

## No. 15.

SIR,—

Cook and other Islands Administration, Wellington, 8th April, 1908.

I have the honour to acknowledge the receipt of your letter of the 2nd March, forwarding the Federal Ordinance No. 24, "The Alienation of Lands Ordinance, 1908," and, in reply, to return to you the Ordinance duly assented to by His Excellency the Governor.

I have, &amp;c.,

The Resident Commissioner, Rarotonga.

JAS. MCGOWAN.

## Enclosure.

## FEDERAL ORDINANCE NO. 24.—THE ALIENATION OF LANDS ORDINANCE, 1908.

AN ORDINANCE to repeal certain Acts dealing with Alienation of Land; to validate certain Alienations confirmed by the Cook and other Islands Land Titles Court; and for other Purposes.

WHEREAS by section 6 of "The Cook and other Islands Government Act, 1901," it is enacted that the Governor, by Order in Council, may from time to time establish a tribunal or appoint an officer or officers with such powers and functions as he thinks fit, in order to ascertain and determine the title to land within the said islands, distinguishing titles acquired by Native customs and usage from titles otherwise lawfully acquired, and may provide for the issue of instruments of title, and generally make such provision in the premises as he thinks fit: And whereas by Order in Council made on the seventh day of July, one thousand nine hundred and two, under the powers in that behalf conferred upon the Governor in Council as before mentioned, the Cook and other Islands Land Titles Court was established with the powers and functions in the said Order in Council mentioned: And whereas owing to such establishment of the said Cook and other Islands Land Titles Court with such powers and functions there is now no necessity for and it is advisable to repeal the Acts hereinafter mentioned:

BE IT THEREFORE ENACTED by the Federal Council of the Cook and other Islands as follows:—

1. The Short Title of this Ordinance is "The Alienation of Lands Ordinance, 1908."

2. The Act No. 1, 1895, intituled "An Act to Guard against Secret Dealings in Land," and "The Land Act, 1899," are hereby respectively repealed.

3. No alienation of land which has been confirmed by the Cook and other Islands Land Titles Court prior to the date of this Ordinance being assented to by the Governor shall be deemed invalid by reason of non-compliance with any of the provisions of "The Act to Guard against Secret Dealings in Land," or "The Land Act, 1899," hereby respectively repealed.

4. No alienation of land within the meaning of the said Order in Council hereafter made by a Native or by Natives shall be valid unless application be made in the prescribed manner to the Cook and other Islands Land Titles Court for confirmation of the said alienation within four months of such alienation being made, and unless the said Court confirms the said alienation accordingly.

5. Any person may have any deed or document entered on record by the Registrar of the Cook and other Islands Land Titles Court upon payment of the prescribed fees; but such entering on record shall not in any way give any such deed or document any additional validity.

6. No person shall have power to close any old watercourse or road or right-of-way without the consent of the Cook and other Islands Land Titles Court. Every landowner through whose land any watercourse shall run shall at all times keep such watercourse clear. Any person infringing any of the provisions of this section shall be liable to a penalty not exceeding five pounds, to be recovered with costs in the High Court of the Cook Islands.

Passed by the Federal Council, this twenty-ninth day of February, one thousand nine hundred and eight.

S. SAVAGE,

Clerk to Council.

Assented to in the name and on behalf of His Majesty.

4th April, 1908.

PLUNKET,

Governor.

## TARIFF ACT.

## No. 16.

SIR,—

Rarotonga, 14th August, 1907.

I have the honour to draw your attention to subsection (4) of section 10 of "The Cook and Other Islands Government Act, 1901."

The terms of this subsection will, I think, neutralise any proviso that the Tariff Act now before Parliament shall not apply to the Cook Islands. And I need hardly point out that free cotton goods and sugar would deprive us of nearly all of our revenue, as we do not import those articles of luxury on which New Zealand depends.

I have, &amp;c.,

The Hon. Jas. McGowan, Minister administering Islands.

W. E. GUDGEON.