

James Wilson Grant and Annuity.

ANALYSIS.

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A BILL INTITULED

AN ACT to grant an Annuity and a Piece of Land to James Wilson.

Title.

WHEREAS James Wilson an infant aged nine years or thereabout is the only surviving member of the family of James Wilson, late a Captain in the Poverty Bay Militia and Alice Wilson his wife who were barbarously murdered by rebel Maoris in the massacre at Poverty Bay in the night following the ninth day of *November* one thousand eight hundred and sixty-eight And whereas the said James Wilson is by the loss of his parents reduced to great want And whereas if the father of the said infant James Wilson had been killed while on active service the said James Wilson would have been entitled to a pension and it is expedient that he should have the annual allowance and grant of land hereinafter provided for

Preamble.

BE IT THEREFORE 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 James Wilson Grant and Annuity Act 1869.”

Short Title.

2. There shall be paid to such person or persons as the Governor shall from time to time by warrant under his hand appoint for the benefit of the said infant James Wilson an annuity of fifty pounds a year by quarterly payments on the day of the day of in each and every year the first of such payments being taken to fall due on the day of one thousand eight hundred and and the last to be paid on the day of one thousand eight hundred and seventy-eight if the said James Wilson shall so long live and in case of his death before that day the said annuity shall cease and determine as on the quarter-day next preceding his death.

Annuity of fifty pounds to James Wilson for limited time.

Annuity how to be paid.

3. The said annuity shall be payable out of and be chargeable on the Consolidated Revenue of the Colony and the acquittance or receipt of the person or persons appointed by the Governor as aforesaid until such appointment shall have been revoked shall be a good and sufficient discharge for the payment thereof.

Persons appointed by Governor may select land for James Wilson.

4. It shall be lawful for the said person or persons so appointed as aforesaid to select within _____ months from the passing of this Act free of cost in one allotment or in any number of contiguous allotments one hundred acres from any lands within the Province of Hawke's Bay taken under "The New Zealand Settlement Act 1863" and not then sold or agreed to be sold and not then reserved from sale and upon any such selection being made it shall be lawful for the Governor to execute a Crown Grant thereof without payment of any purchase money to such persons as the Governor shall think fit in trust for the said James Wilson under this Act.

Trusts upon which land shall be granted.

5. The said persons to whom the said land shall be so granted shall stand seised thereof and possessed of the net rents and profits thereof upon trust for the said James Wilson for his maintenance and education during his infancy and upon his death before attaining the age of twenty-one years upon trust for his heirs absolutely and upon his attaining the age of twenty-one years they shall convey the same to him and his heirs absolutely but subject in each case to any lease that they may have made thereof under the powers hereby conferred upon them.

Powers of trustees.

6. The said persons shall have power to let the said land by deed of lease for any term not exceeding twenty-one years from the date of such lease in such manner and upon such conditions as they shall think expedient but so that in every such lease there shall be reserved the best annual rent that can be obtained payable half-yearly or at shorter intervals and that there be inserted in every such lease a proviso for re-entry on the rent being in arrear for twenty-eight days whether demanded or not.

Land inalienable by James Wilson during his life till 1st January 1900.

7. The said James Wilson on his attaining the age of twenty-one years shall have the same power of leasing the said land as is hereby conferred on the said trustees but he shall have no greater or other powers of alienation thereof or of any estate or interest therein either at law or in equity (except by will) until the first day of *January* in the year one thousand nine hundred when he and his heirs shall be absolutely entitled thereto with full powers to alienate the same subject to any lease which he may have made under the powers hereby conferred on him.

Limitation to heir and devisees of James Wilson on his death.

8. On the death of the said James Wilson before the first day of *January* one thousand nine hundred his heirs or devisees shall subject to any such subsisting lease as aforesaid be entitled to the said land in the same manner as if the said James Wilson had been seised thereof in fee-simple at the time of his death and their power of alienation shall not be restricted or limited in any manner by this Act.

New trustees may be appointed by the Governor.

9. The Governor may from time to time and as often as he shall think fit by warrant under his hand appoint one or more persons to be a new trustee or new trustees for the purposes of this Act either alone or jointly with the persons to whom the said land shall be granted or the survivor of them And thereupon the said land shall without any conveyance vest in the persons so appointed alone or jointly with the surviving or continuing trustees as the case may require as joint tenants And the new trustees shall have the same powers and duties and shall stand seised of the said lands upon the same trusts as if they had been original trustees under this Act Every such warrant shall for the purposes of registration be deemed to be a deed.