



SUPPLEMENT

TO THE

NEW ZEALAND GAZETTE

OF

THURSDAY, AUGUST 16, 1906.

Published by Authority.

WELLINGTON, FRIDAY, AUGUST 17, 1906.

Rules of Procedure laid down by District Maori Land Boards.

Native Department,
Wellington, 16th August, 1906.

IT is hereby notified for general information that the several District Maori Land Boards constituted under "The Maori Land Settlement Act, 1905," have resolved and agreed to adopt and lay down a general mode of procedure to be followed, where applicable or appropriate, in respect of applications for approval of lease, or for recommendation to His Excellency the Governor to remove restrictions or consent to sale or mortgage.

Forms of application can be obtained from this office.

H. F. EDGER,
Under-Secretary.

PROCEDURE LAID DOWN BY DISTRICT MAORI LAND BOARDS
UNDER "THE MAORI LAND SETTLEMENT ACT, 1905."

1. ALL applications to the Board are to be sent to the Under-Secretary for Native Affairs, Wellington.

2. Applications are to be made in duplicate, on the forms set out in the Schedule hereto, and to be accompanied by the enclosures therein referred to, also in duplicate, viz.,—

- (1.) Particulars of the title to the land. (Form N-C.)
- (2.) Certified copy of the latest Government valuation of the land.
- (3.) Declaration (under section 26) by the proposed purchaser or lessee, showing also other lands owned by him. (Form N-D.)
- (4.) Schedule of other lands owned by intending Maori vendors or lessors. (Form N-E.)
- (5.) Preliminary agreement for sale or lease, if any.

3. All applications will be notified in the *Gazette* and *Kahiti* for hearing at a time and place to be specified in such notice, not being less than fourteen clear days after the publication of the notice. Such notice will be issued under the authority of the President of the Board for the district.

4. Where the land the subject of any application is in the possession or occupation of any person other than the applicant, the Board will, if so requested, hear such person in possession or occupation on the matter of the said application, and take such evidence as may be adduced by him;

and, in the case of an application relating to sale or mortgage, will, when forwarding its recommendation to the Governor, attach thereto a copy of such evidence, together with such recommendation (if any) in regard thereto as the Board deems fit.

5. The Board will not entertain a bare proposal to lease, but will require the application to be supported by a lease or a preliminary agreement to lease signed by a sufficient number of the Maori owners to guarantee its *bona fides*.

6. If the Board decides to approve a proposed lease, such approval will in the first instance be provisional only; the formal approval will not be indorsed on the lease until it has been fully signed, as hereinafter set out.

7. The Board may fix a period, not exceeding six months, within which the signing of the lease by the Maori owners must be completed. At any time after the expiration of such fixed period, if the signatures of all the Maori owners have not been obtained, the Board may (1) refuse its formal approval, or (2) grant further time for the obtaining of the signatures outstanding (including successors to deceased owners), or (3) approve the lease for that area of the block represented by the shares or interests of the Maori owners who have signed.

8. Where there are two or more rival lessees or intending lessees presenting leases or proposed leases of the same land, the Board may (1) approve of one or more of such leases to the exclusion of the other or others; (2) approve of both or all of such leases or proposed leases; (3) refuse approval to all such leases or proposed leases, and, if it thinks fit, report to the Minister that the land should be dealt with under the provisions of section 8 of the Act (if within a district to which the section applies).

9. In every case where the Board approves of the lease or proposed lease of less than the whole of the land comprised in any instrument of title, it may impose the condition that the lessee or intending lessee shall pay such proportion of the cost of a partition survey, cutting off the area so approved, as the Board decides to be equitable. Before indorsing its final approval the Board may require a survey and plan to be furnished of the area comprised in any such lease.

10. The Board in determining whether to approve a proposed lease will consider whether such lease is for the

benefit of the Maori lessors, and for that purpose may require evidence—

- (a.) That a sufficient area has been reserved as a general papakainga for the whole of the owners;
- (b.) That separate holdings for agricultural purposes have been reserved for such of the Maori owners as desire them;
- (c.) That, if the land is part of a larger area subdivided, the subdivision has been effected in such a way as to, if possible, utilise the whole; and that each section to be leased has frontage to a surveyed road.

11. The Board may also require or permit—

- (a.) Provision for substantial improvements by the lessee;
- (b.) Provision for renewal of lease if term be less than fifty years, or, in the alternative, compensation for improvements in event of non-renewal.

12. Before approving any lease containing, or license granting, the right to enter and cut timber or flax, or to dig gum, the Board will require to be satisfied—

- (a.) That such lease is for the benefit of the Maori lessors;
- (b.) That the royalty or other consideration is adequate. And the Board may upon granting its approval further impose all or any of the conditions following:—
- (c.) That where the consideration is wholly or partly a royalty payable to the Maori owners, due expedition be used in the felling and removal of the timber;
- (d.) That where the circumstances appear to the Board to warrant any such protective stipulation, the lease to be from time to time determined as regards such cleared blocks, and the land surrendered to the Maori lessors for occupation; or, in the alternative, that the lessee clear and burn and lay down in approved grasses such cleared blocks, retaining use of the land till expiry of lease;
- (e.) That Maori lessors, or other Maoris, shall, where possible, be employed to carry on the work of felling and removing the timber or cutting and dressing the flax;
- (f.) That in the case of a lease with the right to dig gum Maori lessors, or other Maoris, shall have the same facilities as Europeans for obtaining license to dig;
- (g.) Such other condition, stipulation, restriction, or provision (if any) as the Board may consider expedient for the purpose of protecting or conserving the interests of lessors or their successors in title.

13. Before approving any lease containing, or license granting, the right to cut timber or flax, or to dig kauri-gum, the Board may impose the condition that where the owners are numerous, or in the case of disputes arising, the rent or royalty shall be paid to the Board, with an added amount not exceeding 5 per cent. to defray the cost of collecting and distributing to the Maori owners.

14. Where the Board grants its approval to a lease subject to conditions or stipulations not contained in the lease as executed by the lessors, it may cause such additional conditions and stipulations to be indorsed on the lease, and require that such indorsement be duly executed by the lessee, such additional conditions and stipulations to be thereafter read as forming part of the lease.

[Form N.—A.]

To be forwarded to the Under-Secretary for Native Affairs, Wellington.]

“The Maori Lands Administration Act, 1900,” and its Amendments, and “The Maori Land Settlement Act, 1905.”

APPLICATION FOR CONSENT TO LEASE.

Name of Land:
Locality: Area:

APPLICATION is hereby made to the District Maori Land Board for its consent to a lease, particulars of which are set out hereunder.

Enclosed are also:—

- (1.) Particulars of the title to the said land. (Form N.—C.)
- (2.) A certified copy of the Government valuation of the land.
- (3.) Declaration by the lessee (under section 26), showing also other lands now owned by him. (Form N.—D.)
- (4.) Schedule of other lands owned by Maori lessors. (Form N.—E.)
- (5.) Preliminary agreement to lease (if any).

Particulars of Lease.

Name of land:
Area proposed to be leased:
Name of lessee:
Government valuation: £ Rental agreed on: £
Term of lease: years. Date of commencement:
Conditions of lease:

Signature of Applicant:

Address:

Date:

[Form N.—B.]

To be forwarded to the Under-Secretary for Native Affairs, Wellington.]

“The Maori Lands Administration Act, 1900,” and its Amendments, and “The Maori Land Settlement Act, 1905.”

APPLICATION TO RECOMMEND HIS EXCELLENCY THE GOVERNOR TO REMOVE RESTRICTIONS UPON, AND CONSENT TO THE SALE OF, MAORI LAND.

Name of Land:
Locality: Area:

APPLICATION is hereby made to the District Maori Land Board to recommend His Excellency the Governor to—

- (a.) Remove the restrictions upon the alienation of the land;
- (b.) Exempt the land from the operation of section 117 of “The Native Land Court Act, 1894”;
- (c.) Consent to the sale of the land.
[To enable the sale, particulars of which are hereinafter set out.]

Enclosed are also:—

- (1.) Particulars of the title. (Form N.—C.)
- (2.) Certified copy of Government valuation.
- (3.) Declaration (under section 26) by proposed purchaser, showing also other lands now owned by him. (Form N.—D.)
- (4.) Schedule of other lands owned by Maori vendors. (Form N.—E.)
- (5.) Preliminary agreement to sell (if any) signed by owners.

(Erase any words which are inapplicable. The provisions of section 117 of “The Native Land Court Act, 1894,” apply to all lands situated within the boundaries described in the Second Schedule to that Act, and to such other lands as were not comprised in separate holdings of not more than 640 acres of first-class land or 2,000 acres of second-class land prior to the passing of “The Native Land Laws Amendment Act, 1895.”)

Particulars of Proposed Sale.

Name of land:
Area proposed to be sold:
Names of intending Maori vendors:
Name of purchaser:
Government valuation: £ Price agreed on: £
Special terms (if any):

Signature of Applicant:

Address:

Date:

NOTE.—This form may be altered to suit the case of a mortgage.

[Form N.—C.]

PARTICULARS OF TITLE.

Name of Land:
Locality: Area:

Original Title.

Date and description of title:
Number of original owners: Area:
Restrictions (if any), exact wording:

Present Title.

Date and description of title:
Area:
Names of Maori owners. (If more than ten, the names of ten will suffice. If any are minors, specify ages, and names of trustees.)
Restrictions (if any), exact wording:
Name of present occupier, lessee, or mortgagee (if any):
Particulars of any dealings registered:
Certified as correct.

, Registrar.

NOTE.—If necessary, sufficient further particulars should be given, of intermediate steps in the title, to show whether or not the land is subject to section 117 of “The Native Land Court Act, 1894.”

[Form N.—D.]

“The Maori Lands Administration Act, 1900,” and its Amendments, and “The Maori Land Settlement Act, 1905.”

FORM OF DECLARATION UNDER SECTION 26.

In the matter of a proposed sale or lease [Erase any words which are inapplicable] of the land known as containing _____ acres, by the Maori owners thereof, to _____ of _____

I, [Each proposed purchaser or lessee must make this declaration] of _____, do solemnly and sincerely declare,—

1. That I am of the age of seventeen years and upwards.
2. That I am the person or one of the persons jointly applying for the purchase or lease of the above-mentioned land.
3. That I am acquiring the land solely for my own use and benefit, or for the exclusive use and benefit of myself and co-purchaser or co-lessee—namely, _____—and for the purposes of cultivation, and not directly or indirectly for the use or benefit of any other person or persons whomsoever.
4. That I do not hold or own, either in severalty or jointly with any other person or persons at the date of making this declaration, any land within the colony, except the land set forth in the Schedule hereto.
5. That, including the land now applied for, but exclusive of leases of Maori land held by me at the date of the passing of “The Maori Lands Administration Act, 1900” (20th October, 1900), I am not the holder or owner, directly or indirectly, either by myself or jointly with any other person, of any land anywhere in the colony exceeding in the whole 2,000 acres of freehold land, inclusive of not more than 640 acres of first-class land.

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

Signature :

Declared at _____, this _____ day of _____, 190 _____, before me,—
A Justice of the Peace in and for the Colony of New Zealand.

[Form N.—E.]

SCHEDULE OF OTHER LANDS OWNED BY MAORI VENDORS OR LESSORS.

Name of Owner.	Land occupied, or suitable for Personal Occupation.	Area of Interest.	Other Land.	Area of Interest.

[Form N.—F.]

“The Maori Lands Administration Act, 1900,” and its Amendments, and “The Maori Land Settlement Act, 1905.”

RECOMMENDATION FOR REMOVAL OF RESTRICTIONS, AND CONSENT TO SALE.

Name of Land : _____
Locality : _____ Area : _____
At a sitting of the _____ District Maori Land Board, held at _____ on the _____ day of _____, 190 _____

After due inquiry in regard to the proposed sale, particulars of which are set out hereunder, it was resolved that His Excellency should be recommended to—

- (a.) Remove the restrictions upon the alienation of the land above named;
- (b.) Exempt the land from the operation of section 117 of “The Native Land Court Act, 1894”;
- (c.) Consent to the sale of the land.

[To enable the sale, particulars of which are herein-after set out.]

And His Excellency is hereby recommended accordingly.

In witness whereof the seal of the _____ District Maori Land Board has been affixed hereto, this _____ day of _____, 190 _____,
_____, President.
_____, Members of Board.

Particulars of Proposed Sale.

Name of land : _____
Area proposed to be sold : _____
Names of intending Maori vendors : _____
Name of purchaser : _____
Government valuation : £ _____ Price agreed on : £ _____
Special terms to be imposed (if any) : _____
NOTE.—This form may be altered to suit the case of a mortgage.
Dated 16th August, 1906.

- WM. C. KENSINGTON,
President, Te Ikaroa Board.
- THOS. W. FISHER,
President, Aotea Board.
- T. W. PORTER,
President, Tairarawhiti Board.
- A. F. PUCKEY,
President, Maniapoto-Tuwharetoa Board.
- JAS. W. BROWNE,
President, Tokerau Board.

Aotea Maori Land Board.

NOTICE OF DATES OF SITTINGS.

IT is hereby notified that the Aotea Maori Land Board will hold regular sittings for the transaction of business at two-monthly intervals.

The next sitting will be held at the Masonic Hall, Whanganui, on Tuesday, 18th September, 1906, at 10.30 a.m.

All persons having business to bring before the Board should forward their applications at once (to the Under-Secretary, Native Department, Wellington), so that they can be included in the notification of business to be dealt with at such sitting, in accordance with the rules of procedure adopted by the Board.

The succeeding regular sitting will be held on Tuesday, 20th November, 1906.

Forms of application can be obtained from me.

THOS. W. FISHER,
President.

Whanganui, 17th August, 1906.

Te Ikaroa Maori Land Board.

NOTICE OF DATES OF SITTINGS.

IT is hereby notified that the Te Ikaroa Maori Land Board will hold regular sittings for the transaction of business, at two-monthly intervals, on the first Tuesday in alternate months.

The next sitting will be held at the Council Chambers, Hastings, on Tuesday, 2nd October, 1906, at 10 a.m.

All persons having business to bring before the Board should forward their applications at once (to the Under-Secretary, Native Department, Wellington), so that they can be included in the notification of business to be dealt with at such sitting, in accordance with the rules of procedure adopted by the Board.

The succeeding regular sitting of the Board will be held on Tuesday, 4th December, 1906.

Forms of application can be obtained from me.

WILLIAM C. KENSINGTON,
President.

Wellington, 17th August, 1906.

Maniapoto-Tuwharetoa Maori Land Board.

NOTICE OF DATES OF SITTINGS.

IT is hereby notified that the Maniapoto-Tuwharetoa Maori Land Board will hold regular sittings for the transaction of business, at two-monthly intervals, on the first Wednesday in alternate months.

The next sitting will be held at Otorohanga on Wednesday, 3rd October, 1906, at 10 a.m.

All persons having business to bring before the Board should forward their applications at once (to the Under-Secretary, Native Department, Wellington), so that they

can be included in the notification of business to be dealt with at such sitting, in accordance with the rules of procedure adopted by the Board.

The succeeding regular sitting will be held on Wednesday, 5th December, 1906.

Forms of application can be obtained from me.

A. F. PUCKEY,
President.

Otorohanga, 17th August, 1906.

Tairāwhiti Māori Land Board.

NOTICE OF DATES OF SITTINGS.

IT is hereby notified that the Tairāwhiti Māori Land Board will hold regular sittings for the transaction of

business, at two-monthly intervals, on the 1st Monday in alternate months.

The next sitting will be held at Gisborne, on Monday, 1st October, 1906, at 10 a.m.

All persons having business to bring before the Board should forward their applications at once (to the Under-Secretary, Native Department, Wellington), so that they can be included in the notification of business to be dealt with at such sitting, in accordance with the rules of procedure adopted by the Board.

The succeeding regular sitting will be held on Monday, 3rd December, 1906.

Forms of application can be obtained from me.

T. W. PORTER,
President.

Gisborne, 17th August, 1906.

By Authority: JOHN MACKAY, Government Printer, Wellington.