

NEW ZEALAND.

ANNO VICESIMO QUARTO ET VICESIMO QUINTO

VICTORIÆ REGINÆ.

No. 21.

ANALYSIS.

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**AN ACT to enable the Superintendent of the Province of Auckland to issue Certificates by way of Land Orders to certain persons.**

[Reserved for the Signification of Her Majesty's pleasure.]

**WHEREAS** in the years 1856 and 1857 certain persons emigrated from the United Kingdom and elsewhere for the purpose of settling in the Province of Auckland under the belief that upon their arrival in the said Province they would be entitled to select land under the terms of the "Waste Lands Regulations 1855" of that Province or terms similar thereto

And whereas by an Act intituled the "Immigration Certificates Act 1858" passed by the Provincial Council of the Province of Auckland in Session VIII. and reserved by the Superintendent of the Province for the assent of the Governor and subsequently confirmed by the "Waste Lands Act 1858" of the General Assembly the Superintendent was authorised to grant to certain persons who had emigrated from the Colony of Nova Scotia for the purpose of settling in the Province of Auckland and who arrived there in the years 1856 and 1857 in certain vessels called the "Gertrude" and "Spray" respectively certificates empowering the holders thereof to select land in accordance with the terms of the "Auckland Waste Lands Act 1858" and by the same Act the Superintendent of the Province of Auckland was authorised to issue such certificates as aforesaid to any other person or persons whomsoever who should prove to the satisfaction of the Provincial Council that he or they had emigrated from the United Kingdom under a belief that he or they would be entitled to such selection as aforesaid upon receiving an address from the Provincial Council to that effect

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*Auckland Immigration Certificate.*

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And whereas the persons hereinafter mentioned also emigrated from the said Colony of Nova Scotia in the year 1857 for the purpose of settling in the Province of Auckland under the belief that they would be entitled to select land in accordance with the terms of the said "Auckland Waste Lands Regulations 1855"

And whereas the lastly mentioned persons have been since settled in the Province and claim to be dealt with in the same manner as the immigrants who arrived in the before mentioned vessels the "Gertrude" and "Spray" and it is just that they should be so dealt with

And whereas the Superintendent of the Province of Auckland cannot grant such certificates as aforesaid for the selection of land without the sanction of the General Assembly

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

Short Title.

I. The Short Title of this Act shall be the "Auckland Immigration Certificate Act 1861."

Superintendent may grant to certain Immigrants from Nova Scotia by the "Breadalbane" Certificates in the nature of Land Orders.

II. It shall be lawful for the Superintendent of the Province of Auckland to grant to every person who arrived in the Province of Auckland in the barque "Breadalbane" on or about the twenty-first day of May 1858 except those hereinafter mentioned a Certificate in the form in the Schedule hereunto annexed and the person to whom the said Certificate shall be so granted shall be entitled to the same right of selection and other privileges as though the said Certificate had been a Land Order granted under powers contained in the said "Auckland Waste Lands Act 1858" And every person to whom such a certificate shall be granted shall have a priority of selection thereunder over the piece of land of which at the time of the passing hereof he may be in the *bonâ fide* occupation Provided always that nothing herein contained shall authorise the said Superintendent to grant to any person any Certificate for a greater number of acres than such person would be entitled to under a Land Order issued by an Emigration Agent under the said "Auckland Waste Lands Act 1858."

Certain Immigrants not entitled to such Certificates.

III. No person who shall have received from the Treasury of the Province of Auckland a refund of a portion of his or her passage money shall be entitled to receive such Certificate as aforesaid.

When Act to come into operation.

IV. This Act shall not come into operation until the same shall have received Her Majesty's Royal Assent and until a Proclamation of such Assent with the advice of Her Majesty's Privy Council having been given shall have been published by the Governor.

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SCHEDULE.

This is to certify that [*insert name*] is entitled to a right of selection for acres and the same privilege as though [*he*] had received a Land Order for the said number of acres under the "Auckland Waste Lands Act 1858" [*he*] having [*state grounds*].