

Land Claims Settlement.

Provinces, except the Province of New Plymouth, may from time to time, by Act or Ordinance, declare certain districts within the said waste lands in each Province to be townships, with rural and suburban lands annexed thereto, and also agricultural and small farm reserves, and no Government scrip shall be exercised within such districts except in payment to the extent of twenty per cent. of the purchase money of any allotments therein purchased, unless with the express consent of such Superintendent and Provincial Council; and where the amount of any Government scrip tendered in the purchase of any allotment shall exceed twenty per cent. of the price thereof, the party tendering the same shall be entitled to a credit for the balance of such scrip towards further purchases, and so on in like manner, until the scrip be exhausted: Provided that such reserves shall not in any Province exceed in the aggregate one hundred thousand acres.

9. This Act may be cited for all purposes as "*The Land Orders and Scrip Act, 1856.*" Short Title.

No. XXXII.

AN ACT to provide for the final Settlement of Claims arising out of dealings with the Aborigines of New Zealand. [16th August, 1856.]

LAND CLAIMS
SETTLEMENT.

WHEREAS sundry claims to land have arisen within the Colony of New Zealand in respect of dealings with the aboriginal inhabitants thereof:

Preamble.

And whereas sundry Crown Grants have been issued in respect of the aforesaid claims under the Public Seal of the Colony of New Zealand: And whereas, for the settlement of the said claims or the rendering valid the said grants, the undermentioned Ordinances have been from time to time passed by the Governor and Lieutenant-Governor and the Legislative Council of the said Colony:—

Recital of Ordinances
of Legislative
Council.

- (1.) Session I., No. 2—"An Ordinance to repeal within the said Colony of New Zealand a certain Act of the Governor and Legislative Council of New South Wales, made and passed in the fourth year of the reign of Her present Majesty, and adopted under an Ordinance of the Governor and Legislative Council of New Zealand, for extending the Laws of New South Wales to the said Colony of New Zealand, and which said Act of the Governor and Council of New South Wales is intituled 'An Act to empower the Governor of New South Wales to appoint Commissioners with certain powers to examine and report on Claims to Grants of Land in New Zealand,' and also to terminate any Commission issued under the same, and to authorize the Governor of the Colony of New Zealand to appoint Commissioners with certain powers to examine and report on Claims to Grants of Land therein, and to declare all other titles except those allowed by the Crown null and void."
- (2.) Session III., No. 3—"An Ordinance to amend 'The Land Claims Ordinance' Session I., No. 2."
- (3.) Session VII., No. 22—"An Ordinance to authorize Compensation

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pensation in Colonial Debentures to be made to certain Claimants to land in the Colony of New Zealand.”

(4.) Session X., No. 4—“An Ordinance for quieting Titles to Land in the Province of New Ulster.”

And whereas many of the said land claims are still unsettled, and the validity of the said grants is disputed on various grounds, and it is essential to the peace and well-being of the Colony that all such land claims should be finally settled and such disputed grants corrected: And whereas, by reason of lapse of time and other circumstances, proceedings cannot be effectually taken under the said recited Ordinances for affecting the said objects, and it is expedient that new and other provisions should be made in that behalf:

BE IT THEREFORE ENACTED by the General Assembly of New Zealand as follows:—

Repeal of so much of recited Ordinances as is repugnant to this Act.

1. So much of the said Ordinances, Session I., No. 2, Session III., No. 3, Session VII., No. 22, and Session X., No. 4, as is repugnant to the provisions of this Act is hereby repealed.

I.—ESTABLISHMENT AND CONSTITUTION OF COURT OF COMMISSIONERS.

Governor to appoint Commissioners.

2. It shall be lawful for the Governor of the Colony from time to time, by Letters Patent under the Public Seal of the Colony, to appoint Commissioners for carrying this Act into effect, who shall be styled “Land Claim Commissioners,” and from time to time, by warrant under his hand, to remove any such Commissioner.

Every Commissioner to have full powers of Commissioners. Commissioners to take oath faithfully to perform duties.

3. Every Commissioner shall have all the powers hereby vested in the Commissioners.

4. Every Commissioner, before proceeding to act, shall take and subscribe before a Judge of the Supreme Court an oath that he will faithfully perform the duties of his office.

Governor may appoint Assistant Commissioners.

5. The Governor may from time to time, by warrant under his hand, upon the recommendation of the Commissioners, appoint Assistant Commissioners for carrying this Act into effect, and from time to time to remove any such Assistant Commissioner.

Commissioners' Courts to be Courts of Record and open to the public.

6. The Commissioner's Court shall be deemed a Court of Record, and shall be open to the public, and shall have the powers incident to Courts of Record; and the Commissioners and Assistant Commissioners shall have the like power to compel the attendance of witnesses and production of books and papers as Judges of the Supreme Court, and may issue warrants and processes accordingly, and may administer oaths. Every decision of the Commissioners shall be final and conclusive, subject only to any alteration to be made on appeal as hereinafter provided.

Commissioners shall establish rules of procedure.

7. The Commissioners shall frame and establish rules for the sittings of the Court, and notices thereof, the notification of proceedings, and generally for the conduct of business under this Act, and may from time to time alter such rules. And all such rules and all alterations thereof shall be submitted to the Governor in Council, and upon being approved of shall be published in the *Government Gazette* of the Colony, and when so published shall have the force of law.

Governor to fix salaries of Commissioners and Assistant Commissioners.

8. The Governor shall fix the salaries to be paid to the Commissioners and Assistant Commissioners.

II.—POWERS OF COMMISSIONERS, SUBJECTS OF INQUIRY, AND MODE OF INVESTIGATION.

Commissioners to hear and determine old land claims and examine and dispose of grants under same and pre-emptive claims.

9. The Commissioners shall have power, according to the provisions of this Act, to hear and determine all claims which might have been heard examined and reported on under the provisions of the said recited Ordinances, Session I., No. 2, Session III., No. 3, and all claims whatsoever

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whatsoever to land or compensation arising out of dealings with the aboriginal inhabitants of the Colony prior to the establishment of British sovereignty, or since that period, with the sanction of the Government, or under the Proclamations issued by Governor Fitzroy, dated respectively the twenty-sixth of March, one thousand eight hundred and forty-four, and the tenth of October, one thousand eight hundred and forty-four, and to examine and determine all questions relating to grants issued in respect of the same, subject to the exceptions and provisions hereinafter contained.

10. The Commissioners may direct any Assistant Commissioner to examine into and report as to the circumstances relating to any claim to be investigated under this Act, or as to the practicability of giving possession of any land to be given in right of any grant, and as to any other matter or thing to be inquired of under this Act, and every such Assistant Commissioner may examine and report accordingly; and in making such examination and report the Assistant Commissioners shall proceed according to such directions as shall be laid down in that behalf by the Commissioners in accordance with the provisions of this Act.

May direct Assistant Commissioners to examine into and report as to any grant or claim.

11. All reports by Assistant Commissioners shall be returned to the Commissioners, and in finally hearing and deciding upon claims the Commissioners may proceed upon such reports in like manner as if such examination had taken place before the Commissioners themselves.

Reports to be delivered to and guide Commissioners.

12. Any person objecting to any claims or grants to be investigated or examined under this Act, may appear and have such objections heard by the Commissioners and Assistant Commissioners, on payment of the fees prescribed in Schedule A to this Act annexed.

Objections to be heard on payment of fees.

13. Where any claimant grantee or other person interested in any claim or grant which shall be examined by the Commissioners shall consider himself aggrieved by any decision of the Commissioners, he may within one calendar month after such decision appeal to any Judge of the Supreme Court upon a case, in writing, to be stated or settled by the Commissioners, a copy of which case may be taken by the appellant, upon which case the Judge shall certify his opinion in writing to the Commissioners, and the Commissioners shall be bound to follow such opinion, and agreeably to such opinion shall reverse alter or confirm their decision.

Appeal in cases of parties aggrieved.

14. The Commissioners may, either at the instance of a party or of their own motion, in any case of doubt upon a question of law, submit a case thereon in writing to any Judge of the Supreme Court, who shall certify his opinion thereon in writing to the Commissioners, and the Commissioners shall follow such opinion.

Questions of law may be submitted by Commissioners for the opinion of one of the Judges of the Supreme Court.

III.—CLAIMS NOT TO BE HEARD.

15. It shall not be lawful for the Commissioners to entertain or investigate any claims in any of the following cases:—

Classes of claims which shall not be heard by the Commissioners.

(1.) In which the claim shall not have been made and notified in writing to the Government of the Colony prior to the passing of this Act.

No new claims to be heard.

(2.) In which the claims shall have been heard and allowed wholly or in part, and in respect of which the claimant shall have accepted, in satisfaction of such claim, compensation in money or debentures, or a grant of land.

Nor claims in right of which grants have been issued.

(3.) In which the claim shall have been heard by a former Commissioner and disallowed, except as hereinafter provided, with respect to claims arising under the Proclamation of the tenth of October, one thousand eight hundred and forty-four.

Nor claims under the Proclamation of the 10th October, 1844, already disallowed.

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Nor where claim
lapsed through
default of claimant.

Claims to be
preferred.

- (4.) In which the right of the claimant to have his claim heard and decided under a former law shall have lapsed through default of the claimant, except as last aforesaid.
- (5.) In which the claimant shall not, before the first day of July, one thousand eight hundred and fifty-eight, have notified his intention to have his claim heard under the provisions of this Act.

IV.—PROCEEDINGS WITH RESPECT TO VOIDABLE GRANTS.

Attorney-General to
call in voidable grants.

16. The Attorney-General shall on behalf of Her Majesty, by notice in the form or to the effect prescribed in the Schedule B to this Act annexed, to be published in the *Government Gazette*, call on and require the person or persons interested in or holding or claiming title under any Crown Grant heretofore issued in respect of any of the aforesaid claims made of lands over which it may be alleged that the Native title has not been extinguished, or in which it may be alleged that there is such uncertainty of description as would render the same void or voidable in law, or that there is not a map which has been approved of by the Government of the lands granted delineated or indorsed thereon, to produce such Crown Grant to the said Commissioners on or before some specified day, and also by the same or any other such notice to specify some day for hearing and determining the validity of such grant: Provided that no such proceeding shall be initiated after the first day of July, one thousand eight hundred and fifty-eight.

Commissioners to
examine grant.

17. The Commissioners on the day specified in such notice shall, after due proof thereof, proceed to examine the grant, and shall proceed according to rules to be established as aforesaid in that behalf.

Grants not produced
or found void to be
declared so; Commis-
sioners decision to
have same effect as
repeal by *scire facias*.

18. If at the time and place appointed such grant be not produced, or if on production thereof and on examination of the circumstances it shall appear that the Native title over the land granted or over any part thereof is not extinguished, or that there is in such grant such uncertainty of description as would render the same void or voidable in law, then, after hearing the case, if the Commissioners after giving effect to the provisions of the said recited Ordinance, Session X., No. 4, shall be of opinion that the same is void or voidable in law, they may adjudge and determine such grant to be null and void; and such adjudication shall have the same force and effect in annulling and making void the same as if the same were repealed by process of *scire facias*.

Claimants to have
survey made and
maps produced.

19. If upon the production of such grant it shall appear that the same is not void or voidable in law, but that no accurate map of the lands granted is delineated or indorsed thereon, the Commissioners may make an order requiring the person or persons producing such grant to deliver to the Commissioners, at some specified place and time, such an accurate map as aforesaid, certified by some competent Surveyor to be approved of by the Commissioners, and in default thereof the Commissioners may adjudge and determine such grant to be null and void, and such adjudication shall have such force and effect as aforesaid.

Grants declared void
to be cancelled.

20. Every grant so adjudged to be null and void shall be forthwith delivered up and cancelled.

Valid grants to be
returned indorsed.

21. If after such hearing the grant shall appear to the Commissioners sufficient and valid in law, the same shall forthwith be delivered to the person or persons by whom the same shall have been produced; but the Commissioners in every such case shall indorse upon the grant a certificate of the validity of such grants, and every grant so indorsed shall be deemed to be valid to all intents and purposes whatsoever.

22. In.

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22. In the case of grants without accurate maps, and as to which such maps shall be furnished as aforesaid, the Commissioners shall cause copies of such maps, properly certified by the Commissioners, to be delineated or indorsed on the grants, and such grants shall thereupon be delivered to the person or person producing the same, on payment of fees.

Commissioners shall cause maps to be delineated on grants.

23. When in pursuance of the provisions of this Act any such grant shall be adjudged by the Commissioners to be null and void, and the same shall in pursuance of such adjudication be delivered up and cancelled, it shall be lawful for the Commissioners, at the time of such adjudication or at some subsequent day to be fixed by the Commissioners, and upon application of any person or persons who may appear to the Commissioners interested therein, to direct that there shall be issued in favour of the person or persons who may appear to the Commissioners best entitled thereto a new grant, or several new grants, under the Public Seal of the Colony, of such lands as the Commissioners shall agreeably to the provisions herein contained direct, and the Commissioners shall proceed according to the following rules:—

New grants to be issued in lieu of those cancelled.

- (a.) Where a definite quantity of land shall have been specified in the cancelled grant, if the boundaries described shall be of sufficient extent, the Commissioners shall adjudge such quantity, with an addition not exceeding one-sixth, to be selected by the grantee out of the lands comprised within such boundaries.
- (b.) If the boundaries described shall not contain the requisite quantity, the grant shall be adjudged for so much as the boundaries do contain, in satisfaction of all claim.
- (c.) Where there shall be several grants of the same land, or of land within the same boundaries, the Commissioners shall adopt such scheme of division selection or apportionment as shall in their judgment be best adapted to meet the justice of the case.
- (d.) In no case shall any person be entitled to a new grant of more than the quantity expressed in the cancelled grant, except that the grant may be extended to one-sixth more than such expressed quantity.
- (e.) In all cases accurate maps of the lands to be granted shall be furnished to the Commissioners at the cost of the parties; such maps to be certified by some competent Surveyor to be approved of by the Commissioners.
- (f.) In any case not specially provided for, the Commissioners shall proceed according to such rules as they may judge best adapted to meet the justice of the case, but as near as may be in accordance with the provisions of this Act.

24. Every new grant shall be subject in equity to the same claims rights and interests as the cancelled grant in lieu whereof such new grant shall have been issued.

To be subject to the same equities as cancelled grants.

V.—PROCEEDINGS WITH RESPECT TO CLAIMS FOR WHICH NO GRANTS HAVE BEEN ISSUED.

Old Land Claims.

25. In respect of claims arising under purchases made from the Natives before the fourteenth of January, one thousand eight hundred and forty, which, under the provisions of this Act, the Commissioners are empowered to investigate, the Commissioners, in order to ascertain and determine the quantity of land which may be granted to any claimant, shall in every case inquire into and set forth, so far as it shall

In claims prior to January, 1840, Commissioners to ascertain amount of acres to be granted.

be

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be possible to ascertain the same, the price or valuable consideration, with the sterling value thereof, paid to aboriginal owners of the land, the time manner and circumstances of the payment, and the number of acres such payment would have been equivalent to according to the rates fixed in the Schedule C appended to this Act. And the Commissioners shall direct the issue of a grant to the person they in their judgment may deem entitled thereto, for the number of acres so to be ascertained as above mentioned.

In cases of special hardship Commissioners may increase amount of acres in grant.

26. Provided that in any case in which it may appear to the Commissioners that special hardship has been suffered by a claimant by reason of delay in settling the claim without default of the claimant, the Commissioners may increase the number of acres to be granted by not more than one-fourth: Provided also that no grant shall be issued of land exceeding in extent the quantity originally claimed.

Maximum of 2,560 acres not to be exceeded except in special cases.

27. Provided also that no grant shall be issued which shall convey more than the maximum of two thousand five hundred and sixty acres to any one claimant; but, under special circumstances, the Commissioners may recommend the Governor to extend the amount to be granted beyond the maximum aforesaid, accompanying such recommendation with a report of the special circumstances.

Governor not to issue grants in any case for more land than conveyed in any existing grant.

28. In such special case it shall be lawful for the Governor to issue a grant of land not exceeding the quantity recommended by the Commissioners; provided however that no grant shall be issued of land exceeding the maximum comprised in any grant heretofore issued.

Pre-emptive Waiver Claims.

One-fourth of value to be paid for land to be granted under Proclamation of 10th October, 1844.

29. For all lands to be granted under direction of the Commissioners in satisfaction of claims arising under the said Proclamation of the tenth of October, one thousand eight hundred and forty-four, and in respect of which claims no grants or compensation shall have been received by the claimant, there shall be paid by the claimant for every acre of land so to be granted a sum not exceeding five shillings: Provided that the Commissioners may reduce the sum to be paid by any claimant to any sum not less than one shilling per acre, and in fixing the payment to be made by any claimant they shall, as nearly as may be, fix the amount to be paid at one-fourth the estimated value of the land.

Grants in such cases not to exceed 500 acres with additional quantity as compensation.

30. No grant shall be directed in respect of any such last-mentioned claim for more than five hundred acres of land: Provided that in every such last-mentioned case the Commissioners may, in their discretion, award and direct a grant to be made of an additional quantity of land by way of compensation for loss and damage sustained by reason of the non-settlement of such claim: Provided that in no case shall a larger extent of land be granted as compensation than five hundred acres, nor more than was comprised in the original claim.

One-fourth of the value to be paid for such compensation land.

31. In every case of compensation in land in respect of claims under the Proclamation of the tenth of October, one thousand eight hundred and forty-four, the claimants shall pay after a rate not exceeding one pound and not less than one shilling per acre for all land to be granted to them as such compensation, and in fixing the payment to be made by any claimants, they shall, as nearly as may be, fix the amount to be paid at one-fourth the estimated value of the land.

VI.—GENERAL PROVISIONS.

When lands to which claimant may be declared entitled have been alienated, Commissioners may direct compensation

32. In any case of claim or grant, when the particular lands which would otherwise have been directed to be granted shall have been alienated by Government, the Commissioners may direct a grant to be made of other lands, being part of the demesne lands of the Crown

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Crown in the Province in which the claim arises, by way of compensation for the original claim. In estimating the quantity of compensation land to be given as last aforesaid, the Commissioners shall estimate the same by the amount realized upon such alienation of the land comprised in the original claim, but in no case shall the original land be estimated as having realized more than one pound per acre.

in other lands ;
quantity to be given ;
how to be estimated.

33. Provided always, and notwithstanding anything in this Act contained, in any case not hereinbefore provided for in which under special circumstances, in the judgment of the Commissioners, manifest hardship or injustice shall have been done or suffered, they may recommend to the Governor that such case be specially considered, and the Governor, if he shall think fit, may order the Commissioners to hear such claim, and the Commissioners shall hear it accordingly, and decide the same according to equity and good conscience, and may direct a grant of land or compensation in land as they may think equitable according to the circumstances.

General power to
Commissioners to
investigate cases of
proved injustice and
award compensation.

34. Derivative claims may be heard and decided under this Act, as well as original claims, and in all cases of dispute between claimants, the Commissioners may decide the same according to their judgment, and such decision shall be binding on the parties, subject to appeal as hereinbefore provided.

Derivative claims
may be heard under
this Act, and in cases
of dispute, decision of
Commissioners
binding.

35. No subdivision of an original claim shall entitle parties to a larger grant or more favourable terms of settlement than if the claim had remained entire.

No sub-division of
original claim to
extend grant.

36. Where lands claimed or granted shall have been subdivided, and shall be claimed by several parties, the Commissioners shall, in directing grants to be issued and compensation to be made under this Act, make such order and direction as to them shall seem best adapted to meet the justice of the case.

In cases of subdivi-
sion Commissioners
to make such award
as may seem fit.

37. No compensation shall in any case be given in money scrip or land credits exercisable over unspecified or undefined lands.

No compensation to
be given in money
scrip or indefinite
land credits.

38. No lands shall be included in any grant under the provisions of this Act over which it shall not be proved to the satisfaction of the Commissioners that the Native title is extinguished, or which shall be required for any purposes of public utility or convenience ; and before any grant shall be recommended, it shall be the duty of the Commissioners to ascertain from the General Government and from the Government of the Province wherein such lands are situated whether the lands proposed to be granted or any part thereof are required for any such purpose.

No land over which
Native title not
extinguished or re-
quired by General or
Provincial Govern-
ments for public
purposes to be
granted.

39. In any case of claim or grant heard or examined by the Commissioners, under the provisions of this Act, in which the Native title shall not be proved to have been extinguished over the lands comprised in such claim or grant, or any part thereof, it shall be lawful for the Governor, on behalf of Her Majesty, on payment by the claimant of the estimated cost of extinguishing the Native title to such lands, or any part thereof, and all expenses incident thereto, to extinguish such title and obtain a cession of such lands to Her Majesty, and thereupon to make a grant of the same, in accordance with the provisions of this Act, and in like manner as if the Native title had been proved to have been extinguished.

Where Native title
not extinguished,
Governor may at cost
of claimant cause it
to be extinguished.

40. The Commissioners shall not recommend any lands to be granted unless and until such lands shall have been effectually marked out upon the ground, and a certificate to that effect, signed by some competent surveyor approved by the Commissioners, shall have been delivered to the Commissioners ; and no grant shall be issued for any such land until a survey thereof shall have been made and a proper plan of the same deposited with the Commissioners.

No lands to
be recommended for
a grant until marked
out on the ground by
a surveyor.

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Governor to prescribe rules as to shape of blocks.

41. The Governor may from time to time prescribe such rules as regards the shape and frontage of all lands to be granted under the provisions of this Act as to him may seem fit, and the Commissioners shall observe all such rules.

Governor may issue grants of waste lands in conformity with the provisions of this Act.

42. The Governor may make and issue grants of land out of the waste lands of the Crown in any Province, in conformity with the provisions of this Act, in satisfaction of claims arising within such Province.

Commissioners may order surveys and charge costs of same to grantees.

43. In all cases of surveys and maps required by this Act, the Commissioners may in their discretion order such surveys or maps to be made under their own direction, and may charge after the rate of one shilling and sixpence per acre for all lands surveyed; such charge to be paid by each grantee respectively before or at the time of the issue of his grant.

Allowance in land to be made for surveys.

44. In every case of surveys and maps, whether made by parties themselves or by order of the Commissioners under the power last aforesaid, allowance shall be made in land for the charges of such surveys and maps at the rate of one shilling and sixpence per acre, and an additional quantity of land shall be granted to the respective parties by way of compensation in respect of such allowance, to be computed at the rate of one acre for every ten shillings paid on account of such charges.

Compensation to be given to the amount of fees paid in respect of Crown Grants.

45. Every person paying fees in respect of any Crown Grant examined by the Commissioners under this Act, shall be entitled to an allowance in land by way of compensation after such rate as the Commissioners shall deem equivalent in value to the amount of fees so paid.

Compensation to be awarded out of lands claimed, else out of lands specially reserved for the purpose.

46. All compensation land shall be awarded out of the lands in respect of which the claim arises, if available, but if not, then (except in cases under sections twenty-nine, thirty, and thirty-one of this Act) out of any lands which may be specially set apart by the Superintendent of the Province, with the assent of the Governor, for the purpose of satisfying such compensation claims; and if no such lands shall be so specially set apart, then generally out of the waste lands of the Province in which the claim arises: Provided always, if the land available in respect of which the claim arises be of such character as not to afford reasonable compensation to the party entitled thereto, the Commissioners may in their discretion award an additional number of acres not exceeding one acre for every acre of compensation land.

Grantees at their own cost to select land.

47. All lands authorized to be granted by this Act shall be selected by and at the cost of the grantee.

In case of opposition Commissioners may give costs to either party.

48. In case of any opposition to any grant or claim (except the opponent be of the Native race or a Half-caste), the Commissioners may, if they think fit, award such costs as they may deem reasonable, not exceeding the expenses actually incurred, to be paid by either party to the other.

Validity of grant under this Act.

49. Every grant of land made in pursuance or purporting to be made in pursuance of this Act shall be deemed and taken to be a good valid and effectual conveyance of the land thereby intended to be conveyed, against Her Majesty, her heirs and successors, and against all other persons whatsoever.

Proceedings under this Act need not be conducted according to the strict letter of the law.

50. All proceedings under this Act may be conducted, not according to strict law, but according to equity and good conscience, and no informality whatever shall vitiate such proceedings. And in all cases not specially provided for by this Act, the Commissioners shall make such orders and adjudications and give such directions as shall in their judgment be most agreeable to equity and good conscience, and as nearly as may be in accordance with the provisions of this Act.

51. There

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51. There shall be paid the fees and expenses set forth in the table in the Schedule A to this Act annexed, and a table of such fees and expenses shall be published in the Government *Gazette*.

Fees to be paid by suitors.

52. All such fees and expenses shall be paid into a common fund, out of which the salaries and expenses incident to the Commission shall be defrayed, and the deficiency if any shall be defrayed out of the general revenue of the Colony.

How to be disposed of.

53. No grants shall be issued nor any proceedings taken under the provisions of this Act until payment has been made of the respective fees prescribed in the Schedule of Fees appended to this Act.

No grants to be issued or proceedings taken until all fees paid.

54. And whereas there are cases in which aboriginal native women have married men not being aborigines, and there are children of such marriages, and there are also other children where the maternal parent only is of the Native race: And whereas various transactions in land have taken place in reference to such persons, and it is expedient that inquiry should be made into such cases with a view to make a just provision for the same: Be it therefore further enacted that the Commissioners appointed under this Act shall make full inquiry into all such cases, and report the evidence taken and their opinions thereon to the Governor.

Commissioners to inquire into land transactions in which aboriginal women and half-caste children are concerned, and report the result to the Governor.

55. The term "Governor" shall mean the Officer for the time being lawfully Administering the Government of the Colony of New Zealand. Words importing the singular number shall include the plural number, and words importing the plural number shall include the singular number, and words importing the masculine gender only, shall include females.

Interpretation.

56. This Act may be cited for all purposes, as "*The Land Claims Settlement Act, 1856.*"

Short Title.

SCHEDULES.

SCHEDULE A.

FEEs PAYABLE.

	£	s.	d.
Upon the notification of any claim under the provisions of this Act, by the claimant	5	0	0
For the hearing of every objection or opponent to a claim (the objector or opponent not being of the aboriginal race), by such objector or opponent	1	0	0
For every summons for witnesses, each summons containing one name, by the party requiring the same	0	5	0
For every witness examined or document or voucher produced in evidence, by the party in whose behalf examined or produced	0	1	0
For taking down the examination of every witness, by the party on whose behalf examined	0	2	6
For every one hundred words after the first one hundred, by the same	0	1	0
For every final award or recommendation of the Commissioners, by the person in whose favour made	5	0	0
For every grant issued under the authority of this Act, by the grantee	1	0	0
For every one hundred acres of land included in such grant (except under pre-emptive claims)	0	10	0
For every grant which shall be examined if found invalid or corrected	2	0	0
For every grant already made on which a plan shall be indorsed by Commissioners	5	0	0
For indorsing certificate of validity	2	0	0
For every appeal, by the appellant	5	0	0
For every one hundred words copied for the purpose of such appeal, by the appellant	0	1	0

SCHEDULE B.

Scotch Law Practitioners.

SCHEDULE B.

FORM OF NOTICE.

PURSUANT to the provisions of "*The Land Claims Settlement Act, 1856*," all persons interested in or claiming title under any of the Crown Grants specified in the Schedule hereunto annexed are hereby, on behalf of Her Majesty, required to produce or cause to be produced such Crown Grants before the Commissioners of Land Claims at _____, on the _____ day of _____.

In default of the above grants being produced on the day and at the place above mentioned (unless the non-production thereof be accounted for to the satisfaction of the said Commissioners), the said grants will, under the provisions of the aforesaid Act, be declared null and void, and become so to all intents and purposes in like manner as if the same had been repealed in the Supreme Court by process of *scire facias*.

A.B., Attorney-General.

Grantee.	Date of Issue of Grant.	Locality of Land Granted.

SCHEDULE C.

Time when the Purchase was made.	Per Acre.					
	£	s.	d.	£	s.	d.
From 1st January, 1815, to 31st December, 1824	0	0	6	0	0	0
" 1825, " 1829	0	0	6	0	0	8
" 1830, " 1834	0	0	8	0	1	0
" 1835, " 1836	0	1	0	0	2	0
" 1837, " 1838	0	2	0	0	4	0
" 1839, " 1839	0	4	0	0	8	0

And 50 per cent. above these rates for persons not personally resident in New Zealand or not having a Resident Agent on the spot.

Goods when given to the Natives in barter for land to be estimated at three times the selling price in Sydney at the time.

No. XXXIII.

SCOTCH LAW
PRACTITIONERS.

AN ACT to enable Persons qualified to Practice in the Sheriff Courts of Scotland to be admitted to Practice in the Supreme Court. [16th August, 1856.]

Preamble.

WHEREAS it is expedient to extend the privilege of enrollment to persons qualified to practice as a solicitor in the Supreme Court of New Zealand to persons qualified to practice or to be admitted to practice in any Sheriff Court in Scotland:

BE IT ENACTED by the General Assembly of New Zealand as follows:—

Persons qualified to practice in the Sheriff Courts of Scotland may be admitted to practice in the Supreme Court.

1. In addition to the persons qualified to be enrolled in the Supreme Court of New Zealand to practice therein as solicitors, there may, from and after the passing of this Act, be enrolled so to practice in the said Court all persons who shall have been admitted to practice as writers or solicitors in any Sheriff Court in Scotland or who shall have become qualified to be admitted so to practice in any such Court.

Short Title.

2. This Act may be cited for all purposes as "*The Scotch Law Practitioners Act, 1856*."