

1914

Sir G. Grey.

DEFERRED-PAYMENT SETTLERS' RELIEF.

ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Determination by Court of price to be paid for land.</p> <p>3. Price so determined to be price paid.</p> <p>4. Court may make order regarding costs and conditions.</p> | <p>5. Constitution of Commission.</p> <p>6. Powers of Court.</p> <p>7. No deferred-payment selector may apply for more than one section. Ballot when more than one applicant for section.</p> <p>8. Section 62 of said Act amended.</p> |
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A BILL INTITULED

AN ACT to afford Relief under certain Circumstances to Deferred-payment Settlers. Title.

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

- 5 1. The Short Title of this Act is "The Deferred-payment Settlers' Relief Act, 1882," and shall be deemed to be incorporated with, and shall be read with, "The Land Act, 1877" (hereinafter called the "said Act"). Short Title.
- 10 2. Any deferred-payment settler who finds it impossible to pay the instalments due by him in respect of his purchase from the Crown of deferred-payment land may at any time apply to the Court hereinafter appointed to fix the fair amount that he should be required to pay for his land, and thereupon the Court, after hearing the applicant and any person appointed by the Governor to represent the public interests, and having regard to the interests of the public and the deferred-payment settler respectively, and considering all the circumstances of the case, the land purchased, and district, may determine what should be the fair price to be paid for such land. Determination by Court of price to be paid for land.
- 15 3. The price fixed by the Court shall be deemed to be the price payable by the applicant. Price so determined to be price paid.
- 20 4. The Court may refuse to accede to the application, or may accede to the same, subject to conditions to be performed by the applicant, or may, if it consider the application unreasonable, declare the applicant liable to payment of the costs or of the greater part of the costs of any proceedings, and generally may make such order in the matter as the Court may think consistent with justice, and such determination shall be final and binding on all parties concerned, without removal by appeal, writ of *certiorari*, or otherwise. Court may make order regarding costs and conditions.
- 25 5. The Court under this Act shall consist of one or more Commissioners, to be appointed by the Governor, of whom a District Court Judge may be one. Constitution of Commission.
- 30 6. In addition to the jurisdiction and powers conferred on the Court constituted by this Act, such Court shall, in respect of its practice and procedure, possess all the powers conferred upon District Courts constituted under "The District Courts Act, 1858," so far as applicable to this Act and consistent with the tenor thereof. Powers of Court.

No deferred-payment selector may apply for more than one section.

Ballot when more than one applicant for section.

Section 62 of said Act amended.

7. Notwithstanding anything contained in the said Act, or any amendment thereof, no selector shall at any one time apply for more than one section of deferred-payment land, and the price and area of land for which a selector shall be entitled to make application shall be fixed respectively by the Minister, and when more applications than one are made on the same day for the same 5 land on deferred-payments such applications shall be disposed of by ballot.

8. The said Act is hereby amended as follows, that is to say,—

Section 62. The following words shall be added at the end thereof:—

And shall also be liable to the penalties attached by any law in force for the time being to the offence of wilful and corrupt perjury. 10