

New Zealand.

ANNO TRICESIMO

V I C T O R I Æ R E G I N Æ .

No. 26.

ANALYSIS.

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| <p><small>Title.</small></p> <p>1. Short Title.</p> <p>2. Holders of unexercised land orders may select out of land contained within limits described in Schedule.</p> | | <p>3. Rate at which scrip is to be computed in the purchase of lands within limits described in Schedule.</p> <p>4. What land orders to be deemed unexercised land orders.</p> <p>5. Selections charged on Provincial land fund.</p> |
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AN ACT to enable the holders of certain Title.
land orders issued by the Plymouth
Company of New Zealand or by the
New Zealand Company to select out
of certain land in the Province of
Taranaki. [8th October 1866.]

BE IT 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 Land Orders and Scrip Short Title.
Act (Taranaki) 1866.”

II. Every unexercised original rural or suburban land order issued Holders of unexercised land orders may select out of land contained within limits described in Schedule.
by the Plymouth Company of New Zealand or by the New Zealand Company and conferring or purporting to confer on the owner or holder thereof the right to select according to a fixed and definite order of choice fifty acres of rural or suburban land respectively within the Settlement of New Plymouth shall entitle such owner or holder in priority to general purchasers and according to the aforesaid order of choice to select in the manner to be prescribed and according to regulations to be made by the Governor out of so much and such part of the land described in the Schedule hereto as shall be proclaimed by the Governor open for purchase as town suburban or rural land respectively the quantities of land following that is to say every owner or holder of any such rural land order shall be entitled to select at the option of such owner or holder one acre of town land or thirty-seven and a half acres of suburban land or seventy-five acres of rural land and every owner or holder of any such suburban land order shall be entitled to select at the option of such owner or holder one acre and a half of town land or fifty-six acres of suburban land or one hundred and twelve acres of rural land and such selection shall be made according to regulations to be made as aforesaid and subject to the following conditions that is to say—

1. That every such selection in town or suburban land or in rural land divided into sections be so far as may be of an entire

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section or sections the proper quantity being made up where necessary by including some contiguous portion of an adjoining section or where a section may exceed in area the whole quantity to be selected by dividing a section in either of which cases the portion taken shall be divided off by the Government Surveyor.

2. That for the purpose of enabling such selections to be made according to the priority aforesaid a convenient day and place and hour be appointed for the purpose by the Superintendent of the Province by notice published in the *Government Gazette* of the Province of Taranaki which notice shall be published at least three months before the day appointed thereby.
3. That if at any time duly appointed for the selection of lands by the holders of such suburban or rural land orders a suburban and a rural land order shall be presented bearing the same number or order of choice the suburban land order shall take precedence of the rural land order.
4. Whenever town land which has been surveyed in quarter acre sections is selected by the holder of any such original suburban or rural land order in exercise of such land order the quarter acre sections selected in exercise of any one such land order shall be contiguous to each other and when selected in a block which has been laid out in two rows of sections an equal number of sections shall be selected in each row Provided always that such right of selection of town land shall not be exercised in the Waitara township or in any other township until the Superintendent of the said Province shall have selected as public reserves to be reserved from sale under this Act one hundred quarter acre sections of town land in the said Waitara township³ or other township but not more than four sections in any one block of sections shall be so reserved and the selection for reserves shall be made in the manner above provided for selections in exercise of land orders.
5. That every such selection be made subject to the provisions of "The New Zealand Settlements Act 1863" and "The New Zealand Settlements Amendment Act 1864" and "The New Zealand Settlements Amendment and Continuance Act 1865" and any regulation in force as to such land made or hereafter to be made under the said Acts or either of them.

Rate at which scrip is to be computed in the purchase of lands within limits described in Schedule.

III. All unsatisfied original land orders issued by the Plymouth Company of New Zealand or by the New Zealand Company and conferring or purporting to confer on the owners or holders thereof the right to select land within the Settlement of New Plymouth according to priority of application or otherwise than in a fixed and definite order of choice shall be considered as equivalent in the purchase of Waste Lands of the Crown contained within the limits described in the Schedule hereto to an amount of Government scrip computed at the rate of two pounds sterling in Government scrip for every acre of land which such land orders purport to entitle the holders to select and all supplementary land orders and compensation or land scrip issued by the said New Zealand Company shall be considered as equivalent in the purchase of Waste Lands of the Crown within the said limits to an amount of Government scrip computed at the rate of one pound sterling in Government scrip for every acre of land which such last mentioned land orders or land scrip purport to entitle the holders to select And all such land orders and land scrip as well original as

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supplementary shall not be otherwise available or exercisable for the purchase or selection of Waste Lands of the Crown and such Government scrip shall be taken in payment for town land within the said limit at the nominal value of such scrip in pounds sterling and in the purchase of rural land within the said limits one pound in Government scrip shall represent the selling price of one acre where such selling price does not exceed twenty shillings and in other cases shall represent its nominal value of one pound.

IV. Where selection has heretofore been made by virtue of any such land orders of lands within the limits described in the Schedule hereto when the native title was not extinguished at the time of such selection such land orders shall not entitle the holders to claim the land selected although the native title may have thereafter been extinguished and all land orders under which no selection has been made and all land orders under which selection has been made of lands over which at the time of such selection the native title was not extinguished shall be and deemed for the purposes of this Act to be unexercised land orders.

What land orders to be deemed unexercised land orders.

V. Provided that all land selected under this Act shall be in diminution of any land taken under "The New Zealand Settlements Act 1863" whereof the proceeds may be hereafter handed over to the Province of Taranaki in fulfilment of the intentions of certain resolutions adopted by the House of Representatives and known as the Financial Resolutions of one thousand eight hundred and fifty-six and of "The Land Revenue Appropriation Act 1858."

Selections charged on Provincial land fund.

SCHEDULE.

ALL that block of land in the Province of New Plymouth bounded towards the north-east by the River Hangatahua towards the north-west and south-west by the line of road to be reserved along the sea shore and towards the south-east by an imaginary line drawn from Te Namu Pa on the coast to the summit of Mount Egmont.

The Waitara Township.

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