

Rohe Potae Investigation of Title Act 1892

Local Act 1892 No 9
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Contents

	Page
Title	1
Preamble.	
1 Short Title.	2
2 Orders to be substituted.	2
3 Residue of land to be deemed Native land.	2

An Act to remove Doubts as to the Title of Native Owners to Parts of the Rohe Potae Block.

Preamble.

WHEREAS during the investigation of the title to the land known as the Rohe Potae, in the Provincial District of Auckland (hereinafter called "the said land"), certain orders (hereinafter called "the said former orders") have been made by the Native Land Court declaring the ownership of certain parts of the said land: And whereas by section fifteen of "The Native Land Court Act 1886 Amendment Act, 1888," it is provided that such orders shall be deemed to be, and as to such respective parts shall have the effect of, orders under section twenty of "The Native Land Court Act, 1886:" And whereas in the course of the further investigation into the title to the said land, and in further division of some of the parts of the said land the subject of the said former orders, further and other orders (hereinafter called "the said further orders") have been made with the intention that such further orders should be substituted for certain of the said former orders: And whereas during such further investigation as aforesaid successors to the interests of Natives who have died entitled to a share in the said land have been summarily appointed in the manner provided

by section twenty-six of “The Native Land Court Act, 1886,” without application having been made in that behalf: And whereas it has been found that, in respect of certain parts of the said land, the subject of the said former orders, other Natives were entitled according to the Native custom in addition to those who had by such former orders been declared to be owners of such parts, and their names have been inserted in such further orders as owners accordingly: And whereas doubts have arisen as to the validity of the said further orders and of the appointment of such successors as aforesaid, and it is expedient that such doubts should be removed:

Be it therefore enacted by the General Assembly of Now Zealand in Parliament assembled, and by the authority of the same, as follows:—

1 Short Title.

The Short Title of this Act is “The Rohe Potae Investigation of Title Act, 1892.”

2 Orders to be substituted.

The Native Land Court shall be deemed to have had jurisdiction to make the said further orders and to appoint such successors and to insert the names of such Natives as owners in such further orders as aforesaid. And the said further orders shall be deemed to be and shall have the effect of orders made under section twenty of “The Native Land Court Act, 1886,” and shall be substituted for such former orders.

3 Residue of land to be deemed Native land.

All that part of the said land in respect of which no order having the effect of an order made under section twenty of “The Native Land Court Act, 1886,” has been made before the passing of this Act shall be deemed to be Native land, and may be dealt with by the Court in the same manner as if no proceedings had heretofore been taken upon the investigation of the title thereto.