

NEW ZEALAND.

ANNO VICESIMO SEPTIMO

VICTORIÆ REGINÆ.

No. .

ANALYSIS:

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| Title. | 7. Procedure in case of forfeited claims. |
| Preamble. | 8. Commissioners to determine the quantity and boundaries of land to be granted when portions of land have been forfeited. Persons entitled to pre-emptive right of purchase in certain cases. |
| 1. Short Title. | 9. Persons constructing roads at their own cost allowed scrip in respect thereof. |
| 2. Issue of 40 Acre Orders may be suspended. | 10. Additional Mineral Regulations. |
| 3. Occupation or Improvement of land may be a condition of Grant. | |
| 4. Proof thereof before issue of Crown Grant. | |
| 5. Naval and Military Settlers Grants repealed. | |
| 6. Land Orders may be presented for endorsation by an agent. | |

A BILL intituled an Act to amend the ^{Title.}
"Auckland Waste Lands Act, 1858."

WHEREAS it is desirable further to amend the "Auckland ^{Preamble:}
Waste Land Act, 1858, and to make provision for certain details in the management of the Waste Lands of the Crown in the Province of Auckland :

New Zealand in Parliament assembled and by the authority of
BE IT THEREFORE ENACTED by the General Assembly of
the same as follows :—

Short Title. 1. The Short Title of this Act shall be, The Auckland Waste Land Act 1858 Amendment Act 1864.

Issue of 40 acre orders may be suspended. II. From and after the passing of this Act it shall be lawful for the Superintendent and for the agents to be employed by him in virtue of the "Auckland Waste Land Act, 1858," to issue Land Orders to Immigrants on the scale in the said Act authorized making it a condition precedent to such Immigrants obtaining any right in or title to the Land referred to in such Land Order that such Land shall be bona-fide occupied or improved as hereafter provided.

Occupation or Improvement of land made a condition of Grant. III. At the expiry of one year from the date of such Land Order as last aforesaid or as soon thereafter as may be and upon the Commissioner of Crown Lands being satisfied that a sum equal to ten shillings per acre has been expended on the Land referred to in such Land Order or that the persons named therein have resided for one year upon the Land it shall be lawful for the Governor to issue a Crown Grant therefor.

Proof there-of before the issue of Crown Grant IV. It shall be incumbent on all holders of Land Orders subject to such conditions of occupation or improvement to satisfy the Commissioner of Crown Lands that they have prior to obtaining a Crown Grant expended at the rate of at least ten shillings per acre on the Land claimed by them or have resided thereon for one year complete.

Naval and Military Settlers Grants repealed. V. Upon and after the expiry of one year from the passing of this Act section 80 of the Auckland Waste Lands Act 1858 so far as relates to the quantity of land to be granted to Naval and Military Settlers is hereby repealed and thenceforward Naval and Military Settlers of all ranks shall be entitled to acquire free of cost such quantity of land only and under the same conditions as they would respectively have been entitled to acquire had they emigrated with their families at their own cost from the United Kingdom or elsewhere.

Land Order may be presented for endorsation by an Agent. VI. Land Orders may be endorsed as required by Section 74 of the "Waste Land Act," without the necessity of the person holding the same or named therein presenting the same in person on the Commissioner or his deputy being satisfied that the person named in such Land Order is actually in the Province

Procedure in case of forfeited Claims. VII. In case of Land selected under any Land Order the right to which land has become forfeited by the non-fulfilment of any of the conditions prescribed by the Waste Land laws of the Province it shall be lawful for the Commissioner of Waste Lands to notify such forfeiture in the "Provincial Government Gazette" and such Lands shall thereafter be open for sale by auction as General Country Lands at the upset price of 10s. per acre.

Board to determine the quantity and boundaries of land to be granted when portions of land have been forfeited. VIII. And whereas it frequently happens that a Block of Land is selected under several Land Orders without its being specified which portion of such Block is selected under each Order and whereas it may happen that the conditions of one or more of the Land Orders under which such Block was selected are fulfilled so that it would be lawful for a Crown Grant to be issued for

Land chosen in respect thereof but others of the said Land Orders may have become void by failure in the conditions and the Land chosen in respect thereof forfeited And it is expedient to provide in such cases for defining the Land in respect of which a Crown Grant may issue and the Land which has been forfeited Be it enacted that it shall be lawful for the Commissioner of Waste Lands to determine such boundaries and to issue to the Claimant in any such case at his request a pre-emptive Order entitling him to purchase at the rate of Ten shillings per acre the portion of the Block selected by him and forfeited as aforesaid Provided that application for every such pre-emption Order shall be made within the time limited under the original void and forfeited Land Order for applying for a Crown Grant.

Persons entitled to pre-emptive right of purchase in certain cases.

IX. And whereas it is expedient to encourage the making of roads through unsettled Districts Be it therefore enacted that it shall be lawful for the Superintendent to issue to any person or persons who shall at his or their own cost make or construct any road along the line of any road or roads reserved for Public Highways Scrip which shall entitle the holders thereof to select any general country lands in the proportion of two acres to every £1 so expended Provided that no scrip shall be issued to any person who shall make any such road until the Provincial Council of Auckland shall by resolution or otherwise have signified their assent to the making of such road nor until the Superintendent shall have given his sanction to the making of such road at a price and according to a plan and specification of the work to be prepared by an Officer duly appointed by the Superintendent nor shall such Scrip be issued until the work in respect of which it is claimed shall have been examined and certified by such Officer to have been made and completed as aforesaid.

Persons constructing roads at their own cost allowed scrip in respect thereof

X. Section 62 of the Auckland Waste Lands Act 1858, is hereby repealed and Section 61 is hereby amended by omitting sub-sections 1 2 and 3 and substituting in lieu thereof—

Additional Mineral Regulations.

(1) The Commissioner of Crown Lands shall expose the Lease of Mineral Lands to Public Competition by advertising that the same shall be open to Tender during a specified time. The Rent or Royalty to be reserved shall be in each case fixed and advertised by the Commissioner together with the call for Tenders.

(2) It shall be lawful for the Commissioner to agree with any persons Lessees of any Coal-field within the Province of Auckland for a lease to them for any term not to endure beyond the Lease of such Coal-field of such part of the Waste Lands of the Crown as he may deem necessary for constructing a tramroad or railway from the pit-mouth to deep water with right to construct such tramroad or railway and the jetties or other works necessary for the shipment of the coal All such Leases shall be made and executed by the Superintendent of Auckland with the advice and consent of his Executive Council in name and on behalf of Her Majesty.