

Enclosure in No. 1.

DRAFT PROPOSED BILL BY SIR WM. MARTIN.

The Native Land Court Act.

AN ACT to amend and consolidate the Laws relating to the Native Land Court.

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

1. The Short Title of this Act shall be “The Native Land Court Act 1871.”

2. In construing this Act the words and phrases following shall have the meaning hereby attached to them respectively unless there be something in the context or the subject-matter repugnant to or inconsistent with such meanings.

“Native” shall mean an aboriginal native of the Colony of New Zealand and shall include all half-castes and their descendants by Natives.

“Native land” shall mean lands in the Colony which are owned by Natives under their customs and usages.

3. This Act shall come into operation on the day of one thousand eight hundred and seventy-one.

4. “The Native Lands Act 1865” “The Native Lands Act 1866” “The Native Lands Act 1867” “The Native Lands Act Amendment Act 1868” “The Native Lands Act 1869” and “The Native Lands Act 1870” and the seventy-third section of the Constitution Act are hereby repealed except so far as the continuance of the same or any of them is necessary to the support of any act matter or thing done or completed thereunder respectively and except also as to any penalty or forfeiture incurred under them or any of them.

5. Provided always that all judgments orders certificates and other proceedings under the said Acts or any of them shall be valid and remain in force as if the said Acts had not been repealed and all proceedings heretofore commenced and now in progress under any of the said Acts may be continued and perfected under and in manner provided by this Act so far as the circumstances of each case are compatible with the objects and provisions of this Act.

Constitution of Court.

6. The Native Land Court of New Zealand (hereinafter called “the Court”) shall be a Court of Record for the investigation of the titles of persons to Native land and for purposes hereinafter set forth.

7. The Court shall consist of one Judge to be from time to time appointed by the Governor by letters patent under the Public Seal of the Colony who shall be called the Chief Judge and of such other Judges as shall in like manner be from time to time appointed who shall hold their office during good behaviour together