

New Zealand.

ANALYSIS.

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1900, No. 32.

AN ACT to make Provision respecting the Settlement of the Unsettled Portion of the Land known as the Midland Authorised Area. [13th October, 1900.]

WHEREAS the land mentioned in the Schedule hereto (known as "the Midland authorised area") was for the purposes of "The Railways Construction and Land Act, 1881," and "The East and West Coast (Middle Island) and Nelson Railway and Railways Construction Act, 1884," withdrawn from sale, and was afterwards retained for selection under the Midland Railway contract of the third day of August, one thousand eight hundred and eighty-eight: And whereas, by reason of the said contract, the said land could not be permanently disposed of by the Crown, but, as provided by the said contract, pastoral licenses were issued and other temporary titles were granted by the Crown in respect thereof: And whereas the New Zealand Midland Railway Company (Limited), in anticipation of their right of selection under the said contract, have allowed certain persons to occupy land, part of the Midland authorised area, and such persons now occupy the land without legal title thereto: And whereas, by reason of the said contract, many applications for the grant of mining and other rights have been rejected or postponed: And whereas it is expedient that the said land should be made available for settlement and otherwise in like manner as before it was withdrawn from sale as aforesaid; and also that the persons holding under the temporary titles or without title as aforesaid should have reasonable facilities for obtaining permanent titles; and also that the applicants aforesaid should have reasonable facilities for renewing their applications and having them disposed of without loss of priority:

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

Short Title.

1. The Short Title of this Act is "The Midland Authorised Area Land-settlement Act, 1900."

Exemption from Act.

2. Nothing in this Act shall apply to land within the said Midland authorised area which has been lawfully selected by the said company under or by virtue of the said contract, or shall affect any right of selection within such area now possessed by that company or its successors in title under or by virtue of that contract:

Provided that nothing in this section or elsewhere in this Act contained shall operate or be construed as an admission that any such right of selection exists, or that the said contract is subsisting.

Land may be declared open for selection.

3. The Governor may, by notice in the *Gazette*, declare that, from and after a date to be specified in such notice, not being sooner than three months after the passing of this Act, the lands within the said Midland authorised area are open for selection; and thereupon the existing restrictions as to the disposition of such lands shall be deemed to be removed, and such lands may be dealt with under any of the Acts relating to the disposition of Crown land as fully and effectually as if such restrictions had never been imposed.

Applications for land now held under pastoral license or temporary tenure.

4. In any case where at the time of the passing of this Act any person is in occupation of any of the lands within the said Midland authorised area—

- (a.) Under pastoral license or other temporary license granted under "The Land Act, 1892," as provided by the said contract; or
- (b.) Without legal title, but pursuant to any arrangement made between himself and the said company in anticipation of its right of selection,—

he may, at any time before the restrictions affecting the lands are removed as aforesaid, make application to the Land Board for any such lease or license in respect of the land occupied by him as aforesaid as might be granted by the Board if the lands were open for selection.

Procedure with respect to such applications.

5. With respect to all such applications the following provisions shall apply:—

- (1.) The application shall be made in like manner in all respects as if the land were open for selection, and the Land Board shall have jurisdiction to deal with the same accordingly.
- (2.) The land shall be surveyed in conformity with "The Land Act, 1892," and the frontage, area, and boundaries shall be adjusted in accordance therewith, notwithstanding that the land as now held may be in irregular form, or in any other way not conformable to the provisions of that Act.
- (3.) The Land Board shall cause the value of the land to be ascertained and shall fix the rent or price accordingly.
- (4.) Before granting any application the Land Board shall ascertain and be satisfied that the applicant, by himself or his agent, is in occupation of the land applied for, and may

refuse any application if not so satisfied, or if the application as made or amended does not come within the provisions of "The Land Act, 1892," and the regulations thereunder, or if, in the opinion of the Board, the grant of the application is against public policy.

- (5.) On granting any application under this section the Board may, if it thinks fit, declare that the lease or license shall, for the purposes of subsection one of section eighty-three of "The Land Act, 1892," but for no other purposes, be deemed to date from the time when the lessee or licensee first went into occupation of the land comprised in such lease or license: Provided that sections fifty-four to fifty-seven, inclusive, of "The Land Act, 1892," shall apply to applications disposed of under the provisions of this section.

6. In any case where under the provisions of any Mining, Coal-mining, or Land Act for the time being in force any person has, prior to the passing of this Act, made application for the grant of mining, timber, water, or other rights in respect of land within the said Midland authorised area, and the application has been rejected or postponed by reason of the said contract, he may, before the restrictions referred to in section three hereof are removed, as therein provided, renew his application, and thereupon such application shall have priority as from the date of the original application, and shall be dealt with under any Mining, Coal-mining, or Land Act respectively in force when such renewed application is made.

Previous applica-
tions for mining and
other rights may be
renewed.

SCHEDULE.

Schedule.

ALL that area in the Colony of New Zealand, containing by admeasurement 6,198,000 acres, more or less, bounded towards the north by a right line running due east through Belgrove from the sea to the western boundary of the Marlborough Land District; thence towards the east generally by the Marlborough Land District to Top House; thence by a right line running due south to the Wairau River; thence by that river to the bend near Weld's Pass; thence by a right line to Weld's Pass; thence by a right line to the source of the Tarndale River; thence by the Tarndale River to its confluence with the River Severn; thence by the River Severn to its confluence with the River Acheron; thence by the River Acheron to its confluence with the Clarence River; thence by a right line to the source of the Conway River; thence by the Conway River to the sea; thence by the sea to the Hurunui River; thence towards the south by the Hurunui River to the Hurunui-Bluff Railway; thence towards the south-east by the Hurunui-Bluff Railway to the Rakaia River; thence towards the south-west by the Rakaia River to its confluence with the Mathias River; thence by the Mathias River to its confluence with the stream which rises near Mount Decrucis, in the Southern Alps; thence by that stream to its source; thence by a right line to the said Mount Decrucis; thence again towards the south generally by the summit of the Southern Alps to a point due east of the source of the Waiho River; thence by a right line to the source of the Waiho River; thence by that river to the sea; and thence towards the north-west and west generally by the sea to the place of commencement: exclusive of sold land and reserves.