

(Mr. Sheehan.)

Auckland Waste Lands Act Amendment.

ANALYSIS.

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| <p>Title. Preamble. 1. Short Title. 2. Interpretation. 3. Section 21 of principal Act amended. 4. Section 33 amended. 5. Section 35 amended. 6. Section 37 amended. 7. Sections 46 and 47 amended. 8. Section 64 amended. 9. Section 72 amended. 10. In sales of unsurveyed land, Commissioner may either have land surveyed, or require applicant to survey.</p> | <p>11. Allowance to applicant for cost of survey. 12. Applicant to complete survey within appointed time. Provisions in case of default. 13. Provision for laying out lines of road over rural lands. 14. Superintendent may entertain claims to land referred to him by Provincial Council. 15. In certain cases lands adjoining granted property may be sold to grantee. 16. Commissioner may, with approval of Superintendent, inquire into and decide upon claims to lands selected under immigrants' land orders.</p> |
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A BILL INTITULED

An Act to amend "The Auckland Waste Lands Act, 1874."

BE IT 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 shall be "The Auckland Waste Lands Act 1874 Amendment Act, 1875." Short Title.
- 2. The words "the said Act" wherever used throughout this Act, shall mean "The Auckland Waste Lands Act, 1874," and this Act shall be read and construed with and as part of the said Act. Interpretation.
- 3. Section twenty-one of the said Act is hereby amended by the addition of the following proviso thereto:—"Provided further, that it shall be lawful for the Superintendent from time to time, as to him it shall seem meet, to reserve portions of any rural lands for the purpose hereinbefore specified." Section 21 of principal Act amended.
- 4. Section thirty-three of the said Act is hereby amended by the addition of the following words at the end thereof, that is to say, "except in the case of third-class lands." Section 33 amended.
- 5. Section thirty-five of the said Act is hereby amended by striking out the words "in respect of town and suburban lands," and inserting in lieu thereof the words "by Part III. of this Act." Section 35 amended.
- 6. Section thirty-seven of the said Act is hereby amended by leaving out the words "within any proclaimed block," and by striking out the words "in respect of town and suburban lands," and inserting in lieu thereof the words "by Part III. of this Act." Section 37 amended.

- Sections 46 and 47 amended. 7. Sections forty-six and forty-seven of the said Act are hereby amended by striking out the word "Board," wherever it occurs in either of the said sections, and inserting in lieu thereof the word "Commissioner."
- Section 64 amended. 8. Section sixty-four is hereby amended in the third subsection thereof by striking out the words "no such area shall exceed fifty acres in extent," and by inserting in lieu thereof the words "the acreage of such areas shall be such as shall from time to time be approved of by the Superintendent." 5
- Section 72 amended. 9. Section twenty-two of the said Act is hereby amended by inserting after the word "flax," the words "or dig for gum." 10
- In sales of unsurveyed land, Commissioner may either have land surveyed, or require applicant to survey. 10. In cases where unsurveyed lands are purchased, the Commissioner shall, at the time of such purchase, or as soon as may be thereafter, inform the purchaser that the land so purchased will be surveyed by and at the expense of Government, or that the purchaser must have the same surveyed at his own expense, by a surveyor to be approved of in writing by the Commissioner. 15
- Allowance to applicant for cost of survey. 11. When land is surveyed by the applicant at his own expense, he shall be entitled to an allowance, according to a scale to be from time to time fixed by the Commissioner for the cost thereof, not exceeding in any case after the rate of one shilling per acre. 20
- Applicant to complete survey within appointed time. 12. Every survey to be made at the expense of the applicant must be completed to the satisfaction of the Commissioner, and the plans thereof delivered to him with as little delay as possible, and within a time to be fixed by him, which shall in no case exceed six calendar months; and, in default of such survey being made within the appointed time, it shall be lawful for the Commissioner either to have the land surveyed at the applicant's cost, the amount whereof shall be repaid by him within one month, or it shall be lawful for the Commissioner to sell the land to any other person, and in such latter case the purchase money paid by the first applicant shall be returned to him on demand, after deducting therefrom one-fifth part thereof as penalty for his default. 25
- Provisions in case of default. 13. When rural lands shall be purchased in a district in which lines of road shall not have been determined and laid out, a right of laying out roads over the said land shall be reserved in the grant, and there shall be added to the area purchased an additional acreage equal to five per centum of such purchased area, for the purpose of roads tramways and railways: Provided that if such right be not exercised within ten years from the date of such purchase, then and in each case compensation shall be given for all land taken for any of the above purposes, to be ascertained in manner provided by law. 30
- Provision for laying out lines of road over rural lands. 14. It shall be lawful for the Superintendent to entertain such claims arising out of land orders as shall, by the Provincial Council, be referred to him, and in his discretion to satisfy such claims in like manner as if such claims were founded on purchase. 35
- Superintendent may entertain claims to land referred to him by Provincial Council. 15. It shall be lawful for the Commissioner, with the approval of the Superintendent, to sell, at prices according to class, to the grantee or owner of any contiguous land, any small piece of rural land lying next to such granted property, and between it and any block line creek river harbour or road: Provided that the area of any piece of land so to be sold shall not exceed eighty acres. 40
- In certain cases lands adjoining granted property may be sold to grantee. 16. And whereas, by reason of the lapse of time or other circumstances, doubts have arisen regarding the title of persons to land selected by them under the immigration provisions of "The Auckland Waste Lands Act, 1858," and "The Auckland Waste Lands Act, 1867"; and it is expedient to set such doubts at rest, and the said title, if any, of such persons finally to settle and determine: 45
- Commissioner may, with approval of Superintendent, inquire into and decide upon claims to lands selected under immigrants' land orders. 55

Be it enacted, that it shall be lawful, within six months from the passing of this Act, for all persons claiming to be entitled to lands selected by them in virtue of land orders issued under the said immigration provisions of the hereinbefore mentioned Acts, to make
5 applications respectively for a Crown grant of such lands, and, upon proof to the satisfaction of the Commissioner that such applicants and persons on whose account land orders were obtained have severally resided in the Province of Auckland for an uninterrupted period of three years from the date of their arrival in the province, to obtain
10 respectively Crown grants of the lands so selected by them; and all such lands in respect of which application is not made within the time and in the manner in this section provided, or in respect of which satisfactory proof shall not be given to the Commissioner of the matters above mentioned, shall become absolutely forfeited to the Crown, and
15 shall be open to be dealt with anew, under the provisions of the said Act, as waste lands of the Crown.