

New Zealand



ANALYSIS.

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1895, No. 14.—*Local.*

Title

AN ACT to amend "The Walsh and Others Pension Act, 1869."

[16th October, 1895.]

Preamble.

WHEREAS under "The Walsh and Others Pension Act, 1869" (herein referred to as "the said Act"), and the several Acts amending the same, an annuity for a limited time was granted to James Wilson, ordinarily known as James George Wilson, then an infant, the only surviving member of his family which perished in the Poverty Bay massacre; and also certain persons were appointed by the Governor to select free of cost, in one allotment, or in more than one contiguous allotments, one hundred acres of land, to be granted to the said persons in trust for the said James Wilson, with power to them to lease the said lands for any term not exceeding twenty-one years, and a direction to convey the said lands to James Wilson on his attaining his majority, subject to any existing lease thereof:

And whereas the said James Wilson is by the said Act restricted to the same power of granting leases of the said land for a period of twenty-one years, and cannot enter into full possession thereof before the first day of January in the year one thousand nine hundred, when he will have attained the age of forty years, although he is empowered absolutely to dispose of the land by will should he die before the last-mentioned date:

And whereas the land selected and granted as aforesaid comprises one hundred acres, being section numbered eighty-two, Block I., Turanganui Survey District (otherwise known as "Block No. 841N, Patutahi District"), and being the whole of the land comprised and described in Crown grant registered in the books of the Land Transfer Office at Napier, in volume four, folio ninety-eight, and is now vested in the said James George Wilson, subject to the conditions of the said Act:

And whereas the said James George Wilson, being at the time in ignorance of the restriction imposed by the said Act, executed to the Union Bank of Australia, Limited, a mortgage over the said

land to secure repayment of moneys advanced, which mortgage was accepted by the District Land Registrar at Napier, and duly registered on the Land Transfer Register as a valid mortgage:

And whereas it is expedient that the said land should be vested in the said James Wilson, otherwise James George Wilson, absolutely, free from any restriction on alienation, and subject only to any existing lease, and to the said mortgage to the Union Bank of Australia, Limited:

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 Wilson Land Act, 1895." Short Title.
2. (1.) On and from the commencement of this Act, James George Wilson shall be seized of an estate of freehold of inheritance in fee-simple in all that parcel of land, being section numbered eighty-two, Block I., Turanganui Survey District, containing one hundred acres more or less, as the same is more particularly described in the preamble of this Act, altogether released from the restrictions imposed by the said Act, but subject to any existing lease of the said land or any part thereof, and subject also to any mortgage of the said land or any part thereof heretofore registered in the Land Transfer Register. James George Wilson to hold the said land released from restrictions.
- (2.) The validity of any such lease or mortgage shall not be affected by the fact that such restrictions existed at the time when such lease or mortgage was executed by the said James George Wilson. Lease or mortgage validated.
- (3.) Sections seven, eight, and nine of the said Act are hereby repealed. Repeals.
3. James George Wilson shall, without unnecessary delay, deposit a copy of this Act with the District Land Registrar of Hawke's Bay, who shall thereupon enter in the Land Transfer Register, and on the Crown grant for the said land, a memorial of the effect of this Act. Act to be deposited with District Land Registrar.