

PART IX.

LAND.

258. (1.) All land in Samoa is Crown land, or European land, or Native land. Classification of land in Samoa.

(2.) "Crown land" means land vested in the Crown free from Native title and from any estate in fee-simple.

(3.) "European land" means land held from the Crown for an estate in fee-simple.

(4.) "Native land" means land vested in the Crown but held by Samoans by Native title, and not by grant from the Crown.

(5.) "Native title" means title to land in accordance with the customs and usages of the Samoan race.

Crown Land.

259. (1.) The Governor-General may grant Crown land in Samoa in fee-simple, or may grant or authorize the Administrator to grant in respect of such land any lease, license, easement, or other limited estate, right, or interest, or may accept or authorize the Administrator to accept a surrender of any estate, right, or interest in such land. Grants of Crown land.

(2.) Every such grant in fee-simple shall be under the public seal of New Zealand, and every other grant shall be made under the hand of the Governor-General or the Administrator.

260. Any Crown land in Samoa may, by Order in Council, be set aside as a reserve for any public purpose, and shall, while such Order remains in force, be reserved and used for that purpose accordingly. Reserves of Crown land for public purposes.

261. (1.) Any European or Native land in Samoa may by Ordinance be taken for any public purpose specified in the Ordinance, and it shall thereupon become absolutely vested in His Majesty as from the coming into operation of that Ordinance, or from any later date specified therein in that behalf, free from all estates, rights, and interests of any other person therein save so far as any such estates, rights, or interests are expressly saved by such Ordinance. Taking of lands for public purposes.

(2.) When any land has been so taken for a public purpose all persons having in respect of that land any right, title, estate, or interest which is extinguished or divested by the taking of the land shall be entitled to compensation therefor from the Crown.

(3.) Such compensation shall be assessed and awarded by the High Court either on the application of the Administrator or on that of any person claiming such compensation or any share therein.

(4.) The compensation so awarded to any person shall constitute a debt due to him by the Crown, and shall be payable out of the Samoan Treasury.

262. (1.) Any Crown land held under lease or otherwise subject to any right, title, or interest in any other person may, by Order in Council, be resumed for any public purpose specified in the Order, and every such lease, right, title, or interest shall in accordance with the tenor of the Order determine accordingly, save so far as expressly preserved thereby. Resumption of Crown land for public purposes.

(2.) All persons entitled to any lease, right, title, or interest so determined shall be entitled to compensation in the same manner as in the case of land taken for public purposes.

263. The Administrator may, for any public purpose for and in the name of His Majesty, purchase any land in Samoa, or acquire by grant or assignment any lease, easement, or other limited right, title, estate, or interest in any such land. Purchase of land for public purposes.

264. The Administrator may exercise on behalf of His Majesty all rights of suit, entry, re-entry, receipt of rents and profits, use, management, control, and possession vested in His Majesty in respect of Crown land in Samoa. Control of Crown land by Administrator.

265. The term "public purpose" as used in this Order includes public health, education, public recreation, the burial of the dead, water-supply, drainage, lighting, the provision of public buildings, the provision of sites for townships, the provision of wharves, harbours, tramways, and railways, and all lawful purposes and functions of the Government of Samoa. "Public purpose" defined.