

9. The Court shall have in the custody of the Chief Judge or Registrar a seal, which shall be the seal of the Court, and shall be used for sealing documents which require to be sealed.

III. *Jurisdiction.*

10. The Court shall have jurisdiction—

- (1.) To investigate the title to and to ascertain and determine the owners of any land within the said Islands, distinguishing titles acquired by Native custom and usage from titles otherwise lawfully acquired :
- (2.) To determine the relative interests in any land of the persons entitled thereto, and to partition any land among such persons :
- (3.) To affect an exchange between Natives of any land owned by them :
- (4.) To determine any successor :
- (5.) To grant probate of the will and letters of administration of the estate and effects of any Native now dead, or who shall hereafter die :
- (6.) To render any land inalienable, or to impose such limited restrictions on the alienation of any land as the Court may think fit, and to vary or remove any restrictions :
- (7.) To determine all claims to land based on any lease or occupation heretofore or hereafter to be made or allowed by a Native :
- (8.) To confirm, vary, or alter any lease of land heretofore or hereafter to be made by a Native :
- (9.) To restrain any person from injuring, or damaging, or dealing with any property the subject-matter of any application to the Court :
- (10.) To determine whether or not any land is to be held by the nominal owner or owners thereof in trust for any Natives, and to determine who are the Natives (if any) entitled beneficially to any land so held in trust, and to order the inclusion of such Natives in the title, either together with or in lieu of the nominal owner or owners, and for the purpose aforesaid to order the cancellation or amendment of any instrument of title, and the issue of any other instrument of title as may be necessary.
- (10A.) To reserve and vest in His Majesty any lands required for townships, public works, and offices or buildings, including hospitals, cemeteries, lunatic asylums, gaols, schools, or colleges, and to determine if necessary who were the former owners thereof, and the amount of compensation (if any) to be paid to them : Provided that any lands so reserved for townships may, *mutatis mutandis*, be dealt with as nearly as may be in accordance with the provisions of the Act of the General Assembly of New Zealand intituled "The Native Townships Act, 1895," and the regulations made under the authority thereof :
- (11.) To fix the rent of any land occupied or hereafter to be occupied by any Native other than the actual owner or owners :
- (12.) To apportion amongst the owners, or some of them, the rent or rents payable for any land, and for the purposes of any partition to negative, modify, or apportion any of the express or implied provisions of any lease of such land as to any parcel or parcels or as to the whole of such land :
- (13.) To issue instruments of title to lands the title to which shall have become ascertained, subject to any trusts, restrictions, or encumbrances (if any) affecting the same :
- (13A.) To appoint a trustee or trustees, and in each case to define their powers, for any Native under and during disability, and at any time afterwards to alter, amend, vary, or revoke any such appointment :
- (14.) To order any person appointed a trustee of any land belonging to any Native to furnish an account of his trusteeship, and, on examination and investigation thereof by the Court, to order the payment by such trustee of such sum or sums of money to such person or persons and on such terms as may appear just :
- (15.) To deal with in any manner whatsoever any lease or other matter the subject of any previous application to or proceeding before the Land Board at Rarotonga under the provisions of "The Land Act, 1899," enacted by the Cook Islands Parliament, and to confirm, vary, or alter any order or decision of the said Land Board :
- (15A.) To rehear any claim or other matter whatsoever the finding in relation to which has been appealed against within two months from the date thereof. Every such rehearing shall take place before at least two Judges, and the finding thereon shall be final and conclusive, and shall be substituted for the original finding, which shall thereupon become void :
- (16.) By order to vest land in any person whom, in the exercise of the powers aforesaid, the Court determines to be entitled thereto, and generally to do all acts and things necessary to the effectual exercise of the jurisdiction conferred upon the Court by this Order in Council.

IV. *Practice and Procedure.*

11. The Court shall sit at such times and places as the Chief Judge, by notice given in such manner as may be prescribed, shall appoint. After the commencement of a sitting the presiding Judge, or, in the absence of a Judge, the Registrar, may adjourn such sitting from time to time and from place to place, or may so adjourn any part or parts of the business notified to be dealt with at any such sitting, or adjourn the same respectively *sine die*.