

number of the owners of the land the subject of such restriction; but such restriction should only be annulled or varied on public inquiry by the said Court after notice had been given in the *Gazette* and *Kahiti*: Provided that the Court had to be satisfied that the owners of such lands had other land under a Court title in their own right, and sufficient for their maintenance and occupation, and that the owner of the land the subject of the application for removal of restrictions concurred in such removal.

Section 16 enacted that land or shares in land owned by Natives be deemed to be transferable, but not to apply to land where alienation was restricted, or to be thereafter restricted.

Section 17 prescribed that in the removal of restrictions on alienation under the provisions of section 5 of "The Native Land Act, 1888," the assent of one or more Judges and one Assessor were necessary.

*"The Maori Real Estate Management Act, 1888."*

The Acts under this head of 1867 and 1877 having been repealed by "The Native Land Court Act, 1886," without any incorporation of their provisions, it was found necessary to re-enact a fresh measure, on similar lines to those repealed Acts, for the management of the real estate of infants and others of the Maori race under disability, otherwise than under their customs and usages, and for appointing trustees and defining their powers.

*"The Native Lands Frauds Prevention Act 1887 Amendment Act, 1888" (to be read and construed with the Act of 1881).*

Section 5 prohibited dealings with Native land unless such land was owned under Crown grant or Native Land Court title issued to not more than twenty Natives, or unless such land should thereafter become and have been so owned for forty days.

Section 7 prescribed a penalty not exceeding £500, to be recovered in a summary way, against any person entering upon such prohibited dealings, and every such dealing was to be declared illegal and void.

*"The Native Lands Frauds Prevention Acts Amendment Act, 1889."*

Section 3 enacted that in section 5 of the Act of 1888 the words "to not more than twenty Natives" should not apply to Native land held under a Native Land Court or Land Transfer Act title before the passing of that Act: (1) If such land did not exceed 5,000 acres in area; or (2) if a contract in writing for the alienation of such land of any area, or any part thereof, had been made and not completed before the passing of the said Act. And the said section should be read and construed in respect of such lands as though the said words "to not more than twenty Natives" had been omitted therefrom: Provided that nothing in the said 5th section should be deemed to prevent a lease of land so owned or the subject of such order aforesaid not exceeding 10,000 acres.

*"The Native Land Court Acts Amendment Act, 1889" (to be read and construed together with the Native Land Court Acts of 1886 and 1888).*

Sections 2 to 19 inclusive were additions and amendments to the machinery clauses of these Acts.

Section 20 empowered the Governor in Council to appoint two or more Commissioners, of whom one should be a Native, to inquire into all the circumstances attending any alleged alienation or acquisition of land or of any interest therein before the 1st of July, 1887, which might be barred or invalidated by any law then or at that time in force, and report on each case that might be brought before them, and generally on all matters connected therewith, and make such recommendations as might appear proper.

Sections 21 to 26 inclusive were machinery clauses for carrying out the above objects.

Section 27 declared that the Commissioners if they should find any intended alienation of land could not be registered, or was liable to impeachment, because such alienation being of land under memorial of ownership or Native Land Court certificate did not include the whole of the signatures of the Natives owning under such title, or that completion was prevented by alteration of the law; that where the transaction was entered into in good faith and was not contrary to equity, and that the purchase-money had been paid, they might sign a certificate, and such alienation should be valid from the date of the instrument, or from such date as the Commissioners might determine, and such instrument might be registered under "The Land Transfer Act, 1885." This attempt to settle defective titles in certain dispositions of Native lands to Europeans proved abortive, as the powers which were conferred by