

New Zealand.

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1894, No. 36.

AN ACT to make Better Provision for the Preparation of Lands Title.  
for Settlement and the Acquisition of Native Lands.

[18th October, 1894.]

WHEREAS for the purpose of encouraging the settlement of the Preamble.  
people upon the lands of the colony it is expedient to give better  
access to such lands and otherwise improve them, and also to acquire  
Native lands :

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 Lands Improvement and Short Title.  
Native Lands Acquisition Act, 1894."

## PART I.

## AS TO CROWN LANDS.

2. The works contemplated by this Part of this Act are the Works under this  
construction of roads and bridges, the preparation of lands for settle- Part of Act.

ment, and such other works incidental thereto as the Minister of Lands (hereafter called "the Minister") may, with the approval of Parliament, think necessary.

Estimates of cost to be laid before Parliament.

3. The Minister shall, as soon as conveniently may be after the opening of each session, lay before Parliament estimates of the cost of such of the aforesaid works as he proposes to construct out of the funds available and appropriated therefor, as hereinafter provided.

Minister may allow persons to settle on Crown lands to improve same.

4. Any number of persons composing an association formed in accordance with regulations made under this Act may, by agreement with the Minister, settle upon any Crown lands for the purpose of clearing or otherwise improving the same, upon such terms as to advances or otherwise as may be agreed on, and the Colonial Treasurer may, when authorised by Parliament, make all such advances out of moneys available under this Act.

Such persons to have prior right to lease land.

5. Any member of such association who settles on and improves such lands pursuant to any such agreement as aforesaid has a prior right to a license or lease, under Part III. of "The Land Act, 1892," of so much or such portion of those lands as may be defined by regulations under this Act, but not of any area greater than two hundred acres for each member of such association.

How yearly rent to be calculated.

6. The unimproved value of any lands comprised in such license or lease shall be fixed by the Land Board, and to such value the Minister shall direct the Board in each application to add the value of the improvements made under this Act, as fixed by him, and the yearly rent shall be based upon the sum of these two values.

Provisions of "The Land Act, 1892," to apply.

7. All the provisions of "The Land Act, 1892," relating to licenses or leases under that Act, shall, *mutatis mutandis*, apply to licenses or leases under this Act, except as herein otherwise expressly provided.

Lands Improvement Account.

8. Out of the moneys hereinafter authorised to be raised, two hundred and fifty thousand pounds shall, as and when raised, be paid into the Public Account, and be credited by the Treasury to a separate account, called "The Lands Improvement Account."

Application of moneys in such account.

9. The moneys in the said Lands Improvement Account are applicable only for the construction of the works and the payment of the sums for which money is appropriated by Parliament for the purposes of this Part of this Act:

May pay for works already done.

Provided that any payments on account of the construction of works under this Part of this Act, begun or completed since the thirty-first day of March in the now current year, may be made from the said Lands Improvement Account under this Act, notwithstanding that such payments may have been advanced out of the Public Works Fund or out of the Consolidated Fund, and the amount of such payments may be transferred accordingly.

Moneys may be paid to local authority for expenditure.

10. Any moneys appropriated to specific roads or bridges under this Part of this Act may be paid over wholly or partly to the local authority in whose district the works are situated, or under whose control such works are usually performed, upon such terms and conditions as the Minister may in each case determine by agreement.

Part I. not to apply to Native lands.

11. Part I. of this Act does not apply to Native lands.

PART II.

AS TO NATIVE LANDS.

12. Out of the moneys hereinafter authorised to be raised, two hundred and fifty thousand pounds shall, as and when raised, be paid into the Public Account, and be credited by the Treasury to a separate account, called "The Native Lands Purchase Account."

Amount raised to be credited to Native Lands Purchase Account.

13. The moneys in the said Native Lands Purchase Account are applicable only for the purpose of providing funds out of which may be made all payments authorised by "The Native Land Purchases Act, 1892," "The Native Land Purchase and Acquisition Act, 1893," and this Part of this Act.

Purposes to which moneys may be applied.

14. The payments so authorised as aforesaid shall be deemed to include the cost of constructing roads and bridges to give access to Native lands purchased under any of the hereinbefore-mentioned Acts, and also the cost of administering those Acts and this Act; but all payments authorised by this section shall be paid out of moneys appropriated by Parliament for that purpose.

Payments authorised to include cost of giving access to Native lands.

15. Sections three to ten of "The Native Land Purchases Act, 1892," are hereby repealed.

Repeal.

PART III.

FUNDS.

16. For the purposes of this Act the Colonial Treasurer, upon being authorised by the Governor in Council so to do, may from time to time raise any sums, not exceeding in the whole five hundred thousand pounds, out of any balances in any of the accounts mentioned in Part VIII. of "The Public Revenues Act, 1891," or out of moneys at the credit of the Public Works Fund, or wholly or partly from any bank, monetary institution, or person.

Colonial Treasurer may raise funds for purposes of Act.

17. The Governor's Order in Council as aforesaid is sufficient authority to the persons having control of any of the aforesaid funds, or the Colonial Treasurer, to lend any of the funds under their control respectively, not exceeding the amount specified herein.

Authority for persons lending funds.

18. As security for any money raised as aforesaid, the Colonial Treasurer may from time to time create and issue debentures for any amount not exceeding five hundred thousand pounds.

Debentures may be issued as security for money raised.

19. Debentures shall—

- (1.) Be in such form as may be prescribed by the Colonial Treasurer, shall be signed by the Colonial Treasurer and by the Controller and Auditor-General, and shall be for not less than one hundred pounds nor more than one thousand pounds;
- (2.) Be payable to bearer at such place or places within the colony as may be named in the debenture, and shall bear interest at a rate not exceeding four pounds per centum per annum, and shall have a currency not exceeding fourteen years;
- (3.) Be numbered consecutively throughout the whole series of debentures issued under this Act;

Nature and currency of debentures.

- (4.) Be not sold or otherwise disposed of at a price which will yield to the purchaser thereof a higher rate of interest by the year than four pounds for every hundred pounds of the purchase-money given for the same.
- Where interest payable. 20. On presentation of a debenture at the prescribed time when any interest thereon becomes due, such interest is payable at any post-office money-order office within the colony, or at such other place within the colony, and at such time, as the Colonial Treasurer may from time to time prescribe.
- Debentures to be charged on Consolidated Fund. 21. The sum of money named in any debenture issued under the authority of this Act, and all interest thereon, are a charge upon and shall be paid out of the Consolidated Fund.
- Debentures may be renewed. 22. When any debentures issued under this Act become due, the Colonial Treasurer, if he think fit, and on being so authorised by an Order in Council in that behalf, may renew such debentures, or any of them, by the creation and issue of new debentures for the like amount, with a currency not exceeding fourteen years from the date of issue.
- Security to lender or debenture-holder. 23. Every debenture which shall on the face thereof purport to have been issued under the authority of this Act shall, for every purpose necessary for the protection and security of the holder thereof, be deemed to have been duly issued under such authority; and no holder of any such debenture shall be concerned to see or inquire whether or to what extent the power to issue given by this Act has previously been or is intended to be exercised.
- Debentures may be converted into stock. 24. The Governor in Council may from time to time declare all or any of the debentures issued under this Act to be convertible into stock created or issued under "The New Zealand Consolidated Stock Act, 1877," and "The Consolidated Stock Act, 1884."
- Regulations. 25. The Governor, by Order in Council, may make regulations for carrying out the purposes of this Act.
- Securities heretofore charged on Consolidated Fund not affected. Construction of Act. 26. Nothing in this Act contained is to be held to prejudice, alter, affect, or vary any securities heretofore charged on the Consolidated Fund.
27. Parts II. and III. of this Act are to be read with "The Native Land Purchases Act, 1892," and "The Native Land Purchase and Acquisition Act, 1893."