

1898.
NEW ZEALAND.

PUBLIC PETITIONS A TO L COMMITTEE

(REPORT OF) ON THE PETITION OF SIR WALTER LAWRY BULLER, K.C.M.G., WITH EVIDENCE
AND APPENDIX.

Brought up the 5th November, 1898, and ordered to be printed.

REPORT.

No. 50.—Sir WALTER LAWRY BULLER, of Wellington.

THE petitioner prays that the Government may make provision for the payment of his costs in the case of the Public Trustee *v.* Sir Walter L. Buller and Major Kemp.

I am directed to report that, upon the evidence adduced, the Committee has no recommendation to make.

4th November, 1898.

JOHN JOYCE,
Chairman.

PETITION.

In Parliament,
In the House of Representatives.

To the Honourable the Speaker and Members of the House of Representatives
in Parliament assembled.

THE humble petition of Sir WALTER LAWRY BULLER, of Wellington, in the Colony of New Zealand, K.C.M.G., sheweth,—

1. That by "The Horowhenua Block Act, 1896," section 5, it was, *inter alia*, provided that any existing Land Transfer certificate, and all registrations of dealings thereon in respect of, *inter alia*, Division 14, Horowhenua Block, and all registrations of dealings thereon in respect of any such land, should, subject to registration of dealings found not to be invalid as thereafter provided, be deemed to be null and void as from the date of the passing of the said Act. By section 7 of the same Act, all dealings with, *inter alia*, Division 14 were prohibited pending proceedings under the provisions of the Act. By section 8 of the same Act the Registrar was directed to issue Land Transfer certificates, *inter alia*, for (f) any portion of Division 14, of which any valid alienation in fee-simple had been made, in the name of the person or persons entitled by virtue of such alienation, provided that no certificate of title as last mentioned should be issued except pursuant to final judgment in the proceedings thereafter directed to be instituted by the Public Trustee. By section 10 of the same Act it was provided as follows: "For the purpose of testing the validity of the alienation referred to in subsection (f) of section eight hereof, and also of all dealings the registration whereof has been cancelled as aforesaid, the Public Trustee is hereby directed and empowered to institute on behalf of the original registered owners of the said block, as set forth in the Second and Sixth Schedules hereto, or any of them, such proceedings in the Supreme Court, at Wellington, as may be necessary for that purpose within six months from the date of the passing of this Act; and every dealing the validity whereof is established by final judgment in such proceedings shall be entitled to be reregistered on any new certificate of title issued under the provisions of this Act for the land the subject of such dealing."

2. Pursuant to the said section 10, the Public Trustee instituted in the Supreme Court, at Wellington, an action (No. 6147) against your petitioner and Meiha Keepa te Rangihwinui.

3. That action came on for trial at the Supreme Court, at Wellington, on the 11th day of August, 1897, before Sir James Prendergast, Chief Justice, and the said Supreme Court thereupon made a decree, in the following terms:—

i.—I. 1B.