

owners of any land in such District, and the boundaries and description of such land, and any other matter affecting such lands which the Courts shall cause to be entered therein. Such book shall be kept in the custody of the Resident Magistrate.

A copy of, or extract from, such book, certified under the hand of the Resident Magistrate of the District, shall be received as legal evidence in any Court sitting in pursuance of this Act, and in any District Court established under the said "Native Circuit Courts Act, 1858."

Any tribe or subdivision of a tribe desiring to have the land of which they claim the ownership partitioned, and any tribe subdivision of a tribe or individual desiring to have the land of which they or he claims the ownership defined by metes and bounds, must give notice in writing of such claim and desire to any Native Assessor of the District in which such land is situate, specifying in such notice the names of the claimants or claimant and the description and boundaries of such land.

Such Native Assessor shall deliver such notice to the Resident Magistrate on or before the first Circuit Court held after the receipt thereof. And the Resident Magistrate shall unless in his judgment there is good and sufficient cause to prohibit or delay the investigation of such claim, cause the same to be entered in the Land Register, and a copy thereof to be affixed to the door of the Court House, and otherwise published in such manner as he shall think best to secure general cognizance thereof, and shall append to such entry and copy, a notice under his hand that any adverse claims must within a time to be specified in such notice not exceeding _____ months, be made out in writing and delivered to any Native Assessor of the District.

If within the time so specified no adverse claim is so delivered, or, if any adverse claim that may be delivered is in the judgment of the Resident Magistrate, capable of being investigated and decided on, without political excitement or undue risk, the Resident Magistrate shall give notice under his hand to each claimant, both original and adverse, that on a day to be named in such notice the claims will be heard and the title to the land will be investigated at the Court House of the District, and that all Claimants and Witnesses must then and there attend or the matter will be decided in their absence. Such notice shall also be entered in the Land Register and affixed to the door of the Court House.

In case the adverse Claims appear to the Resident Magistrate to be of too intricate a nature, or the judicial consideration thereof is, in his judgment, likely to create political difficulty, he shall in lieu of the notice mentioned in the last clause, give notice in like manner, that the investigation of the claim will not take place, or is postponed until further notice, as to him may seem best.

On the day of hearing and investigation notified as aforesaid, the Court shall hear the claimants, both original and adverse, themselves, their agents and witnesses, and shall decide the matter before them according to equity.

For the purpose of the procedure of the Court, part 2 and part 4 of the said "Native Circuit Courts' Act, 1858," shall (so far as applicable thereto and not inconsistent herewith) be deemed to be incorporated with, and form part of this Act.

Immediately after such decision, the Court shall define with posts, or otherwise with good and permanent marks, the boundaries of the said land; and if the Court has decided that the land shall be divided between the contending claimants in one or more pieces, it shall similarly define the boundaries of each such piece.

The proceedings on the decision of the Court shall be entered in the Land Register, and shall be signed by the Court, and by so many of the claimants as shall be willing to sign the same.

Any person who has been decided, as before described, to be an owner of land, may take a copy of such entry, and such copy shall be certified by the Resident Magistrate.

If any tribe or subdivision of a tribe who have had any land registered as aforesaid, shall at any time subsequent to such registration desire to have such land further partitioned, the Resident Magistrate shall proceed to cause further partition and entry to be made in manner hereinbefore provided for the original partition or investigation, and similarly and at any subsequent time *toties quoties*.

Every alienation either partial or complete, and every devise or descent of any land registered as aforesaid, shall be presented by the Jury at a Court, and shall be investigated and decided upon, and entry thereof shall be made in the Land Register in manner aforesaid.

In any case of such alienation, devise or descent, the copy of the Land Registration (if any) then in existence shall be delivered up, and a copy of the new entry may be taken and certified as aforesaid.

The person whose name shall be last entered in the said Land Register shall be deemed to be the owner of the land of which he is therein described as the owner.

All notices required by this Act to be given to any person shall be served personally.

This Act shall be called, "The Native Land Partition Act, 1858."

V.

DRAFT OF AN INTENDED PROCLAMATION HAVING REFERENCE TO THE ACQUISITION BY EUROPEANS OF LAND FROM THE NATIVES.

By, &c.

WHEREAS there are large tracts of land in the Province of Auckland in a wild and unproductive state, over which the title of the Aboriginal Inhabitants has not been extinguished; and whereas it would promote the interest of both races of Her Majesty's subjects, if certain portions of such lands, situate in various parts of the said Province, were made available for the purposes of beneficial and productive