e kore tetahi kapenga pera e pa ki tetahi reiti kua oti te whakaeke e tetahi ropu takiwa.
- Me whakahau e te Kai-wariu Tianara nga whenua katoa e tika ana kia reititia i raro i tenei Ture kia tuhituhia ki roto ki te rouru-wariutanga o te takiwa i runga i nga tikanga o "Te Ture Wariutanga Whenua

e te Kawanatanga, 1896," i raro ano ra ia i nga tikanga o nga tekiona e toru e whai ake nei.

- Mehemea he whenua kua oti te whakakaporeihana me tuhi-tuhi e te Kai-wariu Tianara ko te ingoa o te tiamana o te kaporeihana ki roto ki te rouru, a me wariu e ia te whenua ano he poraka kotahi.
- Mehemea kua wehewehea te whenua, kua whakatautaua ranei nga hea paanga o ia tangata no ratou te whenua, hei reira me tuhi-tuhi ki roto ki te rouru te ingoa o ia tangata no ratou te whenua me te wariu o tona paanga.
- Mehemea kaore ano te whenua i wehewehea, kaore ano hoki kia whakatautaua nga hea paanga o ia tangata, hei reira me tuhituhi e te Kai-wariu Tianara ki roto ki te rouru nga ingoa o etahi o nga tangata no ratou te whenua (kaua e nuku atu i te kotahi tangata mo ia rua tekau ma rima o nga tangata no ratou te whenua) i runga i tana i whakaaro ai he tika, me te apiti atu i nga kupu nei "i whakaingoatia ko ratou nga Maori kai-noho i te whenua."  
Mo runga i nga tikanga katoa o te tino Ture ko nga Maori i whakaingoatia ko ratou nga kai-noho i te whenua kua meinga ko ratou te whakatinanatanga o nga Maori katoa no ratou te whenua hui atu ki nga kai-noho i te whenua, na reira, ko te tono kia utua nga reiti ka ahei te hoatu ki a ratou ki tetahi ranei o ratou i runga i te huarahi kua whakaritea e te tino Ture ano mehemea nei ko ratou anake nga kai-noho i te whenua, a ko nga reiti kaore ano i utua ka ahei te tono ma ratou e utu, a ko o ratou ingoa me tuhi ki roto ki te hamene me te whakataunga i puta i runga i taua hamene, engari me apiti atu nga kupu nei "i whakaingoatia hei Maori kia-noho i te whenua."  
Ko taua whakataunga me whai mana, a ka taea te whaka-tutuki ki runga ki nga Maori katoa no ratou te whenua hui atu ki nga kai-noho i te whenua, a ka tino whai mana ano hoki ki runga ki te whenua, ano mehemea nei i ata tuhituhia o ratou ingoa ki roto ki taua whakataunga hei kai-karo:
- Ko nga whakataunga e pa ana ki te tangata a Maori whitake, tetahi Maori kainoho ranei, me kaua e whai mana e whakatutuki-tia ranei kia pau ra ano te marama kotahi i muri iho i tona ra i tuhia ai, a kaua ano hoki e whai mana e whakatutukitia ranei, ahakoa i te hea wa, ki te kore e matua whakaetia-a-tuhitullii e te Minita Maori (ka huaina i raro nei ko "te Minita"):  
Engari ko te moni hei utu ma ia Maori no ratou te whenua o ia kai-noho ranei i te whenua (hui atu hoki ki ia kainoho Maori i whakaingoatia) i raro i taua whakataunga ko te moni anake e tika hei utu mana mo nga reiti o tona hea ake o te whenua, apiti atu ki te hea tika hei utu mana o nga moni utu i te whaka-wakanga i whakaurua ki roto ki taua whakataunga.  
Engari hoki, mehemea kaore ano i whakatautaua nga hea paanga o ia tangata i roto i taua poraka, hei reira ko te moni hei utunga i raro i taua whakataunga me utu e nga Maori no ratou te whenua me nga kai-noho i runga i te hea riterite.
- Hei whakakapi mo taua whakaae, ka ahei te Minita, mehemea ki tona whakaaro he mea tika mo nga tangata katoa kia peratia, ki te whakamana i te Kaunihera Takiwa Whenua Maori mo te takiwa kei reira te whenua e takoto ana (ka huaina i raro nei ko "te Kaunihera") ki te whakahaere i te katoa i tetahi wahi ranei o taua whenua, a ina tupono ki ia keehi pera ka mana nga tikanga e whai ake nei:—  
Ko te panui a te Minita i uru ki roto ki te Gazette me te Kahiti, e whakaatu ana kua whakamanaia te Kaunihera ki te whakahaere i te whenua i tetahi wahi motuhake ranei o taua whenua, ka kiiia he whakaatu pono tera kua peratia.  
Me rehita e te Kai-rehita Takiwa Whenua, te kape o taua panui, ina whakaaturia ki a ia tetahi mapi whai mana o te whenua, a hei reira kua tau taua whenua ki te Kaunihera ano i ata whakawhitingia taua whenua ki te Kaunihera i raro i nga tikanga o "Te Ture Whakahaere i nga Whenua Maori, 1900."  
Ko taua whenua me pupuri e te Kaunihera i runga i nga tikanga mo te rihi, mo te wawahi, mo te whakahaere, mo te whakapai, me te nama moni, e whakahuatia ana i roto i taua panui, engari kaua aua tikanga e taupapatu ki nga tikanga o te Ture kua whakahuatia tatatia ake nei, a me whakahaere taua whenua ano he whenua Maori i ata whakawhitingia ki te Kaunihera i raro i nga tikanga o taua Ture, me te whakarereke i nga kupu kia hangai tika ai.  
Me utu te whakataunga e te Kaunihera ki nga moni kei a ia e takoto ana, a me utu e ia ki te ropu takiwa nga reiti katoa e tika ana kia utua i ia wa i ia wa mo te whenua.
- Hei riiwhi mo te tikanga whakahaere i raro i te tekiona i runga tonu ake nei, ka ahei te Minita, i runga i nga moni i whakaritea e te Paremete mo taua mahi, ki te utu atu ki te ropu takiwa i nga moni i huaina i roto i te whakataunga, me nga reiti katoa e tika ana kia utua i ia wa i ia wa mo te whenua.  
Ko te tiwhikete i whakaputaina i raro i te ringa o te Minita hei whakaatu i te utunga o tetahi moni i raro i tenei tekiona, ka tau, ina hoatu ki te Kai-rehita Whenua o te Takiwa, hei arai i te tuku o te whenua i huaina i roto i taua tiwhikete a taea ra ano te ra e utua ai aua moni e unuhia ai ranei taua arai i runga i te ture.
- I te mea kua utua e te Minita etahi reiti, te moni ranei i whakahuatia i roto i tetahi whakataunga mo nga reiti kaore ra i utua wawetia, e tika ana kia utua mo runga mo tetahi poraka whenua, ka ahei te Kooti, ina

whakawakia he tono roherohe, ki te wehe atu i tetahi taha o te poraka, kia rite te wariu ki te huihuinga o nga moni katoa i utua peratia e te Minita mo runga mo taua poraka, a me whakahau i roto i taua ota ko te whenua i wehea peratia atu ra me tau ki te Karauna.

Me tuku atu ki te Kai-rehita Takiwa Whenua tetahi kape totika o aua ota pera katoa, a kei reira me tau ki a te Kiingi te whenua i wehea peratia atu ra, a me watea kia kaua e pangia e te taunaha e te here e te aha ranei

- Ko ia whakatikatikanga i mahia i roto i tetahi rouru-wariutanga i runga i nga kupu o te tekiona rima tae noa ki tekiona whitu o tenei Ture ka ahei kia mahia i raro i te tekiona tekau ma tahi o "Te Ture Whakatikatika i te Ture Wariutanga Whenua e te Kawanatanga, 1900," ano he whakawhitinga i nga tangata whaitake, i nga kai-noho ranei o te whenua.
- Mehemea kua utua ki te kawanatanga takiwa nga reiti mo te katoa o te poraka e te tangata kotahi o roto o nga tangata whaitake tokomaha noatu no ratou tetahi poraka, ka ahei ia ki te tono a hamene kia utua atu ki a ia e ona hoa o roto o taua whenua, te hea tika o ia tangata o ratou i runga i o ratou paanga ki taua poraka.

Mehemea ka kite tetahi kaiwhakawa o te Kooti Whenua Maori, i runga i te tono a tetahi tangata whaitake nama i utu aua reiti, he mea tika kia utua atu etahi taha o aua moni e etahi atu ano o nga tangata whaitake, ma taua Kai-whakawa e tuhi atu tana tiwhikete whakaatu pera atu.

Ko taua tiwhikete pera me tuku atu e te Kai-rehita o te Kooti ki te Kai-rehita Takiwa Whenua, a kei reira me mana hei whakatupato kia kaua e taea te tuku taua whenua e pangia ana e taua tiwhikete, kia utua ra ano nga moni e tika ana ki utua e era atu tangata whaitake, kia unuhia ranei taua kupu whakatupato i runga i ta te ture tikanga.

- Ahakoa tetahi kupu kei roto i te tekiona ono tekau ma tahi o te tino Ture, ka ahei kia whakaputaina he whakataunga mo nga reiti e tika ana kia utua e tetahi Maori whaitake kai-noho ranei i te whenua i roto i te toru tau timata atu i te wa i tau tuatahi ai aua reiti hei utunga.
- Ko te tekiona rua o te tino Ture kua whakatikatikaina i konei i runga i te whakakorenga atu o enei kupu "me nga whenua Maori katoa i te koroni" i roto i te whakamaramatanga o "nga whenua e tan ana hei reititanga" me te whakakorenga atu hoki o te wahi tekau ma tahi o taua whakamaramatanga. Ko te tekiona ono tekau ma waru o te tino Ture, me te tekiona rua o "Te Ture Whakatikatika i te Ture Reiti, 1895," me te tekiona rua tae noa ki te tekiona wha o "Te Ture Whakatikatika i te Ture Reiti, 1896," kua whakakorea e tenei Ture.
- Kaua rawa tetahi kupu o roto i tenei Ture e maharatia kei te hauga huarahi e tau ai kia utu reiti tetahi whenua Maori i kapea ki waho o te whakamaramatanga o "nga whenua e tau ana hei reititanga" o roto o te tekiona rua o te tino Ture i runga i ona whaka-tikanga atu a tenei Ture.
- Ahakoa nga kupu katoa o tenei Ture ko nga Whenua Rahui Maori o Te Waipounamu e nohoia ana e te Maori e kore e tika kia neke atu i te hawhe reiti hei utunga ma ratou.

## He Ture hei whakakore i nga Tiuti Pane Kuini Motuhake e tau ana i mua hei utunga i runga i nga Tukunga Whenua Maori.

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

- Te Ingoa Poto o tenei Ture ko "Te Ture Whakakore i to Tiuti Whenua Maori, 1904."
- Ko nga tiuti i whakataua kia utua i raro i nga tikanga o te Wahi III. o "Te Ture Pane Kuini, 1882," mo runga mo nga tukunga whenua Maori, me kaua e tau kia utua a muri ake nei mo runga mo nga pukapuka tuku whenua Maori e hainatia ana i muri iho i te paahitanga o tenei Ture. Ko nga Ture e whakahuatia ana i roto i te Kupu Apiti e whai ake nei kua whakakorea e tenei Ture, a ka whai mana anake mo runga mo nga pukapuka tuku i hainatia i mua atu i te paahitanga o tenei Ture.

## Kupu Apiti.

1882, No. 16.—"Te Ture Pane Kami, 1882": Wahi III.

1885, No. 40.—"Te Ture Whakatikatika 1885 i te Ture Pane Kuini, 1882": Tekiona 16 me 17.

1886, No. 40.—"Te Ture Whakatikatika i nga Ture Pane Kuini, 1886": Tekiona 5.

1893, No. 26.—"Te Ture Whakatikatika i nga Ture Pane Kuini, 1893": Wahanga-tekiona (2) me (3) o tekiona 2.

1894, No. 40.—"Te Ture Whakatikatika i nga Ture Pane Kuini, 1891": Tekiona 3 me 4.

## He Ture hei whakatikatika i "Te Ture Taonga Maori o Namata, 1901."

Kua Meinga Hei Ture e te Runanga Nui o Niu Tireni e noho huihui ana i roto i te Paramete, i runga ano i tona mana, ara:—

- Te Ingoa Poto o tenei Ture ko "Te Ture Whakatikatika i te Ture mo nga Taonga Maori o Namata, 1904"; a ko ia tetahi wahi o, a me korero tahi raua ko "Te Ture Taonga Maori o Namata, 1901" (ka huaina i raro iho nei ko "te tino Ture")
- Kua whakakorea atu e tenei Ture te tekiona rua o te tino Ture, a kua hoatu ko enei kupu e whai ake nei hei whakakapi mo tera, ara,—

"I roto i tenei Ture mehemea kaore e rereke ana te hangaitanga o nga kupu 'Taonga Maori o Namata,' e uru ana ki enei kupu nga taputapu Maori me nga taonga i hanga e nga Maori ki a ratou kapo-kapo me a ratou whao me era atu o a ratou raweke Maori o namata i runga ano i nga tikanga Maori, hui atu ki era atu taonga me era mea e tika ana kia tiakina paitia hei whakamaharatanga mo nga wa o namata, e pa ana ranei ki nga korero o namata, e ahei ana ranei hei tohu i nga huarahi kimi matauranga e pa ana ki Niu Tireni, engari kaua e pa atu ki nga rakau ki nga tarn ki nga kowhatu ranei."
- Ko ia tangata mehemea kaore ia i matua whakaaetia a tuhituhitia e te Hekeretari mo te Koroni, e tuku ana ki nga whenua kei waho o Niu Tireni i tetahi taonga Maori o namata ka ahei kia whin a ki te whaina kaua e nui atu i te kotahi rau pauua.

Ko te hiahia tuku taonga Maori o namata ki waho o te koroni me whakaatu e te kai-tuku ki te Kai-kohikohi ki tetahi atu apiha tika ranei o te Katimauta, ko taua whakaatu kaua e hoki iho i te rua tekau ma wha haora i mua i te utanga ki runga ki te kaupuke.

Ko ia taonga Maori o namata e tukuna ana ki waho o te koroni ma te huarahi e takahi ana i tenei Ture ka murna a ka tau ki te Kiingi hei painga mo te iwi o Niu Tireni: Engari me ahei te Hekere-tari mo te Koroni ki te whakanoa i taua inurunga peratanga, mehemea kua ata whiriwhiria e ia, a e mahara ana ia he mea tika kia pera.

Ko tenei tekiona hei whakakapi mo te tekiona ono o te tino Ture, a ko tana tekiona kua whakakorea e tenei Ture.
- Me kaua tetahi kupu o roto o te tino Ture o tenei Ture ranei e arai i tetahi tangata kua whakaatu i tetahi taonga Maori o namata hei hoko atu i runga i nga tikanga kua whakaritea i roto i te tekiona wha o te tino Ture ina mauria atu e ia taua taonga Maori o namata ki waho atu o Niu Tireni, mehemea kua riro atu i a ia te whakaae a pukapuka atu a te Hekeretari mo te Koroni.
- Mo ia tono kia whakaaetia tetahi taonga Maori o namata kia haria atu ki waho o te koroni, ka ahei te Hekeretari mo te Koroni, ki te whakaaro ia kia peratia, ki te hanga hei tikanga e whakaaetia ai taua tono me whakaae hoki te tangata nana te taonga Maori o namata kia mahia he tauira, kia whakaahuatia ranei taua taonga i runga i nga huarahi e kitea ana hei peratanga e te tangata e whakahaua ana e te Hekeretari o te Koroni hei pera.

Ko ia tauira pera ka tau ki te Kiinga mo te iwi o Niu Tireni.

## He Ture hei whakarite hei tiaki Kereme Paanga hoki, hei whakatika hoki i nga Ture e pa ana ki nga Whenua Maori.

Kua Meinga Hei Ture e te Runanga Nui o Niu Tireni, e noho huihui ana i roto i te Paramete, i runga ano i tona mana, ara:—

- Te Ingoa Poto o tenei Ture ko "Te Ture Whakarite Kereme Whenua Maori Whakatikatika Ture, 1904"
- I roto i tenei Ture, mehemea ia kaore e taupatupatu ana ki nga tikanga o roto nei,—

"Kooti Whakawa Tuarua" tona tikanga ko te Kooti Maori Whakawa Tuarua i whakaturia i raro i "Te Ture Kooti Whenua Maori, 1894":

"Tumuaki Kai-whakawa" me "Kai-whakawa" ona tikanga ko te Tumuaki Kai-whakawa me tetahi Kai-whakawa o te Kooti Whenua Maori:

"Kaunihera" tona tikanga ko te Kaunihera Whenua Maori i whakaturia i raro i "Te Ture Whakahaere Wheaia Maori, 1900," o te takiwa e takoto ai i roto te whenua e whakahuatia ana:

"Kooti" tona tikanga ko te Kooti Whenua Maori:

"Maori" e rite ana tona tikanga ki tona ahua ano e whakahuatia ai i roto i nga Ture:

"Minita" tona tikanga ko te Minita mo te taha Maori, ko tetahi atu Minita ranei o te Karauna e whakahaere ana i ona mahi:

"Kai-rehita" tona tikanga ko te Kai-rehita Takiwha Whenua o te takiwha e takoto ai i roto te whenua e whakahuatia ana:

"Kooti Whakamana" tona tikanga ko te Kooti i whakaturia i raro i "Te Ture Whenua Maori (Whakamana Take), 1893."

- Notemea kua utua e te Minita etahi mokete mo nga taunaha utu mo nga ruritanga o nga whenua a nga Maori kua whaka-huatia ake nei i te Kupu Apiti Tuatahi ki tenei Ture, kia kua ai e taea te hoko e te tangata kei a ia te mokete, e meinga ana ko aua whenua me tau ki te Kaunihera kia whakahaerea i raro i nga tikanga o "Te Ture Whakahaere Whenua Maori, 1900." me ona Ture whakatikatika, i runga ano i ona huarahi, ano i whakawhitia aua whenua ki te Kaunihera (engari hoki me kua e pa atu enei tikanga ki nga tuku whenua e whaimana ana a i mahia i mua atu o te wa i utua peratia ai ia mokete pera).  
Kei reira me pupuri a me whakahaere aua whenua e te Kaunihera i runga i ona tikanga rihi, roherohe, whakahaere, whakapai, me te nama moui, kaore e takahi ana i nga tikanga o "Te Ture Whakahaere Whenua Maori, 1900," i runga i ta te Minita i whakahau ai i roto i tana panui ki te *Gazette* me te Kahiti; a ko nga moni i utua e te Minita, e mau ake i te Kupu Apiti Tuatahi nei, ko era me tango tuatahi mai i nga moni reti me era atu moni e puta mai ana i aua whenua, a me mana te pukapuka whakaae a te Kaunihera kua utua atu aua moni o te reti era atu moni ranei e puta mai ana i aua whenua.  
Ina pau nga marama e rua i muri i te paahitanga o tenei Ture, a i runga i te tono pera atu a te Minita, me te kore mana ke atu, me rehita e te Kai-rehita ko te Kaunihera te hunga nona aua whenua kia whakahaerea peratia ai.
  - Ko nga tiiti pukapuka ranei mo nga hoko e tiakina ana e nga tikanga o tenei tekiona me tuku atu kia rehitatia i roto i nga marama e rua i muri iho o te paahitanga o tenei Ture, a ki te kore e whakaaetia ki te kore ranei e taea te rehita, kei reira me tuku atu te tiiti te pukapuka ranei, me te apiti atu hoki o te tauira, tuku atu ai ki te Kai-rehita i roto i aua marama e rua, ki te kore me kua rawa e taea te rehita aua tiiti aua pukapuka ranei:  
Engari ki te taea e nga Maori te utu atu i roto i aua marama e rua ki te Minita te katoa o te moni i utua ra e ia, e mau ake i te Kupu Apiti Tuatahi nei, mo aua mokete ra, kei reira me kua nga tikanga o tenei tekiona e pa atu ki te whenua i pangia e taua mokete.
- Notemea, i runga i tona mahara e whai ana ia i nga tikanga o te tekiona rua tekau ma whitu o "Te Ture Whakatikatika Kereme Whenua Maori Whakatikatika Ture, 1901," (e huaina i roto nei ko "taua tekiona rua tekau ma whitu"), i hainatia e taua Nireaha Tamaki tona ingoa ki te pukapuka whakakore i te Whakawa Nama 5496 i huaina ra i reira, a tukuna atu ana e ia kia tuhia rawatia ki te tari o te Hupirimi Kooti i Poneke: A notemea i whaka-taua e te Hupirimi Kooti kihai i whakamutua tikatia e taua pukapuka taua whakawa, a whakaputaina ana te ota whakanoa i taua whakakorenga, me te apiti atu i a Rewanui Apatari hei hoa mo te kai-tono, me te hoatu ma taua Rewanui Apatari e whakahaere taua whakawa: A notemea i timataria a Ereni te Aweawe, i te rua tekau ma tahi o nga ra o Tihema, tau tahi mano iwa rau ma tahi, i roto i te Hupirimi Kooti o Niu Tireni, Takiwa o Poneke, Nama 6894, hei whakawa i a John Holland Baker raua ko John John William Allman Marchant, he kereme pera ano, a he tono whakaoranga pera ano me te kereme a Nireaha Tamaki i roto i taua Whakawa Nama 5495: A notemea kaore ano kia whakawakia aua tono, a kua tuhia e taua Rewanui Apatari me taua Ereni te Aweawe ta raua whakakore i aua tono a kua tuhia ki te tari o te Hupirimi Kooti i Poneke: A notemea i runga i nga mahi i whakahaerea i ia wa e nga kai-tono, kua puta ake te awangawanga, a muri ake nei ranei te puta ake ai te awanga-wanga kei kore ano pea e tino mutu aua whakawa, a he mea tika kia mohiotia tuturutia te korenga atu o aua Whakawa Nama 5496 me te Nama 6894, me era atu whakahaerenga (mehemea ra ia he pera) e tarewa mai nei i roto i tetahi Kooti mo aua tautohe i whakahuatia ra i roto i taua tekiona rua tekau ma whitu e rite ana te tono whaka-puta oranga me era i tonoa ra i roto i aua whakawa, e rite ana ki etahi wahi o aua tono, e meinga ana kua whakamutua, me kore e tau ma aua kai-tono ma tetahi ranei o aua kai-tono e utu nga moni i pau a te kai-tawari a nga kai-tawari ranei o aua Whakawa Nama 5496 me te Nama 6894, a ko nga tikanga o nga wahanga-tekiona kotahi tae atu hui atu hoki ki te tuawha o taua tekiona rua tekau ma whitu e meinga ana i konei e mana tonu ana a me mana tonu ano i tino whakamutua aua whakawa i raro i nga tikanga o taua tekiona rua tekau ma whitu: Engari hoki ko te kupu "kai-tono" o roto o taua

wahanga-tekiona tuawha me pa atu ki taua Nireaha Tamaki me era atu tangata e kitea ana e te Kooti i utu tahi atu ki a ia, i runga ranei i tona mohio me tona whakaae, i nga moni i pau i runga i taua Whakawa Nama 5496.

- Ina whakawakia he tono roherohe mo Parengarenga Nama 5 Poraka, me ahei te Kooti ki te whakauru ki nga ota roherohe i nga ingoa o nga Maori e kitea ana i mahue o ratou ingoa ki waho o te taitara tuatahi o taua Poraka, a me ahei hoki te Kooti ki te whakarite hou ano i nga take whaipanga, me nga taunaha me nga moni e tika ana kia utua, a ko nga tono roherohe kihai nei i whakawakia i mua ka meinga e whaimana tonu ana. Ko aua ota roherohe katoa ka pangia a me haere tahi hoki i runga i te whakawhitinga o te whenua ki te Kaunihera i raro ano i nga tikanga kua whakaritea nei i te tekiona toru o tenei Ture.
- E whakamanaia e whakahaua ana hoki te Kooti kia whiri-whiri ko wai ma nga tangata whaitake ki te whenua e mohiotia nei ko te "Tekiona 1, Poraka V., Takiwa Ruri o Ohinemuri," e tae ana ki te kotahi rau eka nui atu iti iho ranei, i runga ano i te kupu whakaae o te tau tahi mano waru rau waru tekau mo runga mo te tautohe mo te rohe o te Hikutaia Poraka, a me whakaputa he ota pera e te Kooti.  
Ko aua ota pera ka meinga he ota na te Kooti i whakaputaina i te whakawakanga take, a me whakahaere pera ano.
- Ahakoa rereke nga tikanga o era atu Ture e mana mai neit ko te Rahui Maori i te Poraka V., Takiwa Wea o Clyde, e tae ana ki te tahi tekau ma iwa eka rua ruri rua tekau paahi, e mohiotia nei ko "Te Rahui a te Kopu," e puritia mai nei e te Kai-tiaki mo te Katoa kua rehitatia i raro i "Te Ture Whakawhiti Whenua, 1885," ko ia te tangata whaitake ki taua whenua, me whakawhiti e te Kai-tiaki mo te Katoa ki nga Maori e tika ana, e kitea ana ranei e te Kooti Whenua Maori e tika ana mo ratou taua whenua, engari me pa ano ki taua whenua ona riana, utu, taumaha ranei e mana mai nei; a me pupuri taua whenua e nga Maori e whaitikanga ana ki taua wahi, kia tan tuturu ki a ratou ano he whenua Maori, i runga ano i tona tikanga o ena kupu "whenua Maori," kua whakamaramatia i "Te Ture Whakahaere Whenua Maori, 1900," me ona whakatikatikanga, ano i maha atu i te tokorua nga tangata whaitake ki taua whenua i te wa i timata ai te mana o taua Ture.
- Ko tera taha o te Waimarino Poraka kua hokona mai nei e te Karauna i nga Maori, e huaina nei taua wahi ko Tawata, e tae ana ki te kotahi mano rima rau eka, e rahuitia ana i konei mo nga Maori e kitea ana e te Minita i runga i tana whiriwhiringa, a e noho mai nei, kua rana nei nga tau e noho ana i reira, a e noho whenua koie ana; me kua e uru ki taua rahui nga wahi whenua e whakaritea ana e te Minita hei tautoko i te mahi whakahaere tima i te awa o Whanganui, hei wahi nohoanga hoki mo te hunga e haerere ana ma reira. Ko taua whenua e rahuitia nei e tenei Ture me kua e pangia a muri ake nei e nga tikanga o "Te Ture Tiaki mo te Awa o Whanganui, 1891," o nga Panui ranei i whakaputaina i raro i nga tikanga o taua Ture.
- I runga i te whakataimanga a te Komiti mo nga Mea Maori o te Whare Runanga o te Paremete mo runga mo te Pitihana Nama 226 o te tau 1895, a Pirinata te Rito me etahi atu, ko te ota a te Kooti Whenua Maori, o te iwa o nga ra o Aperira, tau tahi mano waru rau iwa tekau ma wha, i whakataua i te whakawakanga o nga take o te Paraumu Poraka, ka meinga e pangia ana e te tono whakawa tuaiua e whakahuatia ra i roto i taua pitihana, a e meinga ana kei te whaimana tonu taua tonu, a kaore ano kia whakanoaina i runga i ta te ture tikanga, a me whakawa i raro ano i nga tikanga o te tekiona iwa tekau ma wha o "Te Ture Kooti Whenua Maori, 1894."
- Kia mana ai te whakataunga a te Komiti mo nga Mea Maori o te Whare Runanga o te Paremete, o te rua tekau ma iwa o nga ra o Hepeterna, tau tahi mano iwa rau ma wha, mo runga mo te pitihana a Ani Kirimana, ko te poraka whenua e huaina nei ko Te Kopuni, e wha ran rima tekau ma wha eka nui atu iti iho ranei, i te Takiwa Ruri o Uawa, e pangia ana e nga tuku kua rehitatia tikatia ki ta te ture, haunga atu nga tuku a wira, engari ano mo te paanga tika ake o te kai-tuku nama te wira, e meinga ana i konei he whenua Maori i runga i tona tikanga kua whakaritea mai i roto i "Te Ture Kooti Whenua Maori, 1894"; a e whakakorea atu ana e tenei Ture te Karauna karaati me nga ota katoa a te Kooti Whenua Maori kua mahi a i mua ake nei mo taua whenua.
- Notemea kua maha ke nga pitihana a nga Maori, kua tukuna mai ki te Paremete whakaatu mai i nga mate kua pa ki a ratou, me nga take e hapa ana ki ta te ture mo runga mo etahi whakariteuga whakataunga ranei a te Kooti Whakamana, a te Kooti Whakawa Tuarua, me te Kooti, mo runga mo nga whenua e ki nei ratou e whaipanga ana ratou ki aua whenua. A notemea i runga i te whiriwhiringa a te Komiti mo nga mea Maori o te Whare Runanga o te Paremete i aua pitihana, i puta te whakatau he mea tika kia ata whiriwhiria ano nga keehi kua whakahuatia ake nei i te Kupu Apiti Tuarua o tenei Ture, kia taea ai te whakatau totika i aua take. No reira, ka meinga hei ture enei take e whai ake nei—ara: Me whaimana te Kawana i runga i tana Ota Kaunihera ki te whakatu Roiara Komihana hei whiriwhiri i nga kereme me nga putake o rpto o aua pitihana kua whakahuatia ake nei i te Kupu Apiti Tuarua ki tenei Ture, me te tohutohu mai i tana huarahi e kite ai he mea tika hei whakarite mo ia keehi. No reira ka meinga hei Ture, ara:—

Me whaimana te Kawana i runga i tona Ota Kaunihera ki te whakatu Roiara Komihana hei whiriwhiri i nga kereme me nga kupu whakaatu mai o roto o nga pitihana kua whakahuatia i roto i taua, Kupu Apiti Tuarua, me te tuku mai i ana kupu tohutohu mai mo ia keehi, i runga i tana i kite ai e tika ana mo ia keehi. Ko ia kupu tohutohu pera mai me whakatakoto ki te aroaro o te Paremete i tona wa tata rawa e taea ai; a me mana tenei Ture hei kupu whakaputato kia kaua ai e taea te rehita etahi atu tukunga e pa ana ki ana whenua, kia kaua ai hoki e taea te whakaputa he ota e puritia mai ana e te Kooti, kia oti ra ano i te Kawana te whakarite he tikanga mo runga mo te kupu tohutohu mai a te Roiara Komihana mo runga mo ia keehi i runga i nga tikanga kua whakaritea ake nei.

- Notemea ko nga whenua kua whakahuatia ki te Kupu Apiti Tuatoru e man ake nei, i rahuitia i raro ano i nga tikanga o te Ture e mana ana i ia wa mo ana tu mahi, mo nga Maori kua ata whakaritea, mo nga Maori o etahi iwi, etahi hapu ranei, mo etahi ranei o ratou: A notemea kaore ano kia whakaputaina he Karauna karaati tetahi atu pukapuka whaitaketanga ranei mo etahi o ana whenua, a e kiia ana ko nga Karauna karaati i whakaputaina mo etahi o aua whenua kaore i whakaputaina mo te katoa o nga tangata i rahuitia ai mo ratou aua whenua: Notemea hoki kua roherohea e te Kooti Whenua Maori etahi o aua whenua me te mahi ota whakatu kai-riiwhi, me etahi atu ota mo aua whenua; Notemea hoki e tika ana kia ata whakataua kia whakatuturutia hoki nga take ki aua whenua; kua meinga hei Ture, enei tikanga, ara,—  
Me whaimana te Kooti, i runga i te to no a te Minita a tetahi tangata ranei e ki ana e whaitake ana ia, ki te whiriwhiri me te whakatau ko wai ma nga tangata i rahuitia ai aua whenua hei painga mo ratou, me te whakatau i nga paanga o aua tangata me te whakatu kaiwhakakapi mo nga tangata kua mate atu, me te whakaeke here, ritenga tikanga ranei i runga i te ahuatanga o ia keehi, me te ahei ano te tono whakawa tuarua ki te Kooti Whakawa Tuarua. Me whaimana hoki te Kooti ki te whakahau kia whakaputaina he taitara hou, me te whakamana, whakatika, whakarereke, whakakore atu ranei i nga taitara kua whakaputaina i mua, me nga ota, me nga whakataunga kua mania i mua e te Kooti ahakoa i whaimana ki te pera kaore ranei. Ko ia ota a te Kooti, ki te kore e whakarereketia e whakakorea ranei i runga i te whakawa tuarua, me nga ota a te Kooti Whakawa Tuarua e mahia ana i runga i nga tikanga o tenei tekiona, me whaimana, ahakoa nga tikanga o "Te Ture Tiaki Take, 1902," o tetahi atu Ture ranei e mana mai nei, a me tika kia rehitatia ano he ota na te Kooti i mahia i raro ano i ona mana. Ka ahei te Kooti, te Tumnaki Kai-whakawa ranei ki te whakahoki whakamuri i te ra hei timatanga mai mo te taitara e whakataua ana i runga i nga tikanga o tenei tekiona.
- Notemea e kiia ana ko nga whenua e mohiotia nei ko te Rota 22, Parihi o Rangitaiki, Rota 337, Parihi o Waioeka, me te Rota 340, Parihi o Waioeka, i rahuitia, i meatia ranei kia rahuitia i nga whenua i tangohia i raro i nga tikanga o "Te Ture whakanohonoho Whenua, 1863," i raro ranei i nga tikanga o etahi atu Tare e pa ana ki nga whenua raupatu, kia waiho hei painga nao nga Maori: A notemea hoki kaore ano kia whakaputaina he Karauaa karaati, he pukapuka whaitaketanga ranei mo aua whenua, a kua puta ake te awangawanga mehemea ia hei painga mo wai ma tangata i rahuitia ai aua whenua, i meatia ai ranei kia rahuitia, a he mea tika kia whakamaramatia ake tona tikanga No reira ka meinga hei Ture, ara:—  
Me whaimana te Kooti ki te whiriwhiri i aua rahuitanga, i aua whakaritenga ranei kia rahuitia, me te rapu i ona tikanga mo ia keehi, me te rapu me te whakatau ko wai ma nga tangata (mehemea ia he pera) e tika ana kia whakaputaina ki a ratou he Karauna karaati he pukapuka whaitaketanga ranei, me o raton hea whaipaaanga ki aua whenua me te whakaatu i nga here, me nga ritenga, me nga tikanga (mehemea ra he pera) me pa ki aua whenua, me te watea ano o te tono whakawa tuarua ki te Kooti Whakawa Tuarua. Ko nga ota e mahia ana e te Kooti i a ia e whakahaere ana i nga mana e tukuna atu ana i runga i nga tikanga o tenei tekiona, e mahia ana ranei e te Kooti Whakawa Tuarua i runga i te tono whakawa tuarua, ka meinga he ota i whakaputaina i runga i te whakawa take, a me ahei kia rehitatia kia pewheatia ranei ano he pera.
- Notemea kua tukuna mai etahi kupu tohutohu mai a nga Komihana i whakaturia e te Kawana hei whiriwhiri tikanga mo Te Akau Poraka, e mau mai nei aua kupu i roto i te Pukapuka o te Paremete G-1, tau 1904: A notemea e tika ana kia whakaotia tuturutia nga tautohe mo Te Akau Poraka: No, reira, ka meinga hei ture, kia ahci te Tumuaiki Kai-whakawa, i te mea kua whiriwhiria e ia i roto i te Kooti e puare ana ki te katoa, ki te whakamana i nga kupu tohutohu mai a aua Komihana, me te whakarereke, whakangawari, whakatikatika ranei i runga i tana i mahara ai he mea tika; a ko ia ota e mahia ana e te Tumuaiki Kai-whakawa i raro i tenei tekiona ka meinga he ota na te Kooti Whakawa Tuarua a me whakamana ano he pera.
- Notemea ko etahi tuku a rihi o etahi roherohenga o te Rahui Maori i Kaiapoi kua mahia i mua ake nei e etahi tangata i maharatia ra kua tau ki a ratou he whaitaketanga ki aua whenua i runga i nga wira a etahi o nga tangata whaitake o mua kua mate atu nei: Notemea hoki kua whakataua i muri mai nei e te Hupirimi Kooti ko tetahi tukunga a wira (a Mikaera Turangatahi, kua mate atu nei taua tangata, a i whaitake ia ki te tekiona 31, Rahui Maori i Kaiapoi) kaore i whaimana: A notemea e tika ana kia tiakina nga kai-tango rihi i mahi tika ra ratou i runga i to ratou mahara e whaimana ana taua mahi: Kua meinga ko aua rihi katoa

kua whakaotia e te tangata i tau ki a ia te whenua i raro i te wira a tetahi tangata whaitake pera kua mate atu nei, me whaimana ano me pa atu hoki ki nga tangata kua kitea ko ratou te hunga tika kia tau ki a ratou te hea te whaipaaanga ranei o te tangata whaitake kua mate atu ra, ano na ratou ake i mahi aua riihi.

- • Notemea, kua korerotia, i te wa i hokona ai te Murihiku Poraka i whakataua e Komihana Matara ki a Taiaroa (matua o te Honore Hori Kerei Taiaroa) tetahi whenua kotahi rau eka i Milford Haven (Piopiotahi), engari hoki na etahi raruraru i kore ai e taea te whakatuturu taua whakataunga: No, reira, ka meinga hei Ture, nga tikanga e whai ake nei, ara:—

Kia taea ai te utu a moni, me kua i te whenua hei whakaea mo nga kereme a nga uri o Taiaroa, me ahei te Kawana ki te whakahau i nga Kai-whakawa tokorua o te Kooti Whenua Maori ki te whiriwhiri i taua take me te ripoata mai,—

Mehemea e tika ana taua korero a e pono ana taua kereme; a, ki te pera,

Mehemea e tika ana a te Honore Hori Kerei Taiaroa kia riro mana taua whakataunga; a

He aha te utu tika o taua whenua i te wa ano i whakataua mai ai, a he aha hoki te utu tika a te wa e whiriwhiria ai.

Ko te ripoata a aua Kai-whakawa me tuku atu ki te aroaro o te Paremete i roto i nga ra kotahi tekau o muri tata tonu iho o te timatanga o te huihuinga o te Paremete, e hui tuatahi mai ana a muri o te paahitanga o tenei Ture, a me kua e whakahaere he tikanga mo taua take kia ata whiriwhiria ra ano e te Paremete.

- Ko te tekiona tekau ma whitu o "Te Ture Whakatikatika i nga Ture Whenua Maori, 1895," e whakatikaina ana e tenei Ture, ano i whakatikaina mai i te wa i paahitia ai taua Ture, ara ka apitiria atu ki taua tekiona enei kupu "te kaiwhakakapi ranei o tetahi tangata whaitake kua rehitatia."
- Kua whakatikaina e tenei Ture te tekiona rima o "Te Ture Whakatikatika Kereme Whenua Maori, Whakatikatika Tore, 1901," ara ka whakaurua atu enei kupu "whanaunga tata ranei" ki muri o te kupu "uri."
- Kua e taea te tono, a ka meinga kihai i taea te tono he utu pane kuini mo runga mo tetahi tieki utu moni i tuhia i whakaputaina i raro i nga tikanga o te tekiona wha tekau ma waru o "Te Ture Whakahaere Whenua Maori, 1900," mo runga ranei mo tetahi ota, riihiiti ranei i tukuna e te Kaunihera mo te taha ranei ki te Kaunihera, i raro i nga tikanga o taua Ture, mo runga ranei mo nga riihiiti mo nga moni i whakahokia ki nga kai-tono kihai i whakaritea a raton tonu, mo runga ranei mo nga tiiti mo nga pukapuka whakawhiti whenua ranei ki te Kaunihera ahakoa pewhea te take i tukuna atu ai.
- I te mea kua whakawhiti atu he whenua ki te Kaunihera i raro i nga tikanga o "Te Ture Whakahaere Whenua Maori, 1900," me panui e te Kawana ki te *Gazette* me te *Kahiti* te whakaatu kua whakawhiti: A ina tae atu ki te Kai-rehita te whakaatu atu me te taura o te *Gazette* me te *Kahiti* i panuitia ai ki roto, hui atu ki nga ota a te Kooti, a te Kaunihera ranei (mehemea he pera) whakatau i nga take ki te whenua, me nga ota whakatu kai-riiwhi e pa atu ana, kei reira me rehita ko te Kaunihera te hunga whaitake ki te whenua, a me tuhi aua ota hei tohu mo te rironga kia tiakina mo nga Maori a whakahuatia ana o ratou ingoa i roto, i raro ano i nga tikanga o te tekiona tahi rau rua tekau ma rua o "Te Ture Whakawhiti Whenua, 1885," a kei reira me pupuri me whakahaere taua whenua e te Kaunihera, i raro anoi aua ritenga me aua tikanga tiaki: Engari me kua e whakaputaina e te Kaunihera he riihi e rite ana ki te riihi whaimana haere tonu pera me era kua whakahuatia mai ra i roto i "Te Ture Whenua, 1892," me ka kore e whakaaetia e te Kawana i runga i te whakaatutanga kia mohio mai it, na te kino o te whenua na te matara ke atu ranei i kore ai e taea to tuku i runga i tetabi atu huarahi.
- Ki te pooti tetahi mema o te Kaunihera mo runga mo tetahi putake e whiriwhiria ana e te Kaunihera, a e pa atu ana ia ki aua take, ahakoa pa atn a ia ake, pa atu ranei ma waho ke, me mutu tona tuunga mema, a me kua ia e ahei kia pootitia hontia mai, kia whakaturia houtia mai ranei i roto i nga tau e toru o muri atu. Ko te tiwhikete a te Tumuaki o te Kaunihera hei tohu tnturu kua mahi pera, te mema ra.
- Ko ia mema e tango ana e tono ana ranei kia utua ki a ia he utu mona mo tona whakahaerenga, utu komihana, utu pewhea ranei mo tetahi putake e whakahaerea ana e te Kaunihera, ina whakataua tona hara i te aroaro o tetahi Kai-whakawa Takiwa, ka tika kia utu i te whiu kia kua e hipa ake i to utunga tuaruatitiga i te moni i utua peratia atn ki a ia, i tonoa atu ranei kia utua atu ki a ia, apiti atu hoki te whiu ki te whareherehere, me te whiu ranei ki te whareherehere mo tetahi wa kia kua e roa atu i te toru marama, me te whakawhiwhi ki te mahi taimaha me te kore mahi ranei, ina kore e utua te moni kua whakataua hei whiu niona.
- Ko te Kooti Whakamana, me te Kooti Whakawa Tuarua, me te Kooti, me te Tumuaki Kai-whakawa, me te Kai-rehita e whakamanaia ana e whakahaua ana hoki kia mahi i nga mahi katoa e tika ana hei whakahaere hei whakamana hoki i nga tikanga o tenei Ture.

## Kupu Apiti.



## Kupu Apiti Tuatahi.

## Kupu Apiti Tuarua.

### **Nga Pitihana whakaatu i nga mate e kiia ana kua pa ki nga Kaipitihana me nga Hapanga o te Ture i runga i nga Whakataunga o mua a nga Kooti.**

- Pitihana Nama 188, o te tau 1896; a Wi Pere me etahi atu.—E inoi ana kia whakaurua etahi ingoa e kiia ana i mahue ki waho o nga pukapuka whaitaketanga ki te Kopaatuaki Poraka. (J 96/1287.)
- Nga Pitihana Nama 371, o te tau 1899, me te Nama 236, o te tau 1900; a Te Uranga Potae me etahi atu, me Harata Poiwa me etahi atu.—Inoi kia ara he whakawa tuarua mo te whiriwhiringa take ki Motu-o-te-Ra Poraka. (J. 00/897.)
- Pitihana Nama 139, o te tau 1900; a Waraki Tukorehu me etahi atu,—Inoi kia ara he whakawa tuarua mo te whiriwhiringa take ki Te Kauri Nama 2b Poraka, Takiwa o Kawhia.
- Nga Pitihana Nama 178 me te Nama 647, o te tau 1900; a Ngarere Pamariki me etahi atu.—Inoi ki ara he whakawa tuarua mo a ratou kereme i raro i nga tikanga o te wahanga-tekiona (10) o te tekiona 14 o "Te Ture Kooti Whenua Maori, 1894," kia tu ratou hei tangata whaitake ki te Wharekauri Nama 1 Poraka, Wharekauri Moutere. (J. 00/856.)
- Nga Pitihana Nama 241 me 619, o te tau, 1901; a Hakiaha Tawhiao me etahi atu, me Miriama Kahukarewao, mo ratou ko tona hapu, o Tauinarunui.—E inoi ana kia ata whiriwhiria kia whakatikaina nga ota a te Kooti Whakawa Tuarua whakatau i nga tangata whaitake ki Whatitokorua rua Poraka. (J. 02/1266.)
- Pitihana Nama 1187, o te tau 1901; a Tipene Matua me etahi atu,—Inoi kia ara he whakawa tuarua mo te whiriwhiringa bake ki Manawaangiangi Poraka. (J. 01/1298.)
- Pitihana Nama 105, o te tau 1902; a Rangipaia Ngamare, o Te Namu, Opunake.—E inoi ana kia ata whiriwhiria ano nga, ota o te Kooti Whakawa Tuarua me te Kooti mo nga whaipanga o Wiremu Kiingi Matakatea kua mate, ka i taea ai te whakanoa aua ota, me te whakaputa ota hou ki a ia (ki te kai-pithana). (J. 02/928.)
- Pitihana Nama 298, o te tau 1902; a Te Kono te Aho, o Mercer.—E inoi ana kia ara ano he whakawa mo nga ota i mahia e te Kooti Whenua Maori mo runga mo nga whaipanga o Takerei te Aho, kua mate, i te Rota 79, Parihi o Whangamarino: me Peti te Aho, kua mate, i te Rota 18, Parihi o Te Onewhero; Rota 348, Parihi o Taupiri; Rota 21, Parihi o Whangape; me te Rota 62, Parihi o Koheroa. (J. 03/1080.)
- Pitihana Nama 269, o te tau 1902; a Erueti Tamaikoha me etahi atu. E inoi ana kia ata whiriwhiria ano te ota roherohe mo Tahora Nama, 2a, i te mea e kiia ana i mahi whakawai tetahi tangata i te aroaro o te Kooti Whakamana i te wa i roherohea ai taua whenua. (J. 03/1081.)
- Pitihana Nama 390, o te tau 1902; a Mereana Matuarei, o Rahotu.—E inoi ana kia whakakorea atu te ota a te Kooti Whakawa Tuarua whakatau i nga kaiwhakakapi mo Hamuera te Punga Eangiuru, kua mate, i te Mokotunu Gape Poraka, a kia whakaturia ko ia hei kaiwhakakapi mo te tupapaku. (J. 03/1456.)
- Pitihana Nama 433, o te tau 1902; a Taonui Hikaka me etahi atu, o Taumarunui.—E inoi ana kia ata whiriwhiria ano kia whakarereketia hoki nga ota a te Kooti "Whakawa Tuarua whakatau i nga take ki Pukuweka Poraka. (J. 02/1266.)
- Pitihana Nama 7, o te tau 1903; a Areta te Eato, o Wairoa, Haki Pei.—E inoi ana kia ara ano he whakawa mo te ota i mahia o te Kooti Whenua Maori, i raro i nga tikanga o "Te Ture Take Tika, 1886," nana ra i whakauru tahi atu i etahi atu Maori hui atu ki nga tangata whaitake tika mai o te tuatahi ki nga pukapuka whaitaketanga ki to Poutaka Poraka, i te Takiwa o Wairoa, Haki Pei. (J. 03/1083.)
- Pitihana Nama 368, o te tau 1903; a Kerei te Otatu, o Wairoa, Haki Pei.— E inoi ana kia ara ano he whakawa mo tona kereme ko ia anake hei tangata whaitake mo te Wharepu Nama 1 Poraka, Takiwa o Wairoa, Haki Pei, i whakaurua atu nei etahi atu tangata Maori tokomaha noatu i raro i nga tikanga o te wahangatekiona (10) o te tekiona 14 o "Te Ture Kooti Whenua Maori, 1894." (J. 03/1148.)
- Nga Pitihana Nama 653 me te Nama 766, o te tau 1903; a Tiki Morena me etahi atu.—Inoi kia whiriwhiria atu ano nga take whaipanga ki Taumata-o-te-o Poraka. (J. 03/1295.)
- Pitihana Nama 654, o te tau 1903; a Arapata Hapuku me etahi atu.—Inoi kia whakakorea atu nga ota roherohe mo Waihua Nama 1 me Nama 2 Poraka, a kia roherohea houtia atu ano. (J. 03/1296.)
- Pitihana Nama 688, o te tau 1903; a Mutu te Ake me etahi atu.—Inoi kia ara he whakawa tuarua mo te

- whiriwhiringa take ki Papa-o-karewa e huaina ana hoki ko Kawhia M Poraka. (J. 03/1330.)
- Pitihana Nama 759, o te tau 1903; a Hare Teimana me etahi atu.— Inoi kia mahia mai he Ture kia watea ai ratou ki te whakatuturu i no ratou kereme ki Maungatautari Poraka, Takiwa o Waikato. (J. 04/1390.)
- Pitihana Nama 728 o te tau 1903; a Tuta Nihoniho, mo te taha ki te hapu o Nga Tangihaere.—E inoi ana kia ara ano he whakawa mo te whiriwhiringa o nga take ki Ngamoe Poraka, i te mea kihai i tika te whakataunga. (J. 03/1498.)
- Pitihana Nama 802, o te tau, 1903; a Mohi Tuahu. Inoi kia ara he whakawa tuarua mo te whiriwhiringa take ki Ohuia Nama 1 Poraka, ara tetaui taha o Eaekahu Poraka. (J. 03/1257.)
- Pitihana Nama 854, o te tau, 1903; a Kararaiua Kaimoana me etahi atu.—Inoi kia whakakorea atu te whakataunga a te Kooti Whakawa Tuarua mo a ratou kereme kia whakaurua ratou hei tangata whaitake ki te Hereheretau B Poraka i raro i nga tikanga o te wahanga-tekiona (10) o te tekiona 14 o "Te Ture Kooti Whenua Maori, 1894," a kia whakahaua he whakawa tuarua mo a ratou kereme (J. 04/1112.)
- Pitihana Nama 500, o te tau, 1904; a Eonga Hamana me tetahi atu.—Inoi kai ara he whakawa tuarua mo te take ki Te Kiwi Poraka, Takiwa o Haaki Pei (J. 03/1321.)

## Kupu Apiti Tuatoru.

# He Ture hei Whakatikatika i etahi kupu o te Ture.

Kua Meinga Hei Ture e te Runga Nui o Niu Tireni e noho huihui ana i roto i te Paremete, i runga ano hoki i tona mana, ara:—

- Te Ingoa Poto o tenei Ture ko "Te Ture Whakatikatika Ture, 1904."
- I te mea kua whakamanaia tetahi Wira, kua whakaputaina ranei te pukapuka whakamana kia whakahaerea nga tikanga o roto o tetahi Wira me te apiti atu o te taura o te Wira, me katia e taea te whakanoa tana Wira i runga i te take penei, ara, i pangia kahatia e te mate, i pouau ranei te tangata nana taua Wira, i runga ranei i te kupu he mea whakawehiwehi i mahia ai taua Wira, ina whakahaerea he whakawa e timataria ana i te mea kua pahure nga tau tekau ma rua i muri i te whakamananga o te Wira, te whakamananga ranei kia whakahaerea nga tikanga o roto o te Wira: Engari me kua e whaimana tenei tekiona kia pahure ra ano nga marama tekau ma rua o muri o te paahitanga o tenei Ture.

## New Zealand. Analysis.

- title
- Short Title. Date of Act coming into operation.
- Certain Native lands liable to full rates. Certain lands liable to one-half only, or exempt. Limit of exemption in case of papatupu land. Lands vested in Public Trustee in trust for Natives.
- Governor may declare lands to be liable to rates; or to be exempt.
- Rateable lands to be entered on valuation-roll.
- Incorporated lands, how entered.
- Partitioned lands, how entered.
- Unpartitioned lands, how entered. Nominated occupiers may be sued.
- Judgment for rates not to be enforced without consent of Minister.
- Maori Council may administer lands on default of payment of rates.
- Minister may pay rates and lodge caveat.
- Court to set aside land equal in value to rates paid by Minister. Land so set aside to vest in Crown.
- Alterations in roll, how made.
- Rates paid on behalf of several owners may be recovered.
- Time for recovering judgment for rates extended.
- Repeals.
- Saving of exemptions.
- Native Reserves in Middle Island.

[8th November, 1904.

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

- The Short Title of this Act is "The Native Land Rating Short Title Act, 1904"; and it shall form part of and be read together with "The Rating Act, 1894" (hereinafter referred to as "the principal Act").  
This Act shall come into operation on the first day of April, Date of Act coming into operation. one thousand nine hundred and five.
- All Native land—Certain; Native lands liable to full rates.
  - Of which there is a European occupier; or
  - That is situate in a borough or town district, or within ten miles of any part thereof; or
  - That is situate within five miles of any Government or county road; or
  - That has been at any time acquired by purchase, lease, or in any other way for valuable consideration from any person or from the Crown; or
  - That has at any time been liable for full rates; or
  - That is incorporated under Part II. of Division II. of "The Native Land Court Act, 1894";—
    - shall be liable to the full amount of rates (including special rates) from time to time levied in the district, or any subdivision thereof, or in any part of the district defined for the purposes of any special loan.
  - Certain lands liable to one-half only, or exempt. All other Native lands shall, if the title thereto has been ascertained, be liable to be rated to one-half only of the amount of such rates; or, if the title thereto has not been ascertained, shall be exempt from all rates:
    - Limit of exemption in case of papatupu land. Provided that if the Minister is of opinion that the owners of any land the title to which has not been ascertained are delaying to make application to ascertain the title to the land, for the purpose of avoiding the liability to rates imposed by this Act, he shall apply to the Native Land Court to ascertain the title to such land.
    - Lands vested in Public Trustee in trust for Natives. All Native lands vested in the Public Trustee in trust for Natives shall be liable to be rated under this section, and the Public Trustee shall be deemed to be the owner thereof within the meaning of the principal Act, but shall be liable only to the extent of the funds in his hands available in respect of any such lands.
- Governor may declare lands to be liable to rates.
  - The Governor may from time to time by notice in the *Gazette* and *Kahiti*—
    - Declare any Native lands not within subsection one of the last preceding section, and not being papatupu land, to be liable to full rates: or
    - Or to be exempt. Exempt any Native lands liable to rates from all or any specified part of such rates, and any such notice may apply either to any specified land on account of the indigent circumstances of the occupiers or for other special reason, or to any specified class of lands:
      - Provided that no such exemption shall affect any rate already made by any local authority.
- Rateable lands to be entered on valuation-roll. The Valuer-General shall cause all lands liable under this Act to be rated to be entered on the district valuation-roll in accordance with the provisions of "The Government Valuation of Land Act, 1896," subject to the provisions of the three next succeeding sections.
- Incorporated lands, how entered. If the land is incorporated land, the Valuer-General shall enter on the roll the name of the chairman of the corporation, and shall value the land as one block.
- Partitioned lands, how entered. If the land is partitioned, or the relative interests of the owners have been defined, then the names of each owner and the value of his interest shall be entered on the roll.
- Unpartitioned lands, how entered.
  - if the land is not partitioned, or the relative interests of the owners have not been defined, then the Valuer-General shall enter on the roll the names of such of the owners (not exceeding one for every twenty-five owners) as he think fit, with the addition of the words "as nominated Native occupiers"
    - Nominated occupiers may be sued.(2.)For all the purposes of the principal Act the nominated Native occupiers shall be deemed to represent all the Native owners and occupiers, and accordingly the demand for payment of the rates may be delivered to them or any one of them in the manner prescribed by the principal Act as if they were the sole occupiers, and rates in arrear may be recovered against them, they being designated in the summons and in the judgment thereon by their own names, with the addition of the words "as nominated Native occupiers."
    - Such judgment shall operate and may be enforced against all the Native owners or occupiers, and also against the land, as fully and effectively as if their names were specifically set forth therein as defendants.
- No judgment against a Native owner or occupier for nonpayment Judgment for rates not to be enforced without consent of Minister. of rates shall operate or be enforced until the expiration of one

month after the entry thereof, nor shall it operate or be enforced at any time without the previous consent in writing of the Native Minister (hereinafter called "the Minister"):

Provided that the liability of each such Native owner or occupier (as also of each of the nominated Native occupiers) under such judgment shall be limited to the amount due by him in respect of the rates of his own share of the land, together with a proportionate part of the costs included in the judgment:

Provided further that if the relative shares in the block are not ascertained, then the liability under the judgment shall be borne by the Native owners and occupiers in equal shares.

- In lieu of granting such consent the Minister, if he deems it expedient in the interests of all parties so to do, may authorise the District Maori Land Council of the district within which the land is situated (hereinafter referred to as "the Council") to administer the whole or any part of the land, and in any such case the following provisions shall apply:—
  - A notice by the Minister in the *Gazette* and *Kahiti* that the Council is authorised to administer the land or any specified portion thereof shall be conclusive evidence of the fact.
  - The District Land Registrar shall, upon production of an approved plan of the land, register a copy of such notice, and thereupon the land shall be vested in the Council as if the same had been duly transferred to the Council under the provisions of "The Maori Land Administration Act, 1900."
  - The land shall be held by the Council upon such terms as to leasing, cutting up, managing, improving, and raising money upon the same, not being inconsistent with the provisions of the last-mentioned Act, as may be specified in such notice, and shall be dealt with in the same manner, *mutatis mutandis*, as Maori lands duly transferred to the Council under the provisions of the said Act.
  - The Council shall, out of any funds at its disposal, satisfy the judgment, and shall pay to the local authority all rates from time to time becoming due in respect of the land.
- In lieu of proceeding under the last preceding section the Minister may pay rates and lodge caveat. The Minister may, out of moneys appropriated by Parliament for the purpose, pay to the local authority the amount of the judgment, and any rates from time to time becoming due in respect of the land.
  - A certificate under the hand of the Minister of the payment of any moneys under this section shall, on being forwarded to the District Land Registrar, have the effect of a caveat against any dealing with the land the subject of the certificate until such moneys are paid or until such caveat is lawfully removed.
- Court to set aside land equal in value to rates paid by Minister. Where the Minister has paid any rates, or the amount of any judgment for rates in arrear, payable in respect of any block of land, the Court may, when any application for partition is heard, set aside a portion of the block equal in value to the aggregate amount of all moneys so paid by the Minister in respect of the block, and shall by order declare the portion so set aside to be vested in the Crown.
  - Land so set aside to vest in Crown. A certified copy of every such order shall be filed with the District Land Registrar, and thereupon the land so set aside shall vest in His Majesty free from all charges and encumbrances.
- Alterations in roll, how made. Alterations in roll, how made. Every alteration made in any valuation-roll in accordance with sections five to seven hereof may be made under section eleven of "The Government Valuation of Land Act Amendment Act, 1900," as if it were a change in the ownership or occupancy of the land.
- Rates paid on behalf of several owners may be recovered.
  - Where one of several owners of any block of land has paid to a local authority any rates due in respect of the whole block, he may recover against the other owners their due proportion of the amount so paid, according to the respective shares of each such owner in the block.
  - If it appears to a Judge of the Native Land Court, on the application of any owner who has paid any such rates, that any other owners are liable to contribute any part of the same, such Judge may give his certificate accordingly.
  - Such certificate shall be forwarded by the Registrar of the Court to the District Land Registrar, and shall thereupon have the effect of a caveat against any dealing with the land the subject of the certificate until the amount that such other owners are liable to contribute is paid, or until such caveat is lawfully removed.
- Time for recovering judgment for rates extended. Notwithstanding anything in section sixty-one of the principal Act, judgment for rates due may be given against any Native owner or occupier at any time within three years from the time when the rates first became due.
- Repeals.
  - Section two of the principal Act is hereby amended by repealing the words "and all Native lands in the colony" in the definition of "rateable property," and also by repealing paragraph eleven of that definition.

Section sixty-eight of the principal Act, section two of "The Rating Act Amendment Act, 1895," and sections two to four of "The Rating Act Amendment Act, 1896," are hereby repealed.

- Saving of exemptions. Nothing herein shall be construed so as to render any Native land liable to rates that is exempted from the definition of "rateable property" contained in section two of the principal Act as amended by this Act.
- Native reserves in Middle Island. Notwithstanding anything in this Act, the Native reserves in the Middle Island occupied by Maoris shall not be liable to more than half rates.

## New Zealand. Analysis.

- Title.
- Short Title.
- Abolition of Native land duties. Schedule.

8th November, 1904.

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

- The Short Title of this Act is "The Native Land Duty Short Title. Abolition Act, 1904."
- The duties on the alienation of Native land imposed Abolition of Native land duties. under Part III. of "The Stamp Act, 1882," shall not be chargeable in respect of any instrument executed after the passing of this Act.
- The enactments mentioned in the Schedule hereto are hereby repealed, save as to instruments executed before the passing of this Act.

## Schedule. Schedule.

1882, No. 16.—"The Stamp Act, 1882": Part III.

1885, No. 40.—"The Stamp Act 1882 Amendment Act, 1885": Sections 16 and 17.

1886, No. 40.—"The Stamp Acts Amendment Act, 1886": Section 6.

1893, No. 26.—"The Stamp Acts Amendment Act, 1893": Subsections (2) and (3) of section 2.

1894, No. 40.—"The Stamp Acts Amendment Act, 1894": Sections 3 and 4.

## New Zealand Analysis.

- Title.
- Short Title.
- Repeal. Interpretation.
- Exporting Maori antiquities without permission. Repeal.
- Power to remove antiquities under certain conditions.
- Right to copy of antiquity intended to be exported.

18th October, 1904.

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

- The Short Title of this Act is "The Maori Antiquities Act Short Title. Amendment Act, 1904"; and it shall form part of and be read together with "The Maori Antiquities Act, 1901 "(hereinafter referred to as "the principal Act").
- Section two of the principal Act is hereby repealed, and the Repeal. following is enacted in lieu thereof:—

"In this Act, if not inconsistent with the context, the term Interpretation. 'Maori antiquities' includes Maori relics, articles manufactured with ancient Maori tools and according to Maori methods, and all

other articles or things of historical or scientific value or interest and relating to New Zealand, but does not include any botanical or mineral collections or specimens."

- Every person who, without the express permission in writing of the Colonial Secretary, exports from New Zealand any Maori antiquity is liable to a fine not exceeding one hundred pounds.  
Notice of the intention to export any Maori antiquity shall be given by the exporter to the Collector or other proper officer of Customs at least twenty-four hours before shipment.  
Any Maori antiquity entered for export contrary to this Act shall be forfeited, and shall vest in His Majesty for the use of the people of New Zealand: Provided that the Colonial Secretary may, after inquiry, cancel the forfeiture if he think fit.  
This section is in substitution for section six of the principal Repeal. Act, which section is hereby accordingly repealed.
- Power to remove antiquities under certain conditions. Nothing in the principal Act or in this Act shall be deemed to prevent any person who has offered any Maori antiquity for sale as provided by section four of the principal Act removing such Maori antiquity from New Zealand, provided that he has obtained the permission in writing of the Colonial Secretary.
- Right to copy of antiquity intended to be exported.  
On any application for permission to export any Maori antiquity the Colonial Secretary may, if he thinks fit, make it a condition to the granting of the application that the owner of the antiquity allow it to be copied, by photography, cast, or otherwise, in such manner and by such *person* as the Colonial Secretary directs.  
Every such copy shall be the property of His Majesty for the use of the people of New Zealand.

## New Zealand. Analysis.

- Title.
- Short Title.
- Interpretation.
- Certain lands over which Minister has discharged survey mortgages vested in Council.
- Actions by Nireaha Tamaki and others to be deemed effectively discontinued.
- Certain Natives may be added to Parengarenga No. 5 Block owners.
- Court to ascertain owners of Section 1, Block V., Ohinemuri Survey District.
- Te Kopu's Reserve to be transferred to beneficiaries.
- Tawata reserved for certain Natives.
- Paraumu Block subject to rehearing.
- Te Kopuni Block declared to be Native land.
- Commissions may be appointed to investigate certain claims.
- Jurisdiction of Court extended.
- Court authorised to investigate ownership of certain lands reserved for Natives.
- Report of Royal Commission *re* Te Akau Block to be dealt with by Chief Judge.
- Leases Kaiapoi Native Reserve protected.
- Provision for inquiry into claims of Hori Kerei Taiaroa to land at Milford Haven. 17. Section 17 of "The Native Land Laws Amendment Act, 1895," amended.
- Section 5 of "The Native Land Claims Adjustment and Laws Amendment Act, 1901," amended.
- Cheques and deeds under "The Maori Lands Administration Act, 1900," exempt from stamp duty.
- Notice of transfer of land to Council to be published in *Gazette* and *Kahiti*.
- Penalty for member of Council voting when directly interested.
- Penalty for member of Council receiving fee or reward.
- Courts and officials authorised to carry out provisions of Act. Schedules.

## An Act to adjust and protect Claims and Interests in, and to amend the Laws relating to, Maori Lands. Title.

[8th November, 1904.

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

- The Short Title of this Act is "The Maori Land Claims Short Title. Adjustment and Laws Amendment Act, 1904."
- In this Act, if not inconsistent with the context,—Interpretation.
  - "Appellate Court" means the Native Appellate Court constituted by "The Native Land Court Act, 1894"
  - "Chief Judge" and "Judge" mean respectively the Chief Judge and a Judge of the Native Land Court:
  - "Council" means the Maori Land Council constituted under "The Maori Lands Administration Act, 1900," of the district in which the land referred to is situated:
  - "Court" means the Native Land Court:
  - "Maori" and "Native" are synonymous terms, used respectively to follow the language of the Acts referred to in which they occur:
  - "Minister" means the Minister of Native Affairs, or any other Minister of the Crown acting on his behalf; "Registrar" means the District Land Registrar of the district in which the land referred to is situated: "Validation Court" means the Court constituted by "The Native Land (Validation of Titles) Act, 1893."
- Certain lands over which Minister has discharged survey mortgages vested in Council. Whereas the Minister has heretofore discharged mortgages derived through survey liens over the lands owned by Natives and enumerated in the First Schedule hereto, in order to prevent the sale by the mortgagee of the equity of redemption: It is hereby enacted that the said lands are (subject to all valid dealings which had taken place prior to the date on which each mortgage was so discharged) vested in the Council for the purpose of being administered under the provisions of "The Maori Lands Administration Act, 1900," and its amendments, in the same manner as if such lands had been transferred to the Council.
  - ¶ The lands shall thereupon be held and administered by the Council, upon such terms as to leasing, cutting up, managing, improving, and raising money upon the same, not being inconsistent with the provisions of the last-mentioned Act, as may be declared by the Minister by notice published in the *Gazette*" and *Kahiti*; and the amount paid by the Minister in each case, as set out in the said Schedule, shall be a first charge on the rents and profits accruing from the said lands, and the receipt of the Council alone shall be a valid discharge in respect of all such rents and profits.
  - ¶ The Registrar shall, at any time after the expiration of two months from the date of the passing of this Act, at the request of the Minister in each case, and without further authority, register the Council as the proprietor of such lands for the purposes of administration as aforesaid.
    - All unregistered deeds or instruments in respect of dealings which are protected by the provisions of this section shall be presented for registration within two months from the date of the passing of this Act, or, if such registration is not permissible or feasible, then the deed or instrument, together with a certified copy thereof, shall be deposited with the Registrar within the said period of two months, otherwise any such deed or instrument shall not afterwards be capable of registration:
      - Provided that if the Natives in any case shall within the said period of two months repay to the Minister the total amount paid by him, as set out in the said Schedule, in respect of any mortgage, the provisions of this section shall not apply to the land which was the subject of such mortgage.
- Actions by Nireaha Tamaki and others to be deemed effectively discontinued. Whereas, purporting to act in pursuance of the provisions of section twenty-seven of "The Native Land Claims Adjustment and Laws Amendment Act, 1901" (hereinafter called "the said section twenty-seven"), the therein-named Nireaha did sign a discontinuance of the therein-mentioned action numbered 5496, and did cause the same to be filed in the office of the Supreme Court at Wellington: And whereas the Supreme Court subsequently decided that the said action was not thereby duly and effectively discontinued, and made an order setting aside the said discontinuance and joining as plaintiff in the said action one Rewanui Apatari, and giving to the said Rewanui Apatari the conduct of the said action: And whereas one Ereni te Aweawe, on or about the twenty-first day of December, one thousand nine hundred and one, commenced an action in the Supreme Court of New Zealand, Wellington District, numbered 6894, against John Holland Baker and John William Allman Marchant, claiming the same or substantially the same relief as was claimed by the said Nireaha Tamaki in the said action numbered 5496: And whereas neither of the said actions has been brought to trial, but each of the said Rewanui Apatari and Ereni te Aweawe has filed a discontinuance in

the office of the Supreme Court at Wellington: And whereas, in consequence of the proceedings from time to time taken by the plaintiffs, doubts have arisen, or may hereafter arise, as to whether the said actions have been duly and effectively discontinued, and it is expedient to remove such doubts: Be it therefore enacted that the said action numbered 5496, and the said action numbered 6894, and all other actions and proceedings (if any) now depending in any Court relating to the disputes mentioned in the said section twenty-seven wherein the same relief is claimed as is claimed in either of the said actions, or any part of such relief, shall be deemed to have been and to be duly and effectively discontinued, on the terms that the plaintiffs shall not, nor shall any of them, be liable to pay the costs of the defendant or defendants in the said actions numbered 5496 and 6894, and the provisions of subsections one to four inclusive of the said section twenty-seven are hereby declared to be and the same shall continue in full force and operation as if such actions had been duly and effectively discontinued as provided by the said section twenty-seven: Provided, however, that the words "the plaintiff" in the said subsection four shall mean the said Nireaha Tamaki and such other persons as the Court is satisfied contributed through him, or with his knowledge and consent, to the costs of the said action numbered 5496.

- On the hearing of any application for the partition of Parengarenga Certain Natives may be added to Parangarenga No. 5 Block owners. No. 5 Block the Court may include in the partition orders the names of any Natives shown through any cause to have been wrongly omitted from the original title, and the Court may revise the relative interests and all liens and charges accordingly, and any application for partition heretofore informally disposed of shall be deemed to be still subsisting. Every such partition order shall be subject to the transfer of the land to the Council, as provided by section three hereof.
- The Court is hereby authorised and directed to ascertain who Court to ascertain owners of Section 1, Block V., Ohinemuri Survey District. are the persons entitled to the land known as Section ], Block V., Ohinemuri Survey District, containing one hundred acres, more or less, under and in pursuance of a promise made in the year one thousand eight hundred and eighty in connection with a boundary dispute affecting the Hikutaia Block, and to, and to make order or orders accordingly.  
Every such order shall be deemed to be an order of the Court made on investigation of title, and shall be dealt with accordingly.
- Te Kopu's Reserve to be transferred to beneficiaries. Notwithstanding anything in any Act now in force to the contrary, the Public Trustee shall, subject to any existing liens, charges, or encumbrances, transfer to the Native beneficiaries, as are or may be ascertained by the Native Land Court, the Native reserve situated in Block V., Clyde Survey District, containing nineteen acres two roods twenty perches, known as "Te Kopu's Reserve," and now held by the said Public Trustee as registered proprietor under "The Land Transfer Act, 1885"; and the said Native beneficiaries shall thereafter hold the land as an estate of inheritance in fee-simple, as Maori land as defined by "The Maori Lands Administration Act, 1900," and its amendments, owned by more than two owners at the coming into operation of that Act.
- Tawata reserved for certain Natives. The portion of the Waimarino Block heretofore acquired from the Natives by the Crown, known as Tawata, and containing about one thousand five hundred acres, is hereby reserved for the use and occupation of such of the Natives as the Minister may after due inquiry decide, and who are and have been for several years past residing thereon, and are more or less landless; such reservation shall exclude all sites and easements which the Minister shall decide are necessary for or in connection with the navigation of the Wanganui River and the accommodation of the travelling public. The land hereby reserved shall hereafter cease to be affected by the provisions of "The Wanganui River Trust Act, 1891," or any Proclamation purporting to have been issued thereunder.
- Paraumu Block subject to rehearing. In pursuance of the report of the Native Affairs Committee of the House of Representatives on Petition No. 226 of 1895, of Piriniti te Rito and others, the orders of the Native Land Court dated the ninth day of April, one thousand eight hundred and ninety-four, made on investigation of title of the Paraumu Block shall be deemed to be subject to the application for rehearing referred to in the said petition, and the said application shall be deemed to be duly subsisting and not lawfully disposed of, and shall be dealt with in accordance with the provisions of section ninety-four of "The Native Land Court Act, 1894."
- Te Kopuni Block declared to be Native land. To give effect to the recommendation of the Native Affairs Committee of the House of Representatives dated the twenty-ninth day of September, one thousand nine hundred and four, on the petition of Ani Kirimana, the block of land known as Te Kopuni, containing four hundred and fifty-four acres, more or less, situated in the Uawa Survey District, is, subject to the protection of all lawful registered dealings otherwise than by devise, except as to the equitable interest of the deviser, hereby declared to be Native land as defined by "The Native Land Court Act, 1894"; and the Crown grant and all orders of the Native Land Court heretofore made relating to the said land are hereby cancelled accordingly.



- Commissions may be appointed to investigate certain claims.

Whereas numerous petitions from Natives, setting out alleged grievances and miscarriages of justice in relation to former adjudications and judgments of the Validation Court, the Appellate Court, and the Court, in connection with lands in which they claim to have been interested, have heretofore been presented to Parliament: And whereas the Native Affairs Committee of the House of Representatives has, on the consideration of such petitions, recommended that further inquiries should be made in connection with the cases set out in the Second Schedule hereto, "with a view to their being finally determined according to the equities of each: Be it therefore enacted as follows:—

It shall be lawful for the Governor by Order in Council to appoint one or more Royal Commissions to investigate the claims and allegations set out in the petitions referred to in the said Second Schedule, and to make such recommendations as appear to accord with the equities of each case. Every such recommendation shall be laid before Parliament on as early a date as possible; and this Act shall operate as a caveat against the registration of any further dealings with the said lands, or the issue of any orders still remaining in the custody of the Court, until Parliament has dealt with the recommendation in each case.

- Whereas, in pursuance of the provisions of the law for the Jurisdiction of Court extended. time being in force in that behalf the lands named in the Third Schedule hereto were reserved for the benefit of ascertained Natives or of the members or some of the members of certain tribes or hapus: And whereas no Crown grant or other instrument of title has been issued in respect of some of the said lands, and it is alleged that the Crown grants issued in respect of others of the said lands were not issued in favour of the whole of the persons for whose benefit the reservations were respectively made: And whereas the Native Land Court has from time to time partitioned certain of the said lands and made succession and other orders in relation thereto: And whereas it is desirable that the titles to the said several lands should be definitely ascertained and secured: Be it therefore enacted as follows:—

Subject to the right of appeal to the Appellate Court, the Court shall have jurisdiction, on the application of the Minister or of any person claiming to be interested therein, to inquire and determine who were the persons for whose benefit the said lands were respectively reserved, to determine the relative interests of such persons and to appoint successors to the interests of such of them as may be dead, and to impose such restrictions, conditions, or limitations as the circumstances of each case may require. The Court shall also have jurisdiction to order the issue of new instruments of title, and to validate, amend, vary, or annul any instrument of title heretofore issued, or any order, judgment, or decision heretofore made or given by the Court with or without jurisdiction. Every order of the Court, unless varied or annulled on appeal, and every order of the Appellate Court made under the provisions of this section shall, notwithstanding the provisions of "The Land Titles Protection Act, 1902," or any other Act now in force, be valid and effective, and be capable of registration in the same manner as any other order of the Court made within the limits of its jurisdiction. The Court or the Chief Judge may antevest any title so determined under the provisions of this section.

- Whereas it is alleged that the pieces of land called or known Court authorised to investigate ownership of certain lands reserved for Natives. as Lot 22, Parish of Rangitaiki; Lot 337, Parish of Waioeka; and Lot 340, Parish of Waioeka were reserved or intended to be reserved for the benefit of Natives out of lands taken under "The New Zealand Settlements Act, 1863," or other Acts relating to confiscated lands: And whereas no Crown grant or instrument of title has issued in respect of any of the said pieces of land, and doubts have arisen as to the persons for whose benefit the said alleged reservations were made or intended, and it is desirable that such doubts should be removed: Be it therefore enacted as follows:—

Subject to the right of appeal to the Appellate Court, the Court shall have jurisdiction to inquire into the matter of the said alleged reservations or intentions, and, having regard to the circumstances of each case, to ascertain and determine who are the persons (if any) to whom Crown grants or other instruments of title should issue, and their relative interests in the said pieces of land respectively, and subject to what (if any) restrictions, conditions, or limitations the same should be held. Orders made by the Court in exercise of the jurisdiction conferred by this section, or by the Appellate Court on appeal, shall be deemed to be orders made on investigation of title, and may be registered and otherwise dealt with accordingly.

- Report of Royal Commission re Te Akau Block to be dealt with by Chief Judge. Whereas the Royal Commission appointed by the Governor to make inquiry concerning the block of land known as Te Akau has made certain recommendations in connection with the said block, such recommendations being contained in Parliamentary Paper G.-1, 1904: And whereas it is expedient that a final settlement of all disputes in connection with the said Te Akau Block should be arrived at: Be it therefore enacted that the

Chief Judge, after due inquiry in open Court, may confirm the recommendations of the said Commission, with such variation, modification, or amendment as may seem to him necessary or desirable; and any order made by the Chief Judge under this section shall be deemed to be an order of the Appellate Court, and shall take effect accordingly.

- Leases Kaiapoi Native Reserve protected. Whereas certain dealings by way of lease of certain subdivisions of the Kaiapoi Native Reserve have heretofore been executed by persons supposed to have derived an interest in the land through devise by deceased former owners: And whereas it has since been decided by the Supreme Court that the devise in one of such cases (Mikaera Turangatahi, a deceased owner in Section 31, Kaiapoi Native Reserve, taken as a test case) is inoperative: And whereas it is equitable and expedient that the lessees who acted in good faith in such cases should be protected: It is hereby enacted that every lease heretofore execute'd by the devisee under the will of any deceased owner as aforesaid shall be as valid and binding on the persons found to be entitled to the share or interest of such deceased owner as if they had been parties thereto: Provided that all rents or moneys payable or to become payable in respect of such share or interest shall be paid to the persons found as aforesaid to be entitled to succeed to such share or interest.
- Provision for inquiry into claims of Hori Kerei Taiaroa to land at Milford Haven.
  - Whereas it has been alleged that on the purchase by the Crown of certain land known as the Murihiku Block there was awarded by Mr. Commissioner Mantell to one Taiaroa (father of the Honourable Hori Kerei Taiaroa) an area of one hundred acres of land at Milford Haven, but that owing to difficulties that arose it was found to be impossible to give effect to the award: Be it therefore enacted as follows:—

The Governor, with a view to the payment of compensation in money in lieu of land in satisfaction of any claim by the descendants of the said Taiaroa, may direct two Judges of the Native Land Court to inquire into the matter and to report,—

Whether the said allegation is correct and the claim valid; and, if so,

Whether the Honourable Hori Kerei Taiaroa is entitled to the benefit of the award; and

What was the cash value of the land at the time of the award, and what is the cash value at the time of the inquiry.

The report of the said Judges shall be laid before Parliament within ten days after the commencement of the session next after the passing of this Act, and no action shall be taken thereon until Parliament has considered the same.
- Section seventeen of "The Native Land Laws Amendment *Section 17 of "The Native Land Laws Amendment Act, 1895," amended.* Act, 1895," is hereby amended, as from the date of the passing thereof, by the addition at the end of the section of the words "or the successor of a registered proprietor."
- Section five of "The Native Land Claims Adjustment and Section 5 of "The Native Land Claims Adjustment and Laws Amendment Act, 1901," amended, Laws Amendment Act, 1901," is hereby amended by the insertion of the words "or next of kin" after the word "descendants."
- Stamp duty shall not be chargeable nor be deemed to be chargeable on any cheque drawn and issued under the provisions of section forty-eight of "The Maori Lands Administration Act, 1900," nor on any order or receipt given by or on behalf of the Council under any of the provisions of the said Act, nor upon any receipt for deposits returned to unsuccessful tenderers, nor upon deeds or instruments pertaining to the transfer of lands to the Council for any purpose whatsoever.
- When any land has been transferred to the Council under Notice of transfer of land to Council to be published in Gazette and Kahiti. the provisions of "The Maori Lands Administration Act, 1900," the Governor shall publish in the Gazette and *Kahiti* a notice of the transfer, a description of the land, and the conditions upon which it has been transferred; and the Registrar, upon being served with such notice and copies of the *Gazette* and *Kahiti* in which it is published, together with the orders of the Court or the Council (if any) determining the ownership of the land, and all succession orders affecting the same, shall register the Council as the proprietor of the land, and shall record the said orders as notice of a trust on behalf of the Natives named therein, as provided by section one hundred and twenty-two of "The Land Transfer Act, 1885," and the Council shall thereupon hold and administer such land, subject to the said conditions and trust: Provided that no lease equivalent to a lease in perpetuity as defined by "The Land Act, 1892," shall be granted by the Council without the consent of the Governor on its being shown to his satisfaction that the land is of such inferior quality or is so situated as not to be disposable on any other tenure.
- Penalty for member of Council voting when directly interested. If any member of the Council shall vote on any question under consideration by the Council in which he is directly interested, his seat shall thereupon become vacant, and he shall not be capable of being re-elected or reappointed for a period of

three years. The certificate of the President that any Maori member has so voted shall be conclusive evidence of the fact.

- Penalty for member of Council receiving fee or reward. Any member who shall receive or demand any agency fee, commission, gratuity, remuneration, or reward in respect of any matter dealt with or to be dealt with by the Council shall, on conviction before a Stipendiary Magistrate, be liable to a fine not exceeding twice the amount so received or demanded, and in addition, or in default, to imprisonment, with or without hard labour, for a period not exceeding three months.
- Courts and officials authorised to carry out provisions of Act. The Validation Court, the Appellate Court, the Court, the Chief Judge, and the Registrar are hereby authorised and directed to perform all acts necessary to give effect to and carry out the provisions of this Act.

## **Schedules. Schedules.**

### **First Schedule.**

### **Second Schedule.**

## **Petitions setting out Alleged Grievances and Miscarriages of Justice in relation to Former Adjudications of the Courts.**

- 1. Petition No. 188 of 1896; Wi Pere and others.—Praying that an alleged omission by the Native Land Court of certain names from the title to the Kopaatuaki Block may be rectified. (J. 96/1287.)
- 2. Petitions Nos. 371/1899 and 236/1900; Te Uranga Potae and others, and Harata Poiwa and others.—Praying for a rehearing in connection with the investigation of title for the Motu-o-te-ra Block. (J. 00/897.)
- 3. Petition No. 139 of 1900; Waraki Tukorehu and others.—Praying for a rehearing in connection with the investigation of title of Te Kauri No. 2b Block, Kawhia District.
- 4. Petitions Nos. 178 and 647 of 1900; Ngarere Pamariki and others.—Praying for a rehearing of their claims under the provisions of subsection (10) of section 14 of "The Native Land Court Act, 1894," as equitable owners in the Wharekauri No. 1 Block, Chatham Islands. (J. 00/856.)
- 5. Petitions Nos. 241 and 619 of 1901; Hakiha Tawhiao and others, and Miriama Kahukarewao on behalf of self and hapu, all of Taumarunui.—Praying that the orders of the Appellate Court determining the ownership of Whatitokoruft Block may be reviewed and vatiad. (J. 02/1266.)
- 6. Petition No. 1187 of 1901; Tipene Matua and others.—Praying for a rehearing in connection with investigation of title for the Manawaangi Block. (J. 02/1266.)
- 7. Petition No. 105 of 1902; Rangipaia Ngamare, of Te Namu, Opunake.— Praving that orders of the Appellate Court and the Court affecting the estate of Wiremu Kingi Matakatea, deceased, may be reviewed with a view to their being set aside, and orders in his (the petitioner's) favour substituted. (J. 02/928.)
- 8. Petition No. 298 of 1902; Te Kono te Aho, of Mercer.—Praying for a rehearing in connection with succession orders made by the Native Land Court in respect of the interests of the late Takerei te Aho in Lot 79, Parish of Whangamarino, and of the late Peti te Aho in Lot 18, Parish of Te Onewhero, Lot 348, Parish of Taupiri, Lot 21, Parish of Whangape, and Lot 62, Parish of Koheroa. (J. 03/1080)
- 9. Petition No. 269 of 1902; Erueti Tamekoha and others.—Praying that the partition of Tahora No. 2a may be revised, in consequence of alleged misrepresentations made to the Validation Court at the time it effected the said partition. (J. 03/1081.)
- 10. Petition No. 390 of 1902; Mereana Matuarei, of Eahotu.—Praying that the order of the Appellate Court determining successors to Hamuera te Punga Rangiuuru, deceased, in the Mokotunu Cape Block may be quashed, and that she may be declared the successor to the deceased. (J. 03/1456.)
- 11. Petition No. 433 of 1902; Taonui Hikaka and others, of Taumarunui.— Praying that the orders of the Appellate Court determining the ownership of Pukuweka Block may be reviewed and varied. (J. 02/1266.)
- 12. Petition No. 7 of 1903; Areta te Rito, of Wairoa, Hawke's Bay.—Praying for a rehearing in connection with an order made by the Native Land Court, under the provisions of "The Native Equitable

Owners Act, 1886," by which a number of other Natives were admitted with the original grantees into the title for the Potaka Block, near Wairoa, Hawke's Bay. (J. 03/1083.)

- 13. Petition No. 368 of 1903; Kerei te Otatu, of Wairoa, Hawke's Bay.—Praying that his claim to be sole owner of the Wharepu No. 1 Block, near Wairoa, Hawke's Bay, into the title for which a number of other Natives have been admitted under the provisions of subsection (10) of section 14 of "The Native Land Court Act, 1894," may be further investigated. (J. 03/1148.)
- 14. Petitions Nos. 653 and 766 of 1903; Tiki Morena and others.—Praying for further investigation into ownership of the Taumata-o-te-O Block. (J. 03/1295.)
- 15. Petition No. 654 of 1903; Arapata Hapuku and others.—Praying that the partition orders in connection with Waihua Nos. 1 and 2 Blocks may be cancelled and a fresh partition granted. (J. 03/1296.)
- 16. Petition No. 688 of 1903; Mutu te Ake and others.—Praying for a rehearing in connection with investigation of title for the Papa-o-karewa or Kawhia M Block. (J. 03/1330.)
- 17. Petition No. 759 of 1903; Hare Teimana and others.—Praying that legislation may be introduced to give them an opportunity of proving their claims to the Maungatautari Block, Waikato District. (J. 04/1390.)
- 18. Petition No. 728 of 1903; Tuta Nihoniho, on behalf of the Nga Tangihaere Hapu.—Praying for a rehearing in connection with the investigation of title of the Ngamoe Block, on the grounds of an alleged miscarriage of justice. (J. 03/1498.)
- 19. Petition No. 802 of 1903; Mohi Tuahu.—Praying for rehearing in connection with investigation of the title of the Ohuia No. i Block, part of Raekahu Block. (J. 03/1257.)
- 20. Petition No. 854 of 1903; Kararaina Kaimoana and others.—Praying that the decision of the Appellate Court on their claim to be admitted as equitable owners into the title for the Hereheretau B Block under the provisions of subsection (10) of section 14 of "The Native Land Court Act, 1894," may be annulled and a rehearing of their claim ordered. (J. 04/1112.)
- 21. Petition No. 500 of 1904; Ronga Hamana and another.—Praying for rehearing in connection with title of Te Kiwi Block, Hawke's Bay District. (J. 03/1321.)

## Third Schedule.

# New Zealand. Analysis.

- Title.
- Short Title.
- Discharge of debt by acceptance of part in satisfaction.
- Judgment against one of several persons jointly liable not a bar to action against others.
- Executor not personally liable for covenants in lease.
- Limitation of time within which wills may be impeached.
- Jurisdiction as to costs in administration suits.
- Court empowered to grant special relief in cases of encroachment. Jurisdiction of inferior Courts.
- Voluntary conveyances, if *bond fide*, not to be voided under 27 Elizabeth, c. 4.
- Court may relieve against forfeiture in certain cases.
- Power to trustees to spend and borrow.

[18th October, 1904.

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

- The Short Title of this Act is "The Law Amendment Act, Short Title. 1904."
- An acknowledgment in writing by a creditor, or by any Discharge of debt by acceptance of part in satisfaction. person authorised by him in writing in that behalf, of the receipt of a part of his debt in satisfaction of the whole debt shall operate as a discharge of the debt, any rule of law notwithstanding.
- A judgment against one or more of several persons jointly Judgment against one of several persons jointly liable not a bar to action against others. liable shall not operate as a bar or defence to an action or other proceeding against any of such persons against whom judgment has not been recovered, except to the extent to which the judgment has been satisfied, any rule of law notwithstanding.

- An executor or administrator shall not be personally liable for covenants in lease. on any covenant entered into by a testator or intestate as a lessee of land, any rule of law notwithstanding.
- No will of which probate has been granted, or in respect of Limitation of time within which wills may be impeached. which letters of administration, with will annexed, have been granted, shall be declared or adjudicated to be invalid on the ground of the want of testamentary capacity in the testator, or undue influence, in any action or other legal proceeding commenced after the expiration of twelve years from the date of the granting of such probate or letters of administration: Provided that this section shall not come into force until twelve months after the passing of this Act.
- Jurisdiction as to costs in administration suits. In any action or other proceeding for the administration or any estate, commenced after the passing of this Act, no Court or Judge shall have jurisdiction to order or allow payment of costs out of the estate to the party responsible for the commencement or continuance of such action, unless the Court or Judge first certifies that there were reasonable grounds for the action being commenced or continued, and then only to the extent to which such continuance was necessary.
- Court empowered to grant special relief in cases of encroachment.
 

Where in any action or other proceeding in the Supreme Court relating to land it appears to the Court that the defendant or any of his predecessors in title has, in the erection of a building upon any land adjoining the land in question, encroached upon such last-mentioned land, and it shall be proved to the satisfaction of the Court by or on behalf of the defendant that such encroachment was not intentional or did not arise from gross negligence, then the Court, instead of ordering the defendant to give up possession of the piece of land so encroached upon, or to pay damages, or instead of granting an injunction, may give the defendant the right of retaining possession of the piece of land so built upon, subject to the payment of such sum or sums of money, and to such other conditions, as the Court thinks just.

Jurisdiction of inferior Courts. Any District Court or Magistrate's Court shall have jurisdiction to exercise the power conferred upon the Supreme Court by this section in any case where the value of the land, without the buildings thereon, does not exceed the amount to which the jurisdiction of such District Court or Magistrate's Court is limited in civil cases: Provided that a defendant intending to invoke the powers hereby given to any such Court shall give notice of such intention to the other party before the hearing, and the plaintiff shall thereupon be entitled, as of right, to have the action removed into the Supreme Court, or to appeal to the Supreme Court against any order purporting to be made by the District or Magistrate's Court under this section.

Any order made under this section shall thereupon be transmitted by the Court to the District Land Registrar, or Registrar of Deeds, as the case may be, for registration.
- Subject as hereinafter mentioned, no voluntary conveyance of any lands, tenements, or hereditaments, whether made before or after the passing of this Act, if in fact made *bond fide* and without any fraudulent intent, shall hereafter be deemed fraudulent or covinous within the meaning of the Act passed in the twenty-seventh year of the reign of Elizabeth, intituled "An Act against Covinous and Fraudulent Conveyances," by reason of any subsequent purchase for value, or be defeated under any of the provisions of the said Act of Elizabeth by a conveyance made upon any such purchase, any rule of law notwithstanding.
 

This section shall not apply in any case in which the author of a voluntary conveyance of any lands, tenements, or hereditaments has subsequently, but before the passing of this Act, disposed of or dealt with the same lands, tenements, or hereditaments to or in favour of a purchaser for value.

The expression "conveyance" includes every mode of disposition mentioned or referred to in the said Act of Elizabeth.
- The power of the Supreme Court under section twenty-five of Court may relieve against forfeiture in certain cases. "The Supreme Court Act, 1882," to grant relief against forfeiture in certain cases shall extend to and may be exercised in the case of—
  - A sublease or agreement for a tenancy of land; or
  - An agreement for a renewal or extension of a tenancy of land where the person claiming relief is in possession of the land, or the rents and profits thereof, under any deed or writing containing any absolute or conditional right to such renewal *or* extension.
- With the leave of the Supreme Court, the trustees Power to trustees to spend and borrow. under any deed or will may from time to time expend a portion of the capital of the trust property on the improvement or development thereof, and may, with the like leave and for the like purpose, borrow moneys on the security of the trust property or any part thereof:
 

Provided always that the total amount so borrowed shall not exceed in any case one-half of the value of the said trust property.

In this section "trustees" includes executors and administrators.

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