

# Land Orders and Scrip (Taranaki).

## ANALYSIS.

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| <p>Title.</p> <p>Preamble.</p> <p>1. Short Title.</p> <p>2. Holders of unexercised land orders may select out of Crown lands.</p> <p>3. Rate at which scrip is to be computed in the purchase of lands within limits described in Schedule.</p> | <p>4. What land orders to be deemed unexercised land orders.</p> <p>5. Selections charged on Provincial Land Fund.</p> <p>6. Right to make railway &amp;c. to be reserved.</p> <p>7.</p> <p>8. Not to affect certain Acts of the General Assembly.</p> |
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## A BILL INTITULED

AN ACT to enable the Holders of certain Land Orders issued by the Plymouth Company of New Zealand or by the New Zealand Company to select out of Waste Lands of the Crown in the Province of Taranaki.

WHEREAS on a petition from Edward John Sartoris and Edwin Henry Downe to the House of Representatives and referred to a Select Committee of the said House the said Committee did on the fifteenth day of October one thousand eight hundred and sixty-eight recommend that the said petitioners and all other holders of unsatisfied New Plymouth land orders be allowed to select out of any lands then or thereafter declared open for sale or selection within the Province of Taranaki subject only to the terms and conditions imposed by "The Land Orders and Scrip Act 1858" as therein mentioned and to any actually existing engagements between the Natives and the Colonial Government for the formation of a township at Opunaki and any further reserves which it may be necessary to make for the Natives: And whereas it is expedient that provision should be made for giving effect to the hereinbefore in part recited

Report: 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 Land Orders and Scrip Act (Taranaki) 1871."

2. Every unexercised original rural or suburban land order issued by the Plymouth Company of New Zealand or by the New Zealand Company and conferring or purporting to confer on the owner or holder thereof the right to select according to a fixed and definite order of

choice fifty acres of rural or suburban land respectively within the Settlement of New Plymouth shall entitle such owner or holder in priority to general purchasers and according to the aforesaid order of choice to select out of any of the Waste Lands of the Crown in the Province of Taranaki open for sale or selection the quantities of land following that is to say every owner or holder of any such rural land order shall be entitled to select at the option of such owner or holder seventy-five acres of land not being town or suburban land and every owner or holder of any such suburban land order shall be entitled to select at the option of such owner or holder one hundred and twelve acres of land not being town or suburban land and such selection shall be made according to regulations to be made as aforesaid and subject to the following conditions that is to say—

- (1.) That every such selection in land divided into sections be so far as may be of an entire section or sections the proper quantity being made up where necessary by including some contiguous portion of an adjoining section or where a section may exceed in area the whole quantity to be selected by dividing a section in either of which cases the portion taken shall be divided off by the Government Surveyor.
- (2.) That for the purpose of enabling such selections to be made according to the priority aforesaid a convenient day and place and hour be appointed for the purpose by the Superintendent of the Province with regard to ordinary waste lands and by the Colonial Secretary with regard to lands taken under "The New Zealand Settlements Act 1863" or any Acts amending the same by notice published in the Government *Gazette* of the Province of Taranaki which notice shall be published at least three months before the day appointed thereby.
- (3.) That if at any time duly appointed for the selection of lands by the holders of such suburban or rural land orders a suburban and a rural land order shall be presented bearing the same number or order of choice the suburban land order shall take precedence of the rural land order.
- (4.) That subject to the express provisions of this Act every selection of lands taken under "The New Zealand Settlements Acts 1863" or any Act amending the same shall be made in accordance with that Act and any Acts amending the same and any regulations in force as to such land made or hereafter to be made under the said Acts or any of them and every selection of other lands shall be made in accordance with the ordinary regulations in force respecting shape frontage and other particulars of selection.

3. All unsatisfied original land orders issued by the Plymouth Company of New Zealand or by the New Zealand Company and conferring or purporting to confer on the owners or holders thereof the right to select land within the Settlement of New Plymouth according to priority of application or otherwise than in a fixed and definite order of choice shall be considered as equivalent in the purchase of Waste Lands of the Crown as aforesaid to an amount of Government scrip computed at the rate of two pounds sterling in Government scrip for every acre of land which such land orders purport to entitle the holders to select and all supplementary land orders and compensation or land scrip issued by the said New Zealand Company shall be considered as equivalent in the purchase of Waste Lands of the Crown within the said limits to an amount of Government scrip computed at the rate of one pound sterling in Government scrip for every acre of land which such last-mentioned land orders or land scrip purport to entitle the

Rate at which scrip is to be computed in the purchase of lands within limits described in Schedule.

holders to select. And all such land orders and land scrip as well original as supplementary shall not be otherwise available or exercisable for the purchase or selection of Waste Lands of the Crown and such Government scrip shall be taken in payment for town land within the said limit at the nominal value of such scrip in pounds sterling and in the purchase of rural land within the said limits one pound in Government scrip shall represent the selling price of one acre where such selling price does not exceed twenty shillings and in other cases shall represent its nominal value of one pound.

10 4. Where selection has heretofore been made by virtue of any such land orders of lands over which the Native title was not extinguished at the time of such selection such land orders shall not entitle the holders to claim the land selected although the Native title may have hereafter been extinguished and all land orders under which  
15 no selection has been made and all land orders under which selection has been made of lands over which at the time of such selection the Native title was not extinguished shall be and deemed for the purposes of this Act unexercised land orders.

What land orders to be deemed unexercised land orders.

20 5. Provided that all land selected under this Act shall be in diminution of any land taken under "The New Zealand Settlements Act 1863" whereof the proceeds may be hereafter handed over to the Province of Taranaki in fulfilment of the intentions of certain Resolutions adopted by the House of Representatives and known as "the Financial Resolutions of 1856" and of "The Land Revenue Appropriation Act 1858."

Selections charged on Provincial Land Fund.

25 6. In the grant or grants of any land selected under the provisions of this Act there shall be reserved to Her Majesty the Queen such part thereof as may be thought fit (not exceeding at the rate of \_\_\_\_\_ acres for every one hundred acres of any parcel of land so selected or purchased as aforesaid) for the construction through in or upon any part of the same land of any railway road or other work of public utility which may be constructed by or on behalf of Her said Majesty or by the authority of the General Assembly: And no grantee or grantees of any such land shall be entitled to any compensation for or in respect of  
35 the construction of any such railway road or other work of public utility through in or upon any lands so reserved as aforesaid.

Right to make railway &c. to be reserved.

40 7. The expression "Waste Lands of the Crown" when used in this Act shall include not only lands of the Crown subject to disposal under the laws and regulations for the time being in force in the Province of Taranaki regulating the sale of Waste Lands of the Crown within the said Province but also lands taken under "The New Zealand Settlements Act 1863" and the Acts amending the same within the said Province.

45 8. Nothing in this Act contained shall interfere with or affect the provisions of "The Land Orders and Scrip Act 1858" or "The Land Orders and Scrip Act (Taranaki) 1866."

Not to affect certain Acts of the General Assembly.