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(Major Atkinson.)

Taranaki Waste Lands.

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A BILL INTITULED

Title.	AN ACT to amend the Law relating to the Sale Letting and Occupation of Waste Lands of the Colony within the Province of Taranaki.	
Preamble.	<p>WHEREAS it is expedient that the laws now in force for the sale letting occupation and disposal of the waste lands of the Crown within the Province of Taranaki should be amended so as to afford greater encouragement to the settlement of people within the province :</p> <p>BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows :—</p>	5
Short Title.	1. The Short Title of this Act shall be "The Taranaki Waste Lands Act, 1874."	10
INTERPRETATION.		
Interpretation.	<p>2. In the construction of this Act, the words and expressions following shall have the meanings by this section hereinafter assigned to them, unless such meanings be repugnant to or inconsistent with the context, that is to say,—</p> <p>The term "waste lands" shall mean waste lands of the Crown within the Province of Taranaki.</p> <p>The word "province" shall mean the Province of Taranaki.</p> <p>The words "Superintendent," "Board," shall mean respectively the Superintendent and the Waste Lands Board of or for the Province of Taranaki.</p> <p>The expression "Provincial Council" shall mean the Provincial Council of the Province of Taranaki.</p> <p>The term "Receiver of Land Revenue" shall mean the Receiver of Land Revenue appointed for the Province of Taranaki.</p> <p>The expression "Provincial Gazette" shall mean the <i>Gazette</i> published by or under the authority of the Government of the Province of Taranaki.</p> <p>The word "Proclamation" shall mean and include as well any Proclamation in any Provincial <i>Gazette</i> as in the <i>New Zealand Gazette</i>.</p> <p>The word "allotment," whenever the same is used in this Act, shall be taken to mean a quantity of land not exceeding five hundred acres.</p> <p>The word "district" shall be taken to mean a land district constituted under this Act.</p>	15
Repeal of regulations save as to unfulfilled contracts.	3. All regulations now in force in the Province of Taranaki for the sale and disposal of the waste lands of the Crown within the said province are hereby repealed: Provided always that nothing herein contained shall affect any contract promise or agreement made with or by or on behalf of Her Majesty, or of the Government, previously to this Act coming into operation, and those incomplete and unfulfilled.	40
Powers under "Waste Lands Act, 1858," continue to be vested in Governor.	4. All the powers and authorities by "The Waste Lands Act, 1858," vested in the Governor, shall continue to be vested in the Governor in like manner as if this Act was included in the Schedule of the said "Waste Lands Act, 1858," except so far as the same is repugnant to this Act.	45
Superintendent to act with advice of Executive Council.	5. Every act which the Superintendent is hereby authorized or required to perform, he shall perform solely in accordance with the advice of his Executive Council for the time being.	50

WASTE LANDS BOARD CONSTITUTED—POWERS DEFINED.

6. There shall be a Board of Commissioners to be called "The Waste Lands Board of the Province of Taranaki," and the said Board shall consist of the Crown Lands Commissioner and not less than two nor more than four other Commissioners, all of whom shall be appointed and be removable by warrant under the hand of the Superintendent.
7. The salaries of the Commissioners and officers of the Board appointed by the Superintendent or by the Board shall be paid by the Superintendent out of revenues appropriated for that purpose by the Superintendent and Provincial Council.
8. The Board shall transact its business at the office of the Crown Lands Commissioner for the time being.
9. The Commissioner of Crown Lands when present, and in his absence then some member selected by those present at any meeting of the Board, shall preside thereat, and the said Commissioner or presiding member for the time being shall have an original as well as a casting vote in all questions coming before the Board.
10. All questions coming before the Board shall be decided by a majority of the Commissioners present thereat.
11. All meetings of the Board shall be attended by at least three Commissioners, and shall be open to the public, except the Board deems it necessary to retire for deliberation.
12. All business connected with the sale letting disposal and occupation of waste lands shall be transacted by the Board, subject however to the provisions in the thirteenth section of this Act.
13. It shall be lawful for the Board, with the consent of the Superintendent, to create districts for the sale and disposal of land, and for the purposes of this Act such districts shall be called Land Districts. And it shall be lawful for the Board to appoint offices at such places as may be most convenient for the sale and disposal of land within such district, and also to appoint officers or other persons for conducting such sales, and for receiving applications for the sale letting disposal or occupation of waste lands, and for generally carrying into effect the provisions of this Act. And the salaries or other remuneration of such officers or other persons so to be appointed shall be paid by the Superintendent out of revenues appropriated for that purpose by the Superintendent and Provincial Council.
14. All the routine business relating to the letting purchasing disposal or occupation of waste lands shall be transacted by the Commissioner of Crown Lands, subject to such instructions as may be given by the Board in that behalf.
15. Every dispute and difference relating or incident to the sale letting disposal and occupation of waste lands, or to anything done under this Act, or to the interpretation or meaning hereof, shall be heard and determined by the Board at meetings of the Board.
16. The decision of the Board on all matters to be by it heard and determined shall be final and conclusive: Provided always that the Board may on the application of any person grant a rehearing of any case decided by it if it shall think that justice requires it, and on such rehearing may revise alter modify or confirm any previous decision in the same case.
17. The Board shall keep a record of all its proceedings, in which shall be entered a full and particular account of all business transacted by it, and a minute of the opinion of the members of the said Board in cases where they differ, and in which any member wishes his opinion to be recorded, which record shall be open to the inspection of any person at all reasonable hours on payment of a fee of two shillings and sixpence for each inspection.

Boards, how constituted.

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Chief Commissioner to transact routine business.

Disputes determined.

Decision final.

Board to keep minutes.

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Records open to inspection.

18. There shall also be kept in the office of the Board, in a convenient form for reference, every letter application report and communication received thereat, and copies of those written therefrom, also every order made by the Board and by the Commissioner of Crown Lands, and a convenient index shall be made thereto, all of which shall be open to inspection by any person at all reasonable times on payment of a fee of two shillings and sixpence for each inspection. 5

Rents, &c., paid to Receiver of Land Revenue.

19. All rents fees assessments purchase moneys and other sums of money payable under the provisions of this Act shall be paid to the Receiver of Land Revenue for the time being, unless herein otherwise provided. 10

Publication of lands open for sale.

20. The Commissioner of Crown Lands shall cause a statement specifying the area and locality of all the surveyed lands of the province (excepting town and village lands) for the time being open for sale by auction, or by selection for cash, or by selection on deferred payments, to be published in the Provincial *Gazette* and circulated once in every twelve months; and every such statement shall exhibit as near as may be the distance and direction of such lands respectively from the nearest town village navigable river public road or railway, and shall specify as near as may be the quality of the land, whether bush or open land, and if open the distance from bush. 15 20

SURVEYS.

Chief Surveyor and assistants to be appointed.

21. There shall be a Chief Surveyor who shall be appointed and be removable by warrant under the hand of the Superintendent, and as many Assistant or District Surveyors as shall be necessary, who shall be appointed and be removable by the Superintendent. 25

Surveys to be conducted as Board may direct.

22. All surveys shall be conducted in such manner as the Superintendent by any regulations to be made in that behalf shall direct.

GENERAL.

Land to be surveyed before sale.

23. No land shall be offered for sale unless the same shall have been previously surveyed, and a map thereof showing the allotments offered for sale, and the reserves for roads and other purposes of public utility marked thereon, such map being open for inspection by the public at the Waste Lands Office during usual office hours. 30 35

Notice of sale to published.

24. The Board shall give notice of the time and place at which any sale by auction of town suburban or rural lands is intended to be held, or of any sale by selection for cash, or by selection on deferred payments, in which notice the allotments of land which shall then be offered for sale shall be specified, and such notice shall be published in the Provincial *Gazette*, and in a newspaper published in the province, not more than three months nor less than one month before such sale shall take place. 40

Auctioneer to be appointed.

25. The land offered for sale by auction shall be conducted by some person appointed for that purpose by the Board, who shall not be required to take out an auctioneer's license. 45

Purchase money, how paid.

26. Immediate payment of one-tenth part of the purchase money shall be a condition of every such sale by auction, and the remaining nine-tenths of the purchase money shall be paid by the purchaser within three calendar months next after the time of such sale, otherwise the part of the purchase money so paid by way of deposit as aforesaid shall be forfeited, and the contract for the sale of the land shall thenceforward be null and void. 50

Board may withdraw from sale allotments of special value.

27. It shall be lawful for the Board to withdraw from sale any allotment or allotments in any block or blocks of land set apart for sale by auction, or by selection for cash, or by selection on deferred payments, having special value from the growth of timber thereon, or from containing minerals, or from having an available water power 55

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thereon; and with the consent of the Superintendent, to dispose of such land by lease, with or without a purchasing clause, to any person or company who will undertake to establish a saw-mill or other special industry on any such allotments or work the minerals therein, or apply
 5 the water power to any manufacturing purpose, upon such terms and conditions as the Board shall deem necessary: Provided that such land shall not be sold at a less price than twenty shillings per acre.

28. The Superintendent may at any time, by Proclamation published in the Provincial *Gazette* and also in some newspaper having
 10 general circulation in the said province, withdraw from sale any waste lands which it may appear expedient for public interests should be so withdrawn, and any Proclamation hereafter to be made by such Superintendent withdrawing lands from sale may at any time be by the Superintendent withdrawing lands from sale may at any time be by the
 15 Superintendent and newspaper; and such lands shall not until after the expiration of thirty days from the publication of the proclamation of such revocation be open for sale or selection.

Lands may be withdrawn from sale by Superintendent.

29. It shall be lawful for the Governor in Council from time to time, if he shall see fit, on the receipt of a recommendation to this
 20 effect from the Superintendent and the Provincial Council, to order that an augmentation or reduction shall be made in the price at which the waste lands shall be offered for sale either by selection or by auction to such an amount as shall be expressed in the said recommendation; and from and after a date to be fixed in the Order in
 25 Council the price shall be raised or reduced accordingly.

Price may be augmented.

30. The Board may cause a license to occupy or lease to be issued of any unsold waste lands for pastoral purposes, on such terms and conditions as the Board may deem necessary: Provided always
 30 that every such license or lease shall be surrendered to the Board upon demand at any time after notice of not less than one month, without any right to compensation on any account whatever accruing to the lessee or licensee.

License to occupy or lease unsold waste lands.

31. That in all cases where under this Act it is directed that
 35 any lands for sale or to let, or to be set apart for public purposes, or withdrawn from sale, shall be published in the Provincial *Gazette*, the same shall also be published in some one or more newspapers circulating in the province.

Notice of lands set apart for public purposes, &c., to be gazetted.

RESERVES FOR PUBLIC PURPOSES.

32. Reserves for the uses of the Provincial Government and for
 40 other public purposes of a specific character may upon recommendation of the Provincial Council be made by the Superintendent, and shall not be alienated from the specific purposes to which they shall have been severally dedicated, except under the provisions of "The Public Reserves Act, 1854," or of "The Public Reserves Act, 1862," and a
 45 full and complete description of every such reserve, and of the purposes to which it shall have been dedicated, shall, so soon as possible after it shall have been made, be published in the Provincial *Gazette* and set forth on the maps in the Land Office: Provided that the Superintendent may, if the Provincial Council be not then sitting, temporarily reserve
 50 land for such purposes until the end of the next Session of the Provincial Council.

Public reserves may be made.

33. The Board may cause a license to occupy or lease to be issued of any reserve or part of any reserve not required for immediate
 of early use for the purpose for which it may have been reserved:
 55 Provided always that every such license or lease shall be surrendered to the Board upon demand at any time after notice of not less than one month, without any right to compensation on any account whatever accruing to the lessee or licensee.

Public reserves may be leased.

34. The Governor, on the application of the Superintendent, may
 60 at any time, by Proclamation published as aforesaid, cancel any Procla-

Reserves may be cancelled by proclamation.

mation or other instrument hereafter to be made by such Superintendent reserving any waste lands within the province for public purposes; and on the expiration of thirty days from the publication of such proclamation of cancellation, the lands affected thereby shall be open for sale or occupation or disposal as if they had never been reserved. 5

CLASSIFICATION OF WASTE LANDS.

Classification.

35. The waste lands shall be and are hereby divided into three classes as follows, namely,—

- (1.) Town land, being the sites heretofore reserved or which shall hereafter be reserved for towns and villages. 10
- (2.) Suburban land, being land in the vicinity of any town lands.
- (3.) Rural land, being lands not reserved for towns or villages or other public purposes. 15

Classes of land may altered.

36. It shall be lawful for the Board at any time and from time to time to declare, by notice in the Provincial *Gazette*, that any land shall belong to either of the said classes, and also that any land shall cease to belong to either of such classes: Provided that no land which has been declared to be town or suburban land shall cease to belong to such classes respectively without the consent previously obtained of the Superintendent and Provincial Council. 20

SALE OF TOWN LANDS.

Sale of town lands.

37. All town lands, except as hereinafter provided, shall be sold by auction, according to the provisions herein contained relating to sales by auction; and the upset prices of allotments of such lands shall be fixed by the Board, subject to the approval of the Superintendent: Provided that it shall be lawful for the Board, if it should by the Board seem expedient so to do, to sell otherwise than by auction any sections of town lands which, having been put up for sale by auction, have not been sold from want of buyers, or which having been sold at auction, the purchasers have failed to complete their purchases; but no such land shall be sold otherwise than by public auction until thirty days after notice in the Provincial *Gazette* describing the land and the price at which it is proposed to sell such land otherwise than by auction; and if before the expiration of such period there shall be more applicants than one for such land, it shall be put up again for sale by public auction open to all bidders. If the Board shall, under this proviso, sell any town lands otherwise than by auction, the price at which such lands shall be sold shall be such price as the Board shall determine, not being less than the highest sum bid for such lands at the auction held thereof; and if no bid has been made, then the price shall not be less than the price at which such lands were put up for sale at the auction held thereof. 25 30 35 40

Sale of suburban lands.

38. All suburban lands shall be offered for sale by auction in allotments the size or extent and upset price of which shall be fixed and determined by the Board, subject to the approval of the Superintendent. 45

SALE OF RURAL LANDS BY AUCTION.

Rural lands not specially set apart to be sold by auction.

39. All rural lands not set apart for sale by selection for cash, or for sale by selection on deferred payments, or for special settlements, shall be sold by public auction. 50

Upset price.

40. The upset price for rural land offered for sale by auction shall be fixed by the Board according to its quality and position, not being less than ten shillings per acre for bush land, nor less than twenty shillings per acre for open land. 55

Acreage of allotments.

41. No allotment offered for sale shall not be more than five hundred acres.

SALE OF RURAL LAND BY SELECTION FOR CASH.

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42. It shall be lawful for the Superintendent from time to time, by Proclamation in the Provincial *Gazette*, to set apart blocks of land which shall be open for sale by selection for cash, and from time to time to revoke such Proclamation with respect to such lands as shall remain unsold at the time of such revocation.

Superintendent to set apart land for selection.

43. The price at which rural lands shall be offered for sale by selection for cash shall be twenty shillings per acre for bush land and forty shillings per acre for open land. And in the event of two or more applications for the same land being made on the same day, the upset price at which such land shall be put up at auction as hereinafter mentioned, shall be twenty shillings per acre for bush land, and forty shillings per acre for open land.

Price per acre.

44. Any person desirous of purchasing rural land by selection for cash shall make an application in writing for the purchase thereof at the Land Office of the district in which the land applied for is situate, and in a form to be by the Board prescribed; and every such application shall be forthwith forwarded to the Land Office in New Plymouth, and the decision of the Board on such application shall be given within two days after such application has been received at the Land Office in New Plymouth, if there be no more than one applicant for the same land on the same day.

Applications, how made.

45. Any application may, at the option of the applicant, be enclosed in a sealed cover, which shall not be opened till after the office hours on the day it is made.

Applications may be in sealed covers.

46. No application for more than five hundred acres of rural land shall be granted by the Board.

Limit of application.

47. When no more than one such application shall have been made for the same land on the same day, and the Board shall have declared such applicant to be the purchaser thereof, then such applicant shall pay to the Receiver of Land Revenue the purchase money of the land applied for within ten days after a notification shall have been published in the Provincial *Gazette*, and sent by post addressed to the applicant at his last known place of abode, that the applicant has been declared the purchaser; and if the purchase money is not paid at the time fixed, such application shall be deemed withdrawn and cancelled, and shall thereupon become null and be void.

When price paid.

48. In the event of two or more persons making application to purchase the same land on the same day, the said land shall be offered for sale by public auction, open to all bidders, at such time and place as the Board shall appoint, and in the manner herein provided relating to sales of land by auction.

Sale by auction when more than one applicant.

SALE OF RURAL LAND BY SELECTION ON DEFERRED PAYMENTS.

49. It shall be lawful for the Superintendent from time to time, by Proclamation in the Provincial *Gazette*, to set apart blocks of land which shall be open for selection on deferred payments, and from time to time to revoke such Proclamation with respect to such lands as shall remain unsold at the time of such revocation.

Blocks may be set apart.

50. The land in every block so set apart shall be sold in the manner and upon the terms following:—

Conditions of sale.

- (1.) The price shall be such price not less than twenty shillings nor more than forty shillings per acre as the Board shall fix.
- (2.) No person shall be allowed to purchase more than two hundred acres in any one such block, either in his own name or in the name of any other person.
- (3.) Every person applying to purchase any such land shall deliver to the Board a written application in the form A in the Schedule to this Act, which application shall be signed

by the applicant, or by some person acting on his behalf, and shall at the same time pay to the Receiver of Land Revenue for the said province a deposit equal to one-tenth of the price of the land for which he applies.

- (4.) If there shall only be one applicant for any piece of land 5
in the same day, and he shall be qualified to purchase land
in such block to the extent applied for, the Board shall
accept the application upon payment of the deposit, and
shall issue to the applicant a license to occupy in the form
B in the Schedule. 10
- (5.) If there shall be more than one such applicant in the same
day for the same piece of land, the Board shall receive the
applications, and the Receiver of Land Revenue shall re-
ceive the deposits and shall pay them into the Bank at
which the Public Account of the Colony is for the time 15
being kept to a deposit account; and the Board shall fix a
convenient time and place for a sale by auction of the land
applied for, and shall give notice thereof in the Provincial
Gazette.
- (6.) At the time and place so appointed the said land shall be 20
sold by auction to the highest bidder. If the purchaser
thereof shall be a person other than one of the applicants,
he shall pay to the Receiver of Land Revenue a deposit of
one-tenth of the price bid by him, and in each case the
purchaser shall be entitled to have a license to occupy in 25
the same manner as if he had purchased without auction :
Provided that if one of the applicants become the purchaser
he shall pay the difference (if any) between the deposit
made by him and the one-tenth of the price at which the
land sold. 30
- (7.) The deposit of every applicant for land put up to auction
and not bought by him shall be returned to him by the
Receiver of Land Revenue forthwith after the auction.
- (8.) No person who has already purchased any land in any such
block shall be permitted to bid in his own name or for his 35
own benefit at any auction of land in such block (unless
the extent of land for which he bids shall together with his
previous purchase make up not more than two hundred
acres); and if he shall so bid, his bidding shall not be re-
ceived, and if received shall be void. 40
- (9.) If any land put up for sale by auction under the preceding
provisions of this section shall remain unsold for want of
bidders, the same shall be again open for purchase at the
upset price on the day next after the holding of the auction,
and the applications already delivered for the same shall 45
be deemed to have lapsed.
- (10.) In order to prevent the same person buying more than two
hundred acres of land in any one block, the Board shall,
in addition to the general register of applications, keep for
each block a register of the names and descriptions of all 50
persons who have purchased any land in such block, show-
ing the extent of land purchased by each person, and such
register shall be kept in alphabetical order.

Conditions of license
to occupy.

51. The conditions set forth in the form of license to occupy in
the Schedule to this Act shall be binding upon the purchaser, his heirs 55
executors administrators and assigns, in the same manner as if em-
bodied in this Act.

Report as to compli-
ance with conditions.

52. At the end of two years and four years respectively from the
day of purchase of any land under this part of this Act, or as soon as
conveniently may be thereafter, some person appointed by the Board 60

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shall report to the Board whether or not the purchaser thereof has during the said two and four years fulfilled the conditions of his license to occupy; and if upon such report it shall appear to the Board that such purchaser has fulfilled the said conditions, the said purchaser shall be entitled to the land with respect to which the report is made on payment of the residue of the purchase money, as provided by this Act.

53. Immediately upon the receipt by the Board of any such report as is mentioned in the last preceding section, to the effect that such purchaser has not fulfilled his conditions of his license to occupy, the Board shall send, by post or otherwise, to the person against whom such report is made, at his address, if any be known to the Board, and if none, then at the land purchased by him, a notice in the form C in the Schedule, or to the like effect; and if the purchaser shall deem such report false, he may within fourteen days after the delivery or posting of the said notice appeal to the Board, by giving a written notice in the form D in the Schedule, or to the like effect, and the Board at its next meeting shall appoint a time and place for hearing the said appeal, and shall give notice thereof to the appellant. At the time and place so appointed the Board shall sit to hear the appeal, and shall examine upon oath all such persons as shall be tendered as witnesses by either party, and shall determine whether or not the appellant has, within the said period of two years and four years, fulfilled the conditions of his license to occupy.

Unfavourable report to annual purchase.

54. If upon such report it shall appear to the Board that the purchaser has, with respect to any piece of land purchased by him, failed to fulfil the conditions of his license to occupy, and no appeal against such report shall be had within the time herein limited for such appeal, the purchase by such purchaser shall be deemed void from the expiration of the last-mentioned time, and the deposit paid by such purchaser, and the land purchased, with all improvements thereon, shall be forfeited to Her Majesty.

Appeal.

55. If such decision shall be that the appellant has not within the said period of two years and four years respectively fulfilled the conditions of his license to occupy, the Board shall proceed in the same manner as if the appellant had submitted to the original report. If such decision shall be that the appellant has within the said period fulfilled the said conditions, the appellant shall be entitled to the land in respect whereof such decision is made, in the same manner as if the report had originally been to the same effect as the decision.

Effect of decision on appeal.

56. Immediately after the making of a report in favour of any purchaser of land under this Act, or in case of an appeal immediately after the decision in favour of any purchaser, such purchaser shall pay to the Receiver of Land Revenue the second instalment of purchase money, being a sum equal to the whole deposit originally paid by him on purchasing the said land, and he shall pay a like sum in like manner at the end of the third, fourth, fifth, sixth, seventh, eighth, ninth, and tenth year from the day on which he purchased such land, or at such earlier time, not before the time when the said second instalment falls due, as the purchaser shall think fit.

Payment of further instalments.

57. If any purchaser of land under this part of this Act shall fail to pay any sum of purchase money in the manner required by this part of this Act on or before or within thirty days after the day on which the same ought to be paid, the said land and all improvements thereon, and all sums of money already paid for the same shall be forfeited to Her Majesty.

Forfeiture on non-payment.

58. When the whole of the purchase money of any land purchased under this part of this Act has been paid in the manner prescribed by this Act, the Governor shall issue to the purchaser thereof a grant from the Crown thereof, the purchaser paying such fee and sums of money as

Issue of grant.

shall for the time being be payable in respect of such grant, and of the registration of the title of the purchaser under "The Land Transfer Act, 1870." The title conferred by every such grant shall be deemed to relate back to the day when the payment of the purchase money was completed, and that day shall be inserted in the *habendum* of the grant. 5

Sale of forfeited lands.

59. When any land purchased under this part of this Act has been forfeited to Her Majesty, the Board shall sell the same and the improvements thereon by public auction for cash, at such time and place as the Board shall appoint, but not at a price less than twenty shillings per acre. At such sale any person may bid and purchase, notwithstanding his having purchased land in the same block to the extent of two hundred acres; and the purchaser of any such forfeited land shall be entitled to receive a grant thereof from the Crown, which shall be issued to him accordingly, on payment of such fees aforesaid. 10 15

Assigning interest.

60. The interest of a purchaser in land under this part of this Act who has not paid the whole of his purchase money shall not be assignable at law or in equity except under the provisions of this Act, and shall not be capable of being charged encumbered extended or taken in execution in any manner whatever. 20

Substitution of person for purchaser.

61. If any purchaser of land under this part of this Act who has not paid the whole of his purchase money, or his executors or administrators, shall desire to assign his interest in land occupied by him under his license to occupy, he or they may apply to the Board to accept instead of himself some one person as purchaser; and if the Board shall think fit to accept such person, and such person shall not be disqualified to purchase land in the same block to the extent of the land proposed to be transferred, the Board shall cancel the existing license to occupy upon the same being produced to it, or if the destruction or loss thereof be proved to its satisfaction, the Board may dispense with the production thereof, and shall issue to the person accepted a new license, on payment of a fee of one pound, to occupy, in the same terms and of the same date as the original license, but with the name of such person substituted as purchaser; and thereupon such person shall be deemed to be and to have been from the date of the original purchase the purchaser of the land mentioned in such license, and his name shall be entered in the register of purchasers, and he shall thereafter be disqualified from purchasing land in the same block in the same manner as if he had been the original purchaser. 25 30 35 40

Substitution in case of insolvency.

62. If any purchaser of land under this part of this Act who has not paid the whole of his purchase money shall become bankrupt, or under the provisions of any Act for the time being in force vest his property in a trustee for the benefit of his creditors, the trustee or other person in whom his property shall be vested may transfer the interest of such purchaser therein, with the assent of the Board, in the same manner as the purchaser might have done if he had not become bankrupt or vested his property as aforesaid. 45

LAND FOR SPECIAL SETTLEMENTS.

Blocks may be set apart by Superintendent.

63. It shall be lawful for the Superintendent, by Proclamation in the Provincial *Gazette*, to set apart out of the waste lands within the province any block or blocks for the purpose of special settlement, not exceeding in the whole fifty thousand acres, on such terms as may be sanctioned by the Governor in Council, anything in this Act to the contrary notwithstanding: Provided always that no land shall be sold at a less price than land of a similar description is authorized to be sold under this Act. 50 55

Limitation of time.

64. Neither the whole nor any part of any block of land so set apart shall continue so set apart for a period of more than three years

5-19

from the date of the Proclamation whereby the same shall be set apart. But every contract made with respect to any such block or any part thereof, whilst the same remains so set apart, shall be performed notwithstanding that the block has ceased to be so set apart.

5 **65.** It shall be lawful for the Superintendent, from time to time, to contract with any person or persons, company or companies, shall with respect to the whole or any part of any one or more of the said blocks of land, place upon any land with respect to which such contract shall be made persons desiring to settle thereon: Provided that the
 10 person or persons, company or companies, with whom such contract shall be made shall be bound thereby to perform and observe, and to cause the persons placed by them upon such land to agree to perform and observe, the terms sanctioned by the Governor in Council under this part of this Act, and the provisions of this part of this Act.

Superintendent may contract for settlement.

15 **66.** The Superintendent may from time to time employ any special agent for the purpose of entering into any contract or contracts under this part of this Act, and for the purpose of contracting with persons desiring to settle upon any land set apart under this part of this Act, and to delegate to the Agent-General, or to any special agent,
 20 all or any of the powers by this part of this Act conferred upon the Superintendent except the power of setting aside land by Proclamation, and all or any of the powers which under the terms sanctioned by the Governor in Council may be vested in the Superintendent, and may from time to time terminate the employment of any such Agent-
 25 General or special agent, and the delegation of all or any of the powers to be delegated under this Act: Provided that no such employment or delegation shall be terminated until notice thereof shall have been sent to the person employed or to whom such delegation shall have been made, and a sufficient time shall have elapsed for such notice
 30 to be received by him in the ordinary course of post.

Superintendent may employ agents.

67. The Superintendent may allow to any person who shall negotiate the sale to any person not resident in the province of any land set aside under this Act for selection at a fixed price per acre, or for selection on deferred payments, or for special settlements, a commission at such rate not exceeding five pounds per centum on the amount of the total purchase money paid, or agreed to be paid upon such sale as he shall think fit; and such commission shall be paid forthwith after the sale out of the deposit or purchase money, as the case may be, upon the warrant of the Superintendent.

Superintendent may allow commission on sale of land.

SCHEDULE.

Schedule.

FORM A.

No. APPLICATION FOR LAND ON DEFERRED PAYMENTS.

To the Waste Lands Board.
 I HEREBY apply to purchase _____ acres of _____ land, the particulars whereof are hereunto annexed, under the provisions of "The Taranaki Waste Lands Act, 1874."

Name in full.
 Residence.
 Occupation.
 Date

18

Number of Acres.	Locality and particular Description of Land.	How paid for.
		Deposit paid with this application £ 2nd instalment paid £ 3rd instalment paid £ 4th instalment paid £ 5th instalment paid £ 6th instalment paid £ 7th instalment paid £ 8th instalment paid £ 9th instalment paid £ 10th instalment paid £

FORM B.

LICENSE TO OCCUPY.

[Name in full] having purchased the allotment of land described at the foot hereof, and paid the deposit of £ for the same, is hereby authorized to occupy the said land so long as he shall observe the conditions indorsed herein.

[Description of Land.]

(Signature)

Commissioner of Crown Lands.

Date [the day on which the deposit was made, or in case of sale by auction the day of such sale].

CONDITIONS TO BE INDORSED ON LICENSES TO OCCUPY.

1. The purchaser must before the day of [two years from date] clear crop or lay down in grass one-tenth part of the said land, and before the day of [four years from date] to make further improvements on the said land, in building fencing or further cultivation, to the value of eight shillings per acre on the land purchased by him.

2. An officer appointed by the Board will within three months after the said period of two years and four years respectively, report whether the previous conditions have been fulfilled. If his report at either period is unfavourable to the purchaser, the purchaser may appeal to the Waste Lands Board, in manner provided by "The Taranaki Waste Lands Act, 1874." When it has been decided that the purchaser has fulfilled the previous conditions, the purchaser shall pay the residue of the purchase money by instalments as follows:—£ immediately after the decision, and a like sum on each of the following days [State when the annual payments are due], or earlier if he thinks fit.

3. If the purchaser fails to perform the above conditions, or to pay any instalment within thirty days after it falls due, the land and all improvements, and all money already paid, will be forfeited.

4. If the purchaser, or his creditors or administrators, or trustee under his bankruptcy, shall desire to transfer his land before paying all his purchase money, he or they may apply to the Board to accept another fit person in his place.

FORM C.

To [Name in full].—Take notice, that Mr. has reported that you have not fulfilled the condition No. 1 of your license to occupy land in Block, dated

If you are dissatisfied with the report, you may, within thirty days after this notice shall be posted, appeal to the Board, by delivering to the Board the notice a form whereof is annexed, properly filled up by you [Form D to be annexed].

(Signature)

Commissioner of Crown Lands.

FORM D.

NOTICE OF APPEAL.

To the Waste Lands Board.

TAKE notice, that Mr. having reported under section 52 of "The Taranaki Waste Lands Act, 1874," that I have not fulfilled the condition No. 1 of my license to occupy land in the Block, dated 18 , I hereby appeal against the said report, and require you to fix a time and place for hearing the said appeal.

My address is

(Signature.)

(Date.)