

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and having this day passed as now printed is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

*House of Representatives,
18th October, 1875.*

(Hon. Major Atkinson.)

Confiscated Lands Administration.

ANALYSIS.

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A BILL INTITULED

AN ACT to enable Lands taken under "The New Zealand Settlements Act, 1863," and the Acts amending the same, to be dealt with according to the laws in force with respect to the Waste Lands of the Province within which they are situate. Title.

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

1. The Short Title of this Act shall be "The Confiscated Lands Administration Act, 1875." Short Title.
2. In this Act—
 - The expression "The New Zealand Settlements Acts" means and includes "The New Zealand Settlements Act, 1863," and any Acts amending or continuing the same, and "The Confiscated Lands Act, 1867."
 - The expression "local governing body" means and includes the Council of any city or borough constituted under "The Municipal Corporations Act, 1867," Board of Commissioners, Board of Wardens, Trustees, or the persons or body having the control or management of the local affairs of any town city district or place, and also any corporate or other body or the Trustees of any such body, whether incorporated or not, having the care custody or control of any schools hospitals or charitable institutions.
 - The expression "confiscated lands" means lands taken or acquired under the authority of the New Zealand Settlements Acts, and of any regulations made thereunder, and any lands which, by "The East Coast Act, 1868," it is provided shall be deemed to be Crown lands, and not heretofore granted or agreed to be granted or reserved or set apart under any law now in force.Interpretation.

Repeal of provisions respecting sale and disposal of confiscated lands.

3. From and after the day named in any Proclamation made under the next succeeding section of this Act so much of the New Zealand Settlements Acts and of any regulations made thereunder as relates to the sale and disposal of confiscated lands shall in respect of the lands mentioned in such Proclamation be and be deemed to be repealed, and all such lands so mentioned as aforesaid shall be sold and disposed of only as hereinafter provided; but nothing herein contained shall be construed to alter or repeal any other Act of the General Assembly providing for the sale disposal or other dealing with any confiscated lands comprised in or authorized to be sold disposed of or dealt with by or under any such last-mentioned Act, or setting apart or giving power to set apart any confiscated lands for any specific purposes, or to repeal or affect any Order in Council Proclamation Regulation or any act or thing made or that may hereafter be made under any such Act as aforesaid.

Governor may declare confiscated lands to be waste lands of the Crown.

4. Subject to this Act the Governor in Council may from time to time, by Proclamation in the *New Zealand Gazette*, declare any confiscated lands to be waste lands of the Crown, and any such lands described in such a Proclamation shall from and after a day to be named therein be and be deemed to be waste lands of the Crown for the purpose of and within the meaning of any laws for the time being in force for the sale disposal or occupation of waste lands of the Crown in the province or division of the colony within which such lands are situate: Provided that none of the lands so proclaimed shall be open for selection under any scrip, or be awarded or granted as compensation, on any account whatever.

Public reserves may be granted to local governing bodies.

5. All public reserves heretofore made or purporting to be made by the Governor in Council, or which shall hereafter be made out of confiscated lands may upon the recommendation of the Superintendent of the province within which such reserves are situated, be granted by the Governor to the local governing body where such reserve is situated, to be held upon the trusts in such grant mentioned.

Saving of existing contracts and rights.

6. Nothing in this Act shall affect any contract or agreement made in conformity with law with by or on behalf of Her Majesty in respect of confiscated lands, or any rights or interests to which any person or persons may have become entitled thereby.

Governor may contract with Natives for obtaining peaceable possession.

7. The Governor in Council may enter into such contracts as he may deem necessary for obtaining peaceable possession of those parts of the confiscated lands of which possession has not been obtained, and may grant to Natives in possession of or claiming any such land, or may reserve for their use or occupation, such parts thereof as he thinks fit: And no lands so granted or reserved shall thereafter be included in any Proclamation under the *fourth* section of this Act.

Administration of existing Acts relating to confiscated lands may be carried on till end of next session.

8. Until any Proclamation shall have been made as by this Act provided, and except in respect of the confiscated lands mentioned in any such Proclamation, all powers duties and authorities whatsoever, created by or under the New Zealand Settlements Acts or any Regulations from time to time in force thereunder, may be exercised and performed in respect of the sale disposal or occupation of confiscated lands under the said Acts or Regulations as aforesaid, by the person or persons lawfully empowered in that behalf until the day next after the last day of the first session of the next or sixth Parliament of New Zealand.