

NEW ZEALAND.

ANNO VICESIMO QUARTO ET VICESIMO QUINTO

VICTORIÆ REGINÆ.

No. 13.

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An Act for authorizing the issue of
Crown Grants in certain cases of loss
of original Land Orders.

[3rd September 1861.]

WHEREAS several Companies or Associations for founding Settlements in New Zealand issued Land Orders to divers persons entitling them to select Land in certain Districts within the said Colony And whereas divers persons have duly made selection of lands pursuant to such Land Orders but the Land Orders for the same have been accidentally lost or destroyed by reason whereof such persons or the parties claiming under them are unable to obtain Crown Grants for such land and it is expedient that provision should be made in that behalf

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

I. The Short Title of this Act shall be "The Lost Land Orders Act 1861."

II. The Governor of the Colony may from time to time appoint by Warrant under his hand a Commissioner within each Province of the said Colony for carrying into effect the provisions of this Act and may from time to time remove such Commissioners.

III. Every such appointment and removal shall be notified in the *Government Gazette* of the Colony.

IV. Such Commissioner shall be styled the "Lost Land Orders Commissioner."

Lost Land Orders.

Person claiming to be Proprietor of land under lost Order may apply to Commissioner for relief.

V. Any person claiming to be the proprietor of land held under any Land Order issued by any Company or Association for founding a Settlement in the said Colony in case such Land Order shall have been lost or destroyed may apply to the said Commissioner for relief under this Act.

Upon proof of loss Commissioner may make Report.

VI. The said Commissioner being satisfied that such Land Order has been lost or destroyed and that the party making application would be entitled to a Crown Grant of such land if such Land Order were in existence the said Commissioner may make a Report to the Governor that such party is entitled to receive a Crown Grant of such land.

Commissioner may make Rules for regulating proceedings.

VII. The said Commissioner may make such Rules and Orders for regulating proceedings under this Act as he shall deem fit and may from time to time rescind alter or amend such Rules and Orders And such Rules and Orders and all rescindings alterations and amendments thereof being published in the *Government Gazette* shall have the force of law.

And frame Tables of Fees payable.

VIII. The said Commissioner with the approval of the Governor in Council may frame a Table of Fees to be taken and paid in respect of proceedings under this Act and shall notify the same in the *Government Gazette* of the Colony whereupon such Fees shall be payable accordingly and shall be paid into the Colonial Treasury for the Public Uses of the Colony.

And shall require security to be given.

IX. The said Commissioner shall before or at the time of making any such Report require security in such form and to such extent as he may think right to be given by the party applying for relief for saving and protecting the rights and interests of other parties having claims on the land.

To the persons appointed by Governor in Council.

X. Such security shall be taken to and in the name of such person or persons as shall be appointed in that behalf by the Governor in Council And such person or persons shall enforce such security for the benefit of the parties whose rights and interests may be so saved as aforesaid.

Governor may issue Crown Grant upon such Report.

XI. Upon such Report being so made as aforesaid and the same having been notified to the Colonial Secretary for the time being the Governor may issue a Crown Grant of such land to or in favour of the person or persons who by such Report shall be declared to be entitled to the same.

Grant not to affect equitable rights or interests.

XII. The land comprised in or conveyed by such Crown Grant shall be subject in equity to any rights or interests affecting the same land