

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,
20th December, 1887.*

Hon. Major Atkinson.

NAVAL AND MILITARY SETTLERS' AND VOLUNTEERS' LAND.

ANALYSIS.

Title.	6. Claims to be satisfied by remission certificates for cash.
Preamble.	7. Certificate void if not exercised within three years.
1. Short Title.	8. In case of death certificate may issue to widow, child, or guardian of minors.
2. Remission certificates may be issued in satisfaction of claims.	7. Certificate void if not exercised within three years.
3. Certificates barred unless exercised before 31st March, 1890.	8. In case of death certificate may issue to persons best entitled thereto.
4. Land may be granted to Charles Andrews, of the Waikato Militia.	9. Claims may be satisfied in cash.
5. Governor may issue Commission to inquire into claims of persons equitably entitled to relief.	Schedules.

A BILL INTITULED

AN ACT in Settlement of certain Claims to Land of Naval and Military Settlers and Volunteers, and for the further investigation of other such Claims. Title.

WHEREAS under the authority conferred in the first paragraph of the First Schedule of "The Special Powers and Contracts Act, 1886," the Governor did appoint a Commission to inquire into and report upon all claims to land made by Volunteers enrolled between the years
5 one thousand eight hundred and seventy-three and one thousand eight hundred and seventy-six, which were barred by section three of "The Waste Lands Administration Act, 1876," with the view, in accordance with a report of the Waste Lands Committee of the House of Representatives, dated the tenth day of June, one thousand eight
10 hundred and eighty-six, of restoring their rights to all those men enrolled before the thirty-first day of October, one thousand eight hundred and seventy-six, who subsequently, by continuous service, completed their five years as efficient Volunteers: Preamble.

And whereas the aforesaid Waste Lands Committee, by another
15 report dated the twenty-second day of June, one thousand eight hundred and eighty-six, did express their opinion that the claims to land of the naval and military settlers, if entertained at all, should, in the first instance, be inquired into and reported upon by the Government; and the Governor, in accordance with the last-
20 mentioned report, did direct the Commissioners appointed under the aforesaid Commission to inquire into and report upon all the claims to land of the naval and military settlers accordingly:

And whereas the aforesaid Commissioners have reported to the Governor that, having inquired into the claims of one thousand six

hundred Naval and Military settlers and Volunteers, they found that only the several persons mentioned in the *First* Schedule to this Act had respectively substantiated such claims, and to the extent in the said Schedule expressed :

And whereas subsequent to the said report, further evidence has been adduced by or on behalf of the persons mentioned in the *Second* Schedule in substantiation of their claims, and the same have been proved to the satisfaction of the Defence Minister to the extent in the said Schedule mentioned :

And whereas, by the enactment hereinabove first recited, it is provided that all claims recommended by the aforesaid Commissioners should be paid in cash, and it is expedient that the Governor should be authorized to satisfy any of such claims by the issue of certificates for remission of money in the purchase of land, in lieu of cash :

And whereas certain naval and military settlers retired from Her Majesty's service with a view to settle in the colony after the repeal of the provisions conferring the privileges of land orders in such cases, but in ignorance of such repeal at the time of their retirement, and it is equitable that they should have special consideration :

And whereas also the Commissioners hereinabove mentioned were limited by the terms of their Commission to report upon all claims submitted to them in strict justice, and were unable to make any recommendation in favour of persons who had forfeited their claims through some act of forgetfulness or misapprehension of the law, and it is equitable to afford such persons relief, and for such purpose it is fitting that a new Commission should be issued, with power to report equitably on the merits of all claims submitted to it :

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

Short Title.

1. The Short Title of this Act is "The Naval and Military Settlers' and Volunteers' Land Act, 1887."

Remission certificates may be issued in satisfaction of claims.

2. The Governor may grant to the several persons mentioned in the *First* and *Second* Schedules to this Act certificates entitling them respectively to the remission of money in the purchase of land in any part of the colony as shall not exceed the sums specified in the said Schedules, and set opposite the names of the aforesaid persons respectively.

Certificates barred unless exercised before 31st March, 1890.

3. Every certificate of remission of money in purchase of land which is issued under the authority of the *last-preceding* section of this Act shall be barred unless exercised on or before the thirty-first day of March, in the year one thousand eight hundred and ninety.

Land may be granted to Charles Andrews, of the Waikato Militia.

4. Notwithstanding anything in this Act contained, the Governor may issue a Crown grant of the land specified in the *First* Schedule hereto to Charles Andrews, a member of the *Second* Regiment of the Waikato Militia, in respect of his services in such regiment, the said services having been proved to the satisfaction of the Commissioners aforesaid.

Governor may issue Commission to inquire into claims of persons equitably entitled to relief.

5. The Governor may appoint one or more Commissioners in terms of "The Commissioners' Powers Act, 1867," to inquire according to equity and good conscience into and to report—

(1.) Upon claims of naval and military settlers who may have *bonâ fide* at any time before the first day of March, one

thousand eight hundred and sixty-eight, retired from Her Majesty's service, with a view to settling in New Zealand, and of obtaining grants of land therein in ignorance at the time of their retirement that the authority to make grants of land in such cases had been repealed; and

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(2.) Upon claims of officers and Militiamen who at any time before the thirty-first day of October, one thousand eight hundred and seventy-six, may have *bonâ fide* rendered active service and been actually engaged with the Queen's enemies, as required by "The Volunteers' Land Act, 1865," to entitle them to remission certificates for the purchase of land in respect of such service; and

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(3.) Upon claims of Volunteers enrolled before the thirty-first day of October, one thousand eight hundred and seventy-six, who may have *bonâ fide* rendered the services required under "The Volunteers' Land Act, 1865," notwithstanding the repeal thereof, to entitle them to remission certificates for the purchase of land in respect of such services.

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20 And by such Commission the Governor may require the Commissioners specially to report whether any such persons are equitably entitled to relief, or have *bonâ fide* retired from Her Majesty's service, or have actually rendered the service entitling them to land, but have vitiated the claim through some technicality or non-observance of the

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6. Any claim that may be recommended by such Commissioners may, notwithstanding any informality therein, be approved by the Governor in Council, and thereupon shall be satisfied by the issue of a certificate for the remission of money in the purchase of land in any

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part of the colony, at the rate following, that is to say:—

(1.) In respect of naval and military settlers—

To any commissioned officer for any sum not exceeding two hundred pounds;

To any non-commissioned or warrant officer for any sum not exceeding forty pounds;

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To any private soldier, marine, or seaman for any sum not exceeding thirty pounds.

(2.) In respect of Volunteers and Officers and Militiamen at the rate mentioned in "The Volunteers' Land Act, 1865," notwithstanding the repeal of the said Act:

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Provided that no person shall be entitled to be recommended for any scrip or certificate for remission of money under this and the last-preceding section, who has already received any land or other consideration in payment of the particular service in respect whereof his claim is made under this Act.

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7. Every certificate issued under the *last-preceding* section shall be absolutely barred if not exercised before the expiration of three years from the date of a *Gazette* notice declaring the certificate to be ready for issue and delivery to the person entitled thereto.

Certificate void if not exercised within three years.

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8. In case of the death of any person heretofore found entitled, or who may hereafter be found entitled, to a certificate of remission of money under this Act, the Governor, by Order in Council, may direct such certificate to be issued to such person or persons as he shall think

In case of death certificate may issue to persons best entitled thereto.

most equitably entitled thereto, or in any manner he shall think best on behalf of any such person or persons.

Every certificate issued in accordance with any such Order in Council shall be in full discharge to Her Majesty of all claims of the deceased person, and of all persons claiming through him for land or remission of money in the purchase of land in respect of any services referred to in this Act, rendered by the deceased to Her Majesty.

9. In any case in which the Commissioners have recommended, or shall hereafter recommend, any such claim as aforesaid, the Governor may, if he think fit, with the consent in writing of the claimant, pay to such claimant in cash a sum not exceeding fifty per centum of the nominal value of the remission certificate to which he is entitled in full satisfaction of his claim, and in lieu of issuing a certificate as provided by section six hereof, and all payments shall be made out of and be charged against the Land Fund.

Claims may be satisfied in cash.

Schedules.

SCHEDULES.

FIRST SCHEDULE.

NAVAL AND MILITARY SETTLERS WHO HAVE PROVED THEIR CLAIMS.

Name.	Address.	Amount recommended.
Baldwin, Frank	Turakina	£ 30
Biddle, Thomas	Gisborne	30
Brown, Eli	Onehunga	30
Crowe, Alexander	Wellington	40
Crozier, William	Wanganui	30
Davey, Philip	Wanganui	30
Davey, Richard	New Plymouth	30
Dowling, Thomas	Wellington	30
Doyle, Patrick	Masterton	30
Dunn, John	Hawera	30
Flynn, Edward J.	Thames	30
Goodwin, Henry	Thames	30
Grace, David	Auckland	30
Guirk, Patrick	Wellington	30
Herlihy, Denis	Queen Street, Auckland	30
Holloway, Enos	Ohaupo	30
Hynd, James	Nelson	30
McDonald, James	Thames	40
McLaughlin, William	Wanganui	30
Moxson, Isaac	Taonui, Auckland	30
Murphy, James	New Plymouth	30
Noake, Maillard	Wanganui	200
Pullinger, John	Maxwelltown	30

SECOND WAIKATO REGIMENT.

Name.	Address.	Recommended.
Andrews, Charles	Aratapu... ..	Town section No. 309, Alexandra East, and farm sections Nos. 159 and 209B, Parish of Tuhikaramea, together containing fifty acres, all in the County of Waipa.

VOLUNTEERS WHO HAVE PROVED THEIR CLAIMS.

Name.	Address.	Amount recommended.
		£
Agnew, James	Karaka Road, Thames	30
Allan, Daniel	Wakefield Street, Auckland	30
Allen, William George	Victoria Arcade, Auckland	30
Anihana, W.	Thames	30
Anthony, Thomas	Invercargill	30
Baker, Frederick James	Newton, Auckland	30
Barrett, John	Auckland	30
Barry, David	Wellesley Street, Auckland	30
Beake, Thomas	Lorne Street, Auckland	30
Black, Alexander	Dunedin	30
Black, Thomas	Kartigi	30
Borthwick, Charles McLachlan	Newton, Auckland	30
Bowden, Richard (deceased)	Thames	30
Bowie, Robert	Richmond Street, Thames	30
Brett, William	Hampden	30
Brewin, Peter	Auckland	30
Brinsden, William	Hobson Street, Auckland	30
Brock, Adam	Queen Street, Auckland	5
Brown, James	Dunedin	30
Brown, John Anderson	Gray Street, Thames	30
Brown, William	Dunedin	30
Brownlee, James	Wai-o-karaka, Thames	30
Brownlow, Edward	Queen Street, Thames	30
Burke, John	Auckland	30
Cameron, Duncan	Mosgiel	30
Campbell, John	Melville Street, Dunedin	30
Canter, George William	Grange Street, Dunedin	30
Carter, John	Hape Creek	30
Cartwright, Ezra	Karaka Creek	30
Clarke, George W.	Sandes Street, Thames	30
Clout, Joseph	Walter Street, Thames	30
Cobb, William	Sandes Street, Thames	30
Conner, William	Keddell Street, Thames	30
Connolley, Charles	Opotiki	30
Cook, William	Invercargill	30
Couper, Peter	Mosgiel	30
Dabb, Richard	Tararu, Thames... ..	30
Dickson, Gavin	Gore, Southland... ..	30
Doidge, Joseph	Hape Creek	30
Donaldson, James	Mount Eden, Auckland	30
Donaldson, William	Mount Eden, Auckland	30
Eades, Lewis Robert	Auckland	30
Edgar, Alexander	Oxford Street, Auckland	30
Edmunds, Peter	Rolleston Street, Thames... ..	30
Ellis, Richard	Tararu, Thames	30
Ellis, William	Paeroa	30
Farrell, John	Te Aroha	30
Fergusson, Alexander	Invercargill	30
Finnerty, John	Cambridge	30
Glasgow, Thomas M.	Thames	30
Grant, John	Milton	30
Gray, William	Milton	30
Grove, George	Ponsonby	30
Hamilton, Hugh James	Hobson Street, Auckland	30
Hamlin, Jerome	Dargaville	40
Harkins, Hugh	Dargaville	30
Hattaway, R. jun.	Pakurunga	30

VOLUNTEERS WHO HAVE PROVED THEIR CLAIMS—*continued.*

Name.	Address.	Amount recommended.
Hautapu, Matiu	Thames	£ 30
Heaps, Thomas	Freeman's Bay	30
Heighway, Edward	Mount Eden, Auckland	30
Henderson, Thomas	Thames	30
Hendry, James	Mount Eden, Auckland	30
Hendry, John	Mosgiel	30
Huia, Wirimu	Thames	30
Hunter, Alexander P.	King Street, Dunedin	30
Hunter, James	Kumeu	10
Hymen, Henry	Kawakawa	30
Jack, John	Musselborough	30
Jackson, Benjamin	Not stated	30
Johnson, R. A.	Crown Lands Office, Dunedin	30
James, Alfred	Karaka Creek	30
Jones, Thomas	Karangahape Road	30
Karana, Tio	Thames	30
Karewha, Hotene	Thames	30
Kelsall, William	Davy Street, Thames	30
Kendall, Henry	Tararu Road	30
Kendall, Thomas	Waiotahi	30
Kikiwa, Tuna	Thames	30
Kipa, Rira	Thames	30
Kirker, Thomas	Waiorongomai	30
Konui, Meremana	Thames	30
Kopa, Utuku	Thames	30
Lanning, James	Tararu Road	30
Le Griffon, Joseph Emile	Auckland	30
Leith, George	Wai-o-karaka	30
Leslie, Robert	Walter Street, Thames	30
Lewis, Phillip	Albert Street, Thames	30
Liddle, John	Invercargill	30
Loughlin, David	Ohinemuri	30
Loughlin, Sam	Ohinemuri	30
Lucas, William Henry	Beach Road, Thames	30
McCarthy, Denis E.	Wellington Street, Auckland	30
McDonald, William	Port Chalmers	30
McFadden, Thomas... ..	Hampden	30
McGruer, Malcolm	Duke Street, Dunedin	30
McIlhany, James	Queen Street, Thames	30
McInnis, John	Abraham Street, Thames... ..	30
McIntyre, Allan	Fenton Street, Thames	30
McKenzie, James	Dunedin	30
McKenzie, Thomas	Riverton	30
McLaren, Donald	Caversham	30
McNeice, James	Post Office, Thames	30
McRoberts, J.	Tauranga	30
McWilliams, James... ..	Thames	30
Mangakahia, Hamiora	Thames	30
Matahau, Anaru	Thames	30
Matahau, Toroire	Thames	30
Mayo, Alfred	Parawai	30
Melrose, John	Mosgiel	30
Meremana, Tupare	Parawai	30
Miles, Robert Ambrose	Randolph Street, Newton,	30
Miller, Walter C.	Auckland	30
Mitchell, William	North Road, Auckland	30
Monson, Frederick John	Dunedin	30

VOLUNTEERS WHO HAVE PROVED THEIR CLAIMS—*continued.*

Name.	Address.	Amount recommended.
Moore, Edward	Albert Street, Auckland	£ 30
Moore, George	Albert Street, Auckland	30
Moore, William	Milton	30
More, Hori	Thames	30
Morrison, John	Ponsonby, Auckland	30
Morrison, Robert	Dunedin	30
Munro, William	Auckland	30
Murphy, William	Alexandra Street, Auckland	30
Nahe, Hone	Thames	30
Naughtie, James	Mosgiel	30
Notman, Charles	Mornington	30
O'Brien, James	Ponsonby, Auckland	30
Otter, William	Franklin Street, Thames	30
Parslow, James Henry	Wolf Street, Auckland	30
Payne, Walter Thomas	Ponsonby, Auckland	30
Peace, Andrew G.	Mount Eden, Auckland	30
Peploe, George	Thames	30
Poono, Matiu	Thames	30
Potts, William Henry	Thames	30
Price, Edward	Karaka Creek	30
Price, Robert William	Dunedin	30
Purcell, James Henry	Nixon Street, Auckland	30
Randerson, William H.	Auckland	30
Raynes, George	Woodlands, Invercargill	30
Redfern, Arthur	Queen Street, Thames	30
Redwood, John	Shortland, Thames	30
Renshaw, William	Queen Street, Auckland	30
Reven, Thomas	Brown Street, Thames	30
Reynolds, Percy	Thames	30
Rice, James	Sandes Street, Thames	30
Richardson, William	Kawa Kawa	30
Ross, Murdock	Surrey Hill, Auckland	30
Sheehan, David	Prospect Street, Ponsonby	30
Slade, Dan	Auckland	30
Slowley, John	Duke Hill, Dunedin	30
Smith, Edmund R.	Dunedin	30
Smith, Joseph	Wai-o-karaka	30
Smith, Joseph B.	Cockran Street, Thames	30
Spain, Thomas	Union Street, Auckland	30
Stephenson, Thomas	Kaikorai	30
Stevens, E.	Riverton	30
Stevens, Robert	Bulls	30
Sturt, William	Parawai	30
Sutherland, Alexander	Invercargill	30
Symington, George (deceased)	Brown Street, Thames	30
Taipari, W. H.	Thames	30
Taylor, George	Walter Street, Thames	30
Te Kohu, Ihakara	Thames	30
Teretiu, Eru	Thames	30
Teretiu, Mare	Thames	30
Thompson, Charles Kluglein	Invercargill	30
Thompson, James	Sandes Street, Thames	30
Thompson, Thomas John	Port Chalmers	30
Toa, Hohepa	Thames	30
Toms, James	Otahuhu	30
Tough, John	Milton	30
Tremaine, Edwin H.	Albert Street, Auckland	30

VOLUNTEERS WHO HAVE PROVED THEIR CLAIMS—*continued.*

Name.	Address.	Amount recommended.
Tremaine, William ...	Milford Street, Ponsonby...	£ 30
Tuhoro, Pene ...	Thames ...	30
Waddingham, Charles S. ...	Karangahape Road ...	30
Waikorire, Ritete ...	Thames ...	30
Wallace, George ...	Hepburn Street, Thames ...	30
Watene, Hemi ...	Thames ...	30
Watene, Rihari ...	Thames ...	30
Webster, William ...	Dunedin ...	30
Weir, Peter ...	Brown Street ...	30
Whakarongati, Raika ...	Thames ...	30
Whare, Tiura ...	Thames ...	30
Wharepuhi, Pereki ...	Thames ...	30
Whirarai, Ngapuhi ...	Thames ...	30
Williams, James ...	Tairoa, Thames ...	30
Wilson, Frederick J. ...	Ponsonby ...	30
Winton, John ...	Riverton ...	30
Woods, John ...	Alexandra Street, Auckland ...	30

SECOND SCHEDULE.

CLAIMS PROVED SUBSEQUENT TO THE COMMISSIONERS' REPORT.

Name.	Address.	Amount recommended.
<i>Naval and Military Settlers.</i>		
Campbell, James ...	Huia, Auckland ...	£ 30
Dunn, Charles ...	Masterton ...	30
Eagan, Michael ...	Auckland ...	30
Edwards, James T. ...	Wellington ...	200
Fitzgerald, John ...	Newmarket ...	30
Flanagan, Edward ...	Waimauku ...	30
Gibbons, John ...	Auckland ...	30
Jones, Edward ...	Pukekohe ...	30
Kinkeade, Arthur ...	Wanganui ...	30
Macartney, David ...	Te Ngairi ...	30
Rouse, Thomas ...	Kawakawa ...	30
Symes, Henry James ...	Thames ...	30
Winteringham, John ...	Coromandel ...	30
<i>Volunteers.</i>		
Barlow, H. J. ...	Thames ...	30
Coventry, John ...	Dunedin ...	30
Dickie, Samuel ...	Waiuku ...	30
Dixon, Mark ...	Auckland ...	30
Harris, Samuel ...	Hampden ...	30
Johns, Thomas ...	Thames ...	30
Johnston, James (deceased) ...	Thames ...	30
Lawler, David ...	Invercargill ...	30
McMillan, James ...	Sunnyside ...	30
Morgan, E. R. ...	Rahotu ...	5
Pattison, James ...	Dunedin ...	30
Pillans, W. E. ...	Balelutha ...	30
Provo, Bartlett ...	Dunedin ...	30
Russell, Dures ...	Auckland ...	30