

Mr. Tanner.

WAIPAWA RESERVE.

ANALYSIS.

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A BILL INTITULED

AN ACT to declare the Escheat of certain Land at Waipawa, the
Property of William Howell, deceased. Title.

WHEREAS William Howell, the owner of sections numbers ninety-
5 two and one hundred and three, in the Town of Abbotsford, now
called Waipawa, in the county of the same name, died intestate in
the year one thousand eight hundred and sixty-three; and the
ownership of the aforesaid sections has now devolved upon the heir-
at-law of the said William Howell: And whereas the Supreme
10 Court, by its order dated the twenty-ninth day of November, one
thousand eight hundred and sixty-seven, appointed a Receiver of the
profits of the estate, with a direction to pay one-third of the rents to
be received from the realty to the surviving widow of the aforesaid
William Howell; and by a subsequent order on the fifth day of
15 December, one thousand eight hundred and eighty-three, the said
Court granted administration of the estate of the said William
Howell to the Public Trustee, who collects the proceeds of the
said sections, pays the rates in respect thereof, and continues the
payments to the widow of one-third of the yearly rents arising from
20 the realty: And whereas upwards of twenty-three years have now
elapsed since the death of the testator, and no heir-at-law has
appeared to claim the aforesaid sections, and it is desirable to provide
for declaring the said property escheated to the Crown on failure of
heirs, and to provide for the future payment to the aforesaid widow
25 of one-half of the proceeds of such property:

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 is "The Waipawa Reserve Act, Short Title.
30 1888."

Heir-at-law of
Howell to be
advertised for.

2. The Governor, at any time after the passing of this Act, may, by notification in the *Gazette*, or by advertisement in such newspaper or newspapers in the colony and outside thereof, or in both ways, as he shall think fit, not less than once in each of six consecutive months, advertise the sections numbers ninety-two and one hundred and three, in the Town District of Waipawa, in the County of Waipawa and Colony of New Zealand, as the property of the heir-at-law of the late William Howell, deceased intestate, and require the said heir-at-law to claim the same. 5

After twelve months
land to escheat to
Crown.

3. If within twelve months from the date of such first-mentioned advertisements neither the heir-at-law aforesaid nor his lawful representatives shall establish a claim to the aforesaid sections, the Governor, at the expiration of such mentioned period of twelve months, may, by notification in the *Gazette*, declare the said sections to have reverted to Her Majesty on failure of heirs of the said William Howell, and resume possession thereof on Her Majesty's behalf; and such a notification in the *Gazette* shall have the same force and effect as if the said sections had been found to be the property of Her Majesty by inquisition under "The Escheat Act, 1868." 10 15

Land may be
granted to Town
Board, subject to
annuity to widow.

4. At any time after the aforesaid notification in the *Gazette* the Governor may grant such lands to the Town Board of Waipawa upon trust for purposes of public utility, and such Board shall during the life of the widow of the said William Howell pay to her one-half of the annual rent or income arising therefrom. 20

Application of
balance.

5. Saving as aforesaid all the rents and proceeds and income accruing from the said sections shall form part of the Town Board Fund of the Town Board of Waipawa. 25