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*This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES,  
and having this day passed as now printed is transmitted to the  
LEGISLATIVE COUNCIL for its concurrence.*

*House of Representatives,  
13th August, 1880.*

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

*Hon. Mr. Rolleston.*

## JACKSON'S BAY SETTLEMENT.

### ANALYSIS.

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### A BILL INTITULED

AN ACT to validate Proceedings heretofore had in relation to the Special Settlement at Jackson's Bay, in the Provincial District of Westland, and to regulate the future Administration of the said Settlement. Title.

WHEREAS a Commission was issued by the late Governor, His Excellency the Marquis of Normanby, for the purpose of holding an inquiry into the working of the Jackson's Bay Special Settlement, and the Commissioners appointed thereunder have recommended the special regulations hereinafter set forth as being the most fitted, under the exceptional circumstances of the settlement and its isolated situation, to promote its future advancement and progress : Preamble.

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 Jackson's Bay Settlement Act, 1880." Short Title.
- 10 2. The Land Board of the Land District of Westland (hereinafter called "the Land Board") shall have the control and management of the special settlement known as the Jackson's Bay Special Settlement, which has been established upon the lands comprised within the areas reserved and set apart by the Proclamations dated respectively the ninth day of February, one thousand eight hundred Land Board of Westland to manage settlement.

and seventy-five, and the twenty-seventh day of July, one thousand eight hundred and seventy-six, and made under the sixty-first section of "The Immigration and Public Works Act, 1871," and which is hereinafter called "the settlement."

Regulations for settlement.

3. The said settlement shall be administered under the regulations set forth in the *First* Schedule hereto, which shall be deemed to supersede within such settlement all enactments repugnant to any such regulation. 5

Governor in Council may amend regulations.

4. The Governor in Council may from time to time, on the recommendation of the aforesaid Board, or at his discretion, amend, alter, vary, or rescind any of the said regulations: Provided that such alteration or amendment shall not be at variance with the true scope and intention of the original regulation. 10

Appropriation of proceeds from land sales.

5. The moneys arising from time to time from the sale and disposal of the lands within the said settlement shall be deemed to be ordinary land revenue, subject, in the first instance, to be applied in defraying any outstanding expenses incurred in the foundation and laying-out of the settlement; and the provisions of section six of "The Financial Arrangements Act 1876 Amendment Act, 1877," shall not apply in respect to any such moneys. 15

Former transactions validated.

6. All applications for land in the settlement, and all selections thereof which have been heretofore made and decided in conformity with any regulations or conditions promulgated or actually in use at the time of such applications or selections, although such regulations or conditions may have had no legal validity, shall be as valid to all intents and purposes as if the same had been made under this Act; and the rights intended to be given to such applicants and selectors under such regulations or conditions as aforesaid shall not be prejudiced by anything contained in this Act, or any regulations made hereunder; but in all other respects such applicants or selectors shall hold any land that may have been allotted to them subject to this Act and any regulations made hereunder. 20  
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*Struck out.*

7. The parcels of land heretofore respectively occupied by one Joseph Collyer, at the Okuru River, and by one John Marks, at the Haast River, which areas are described in the *Second* Schedule to this Act, are hereby excepted from the operation hereof. 30

The Land Board may permit the said parcels of land to be acquired and leased by the said Joseph Collyer and John Marks respectively, subject to the conditions relating to lands leased in special settlements under "The Westland Waste Lands Act, 1870," and "The Westland Waste Lands Act Amendment Act, 1873," notwithstanding the repeal of the said Acts respectively. 35

## SCHEDULES:

### FIRST SCHEDULE.

#### REGULATIONS.

1. The Land Board of the Land District of Westland shall decide upon all applications, and shall determine all questions of title arising out of applications and selections under these regulations, and shall do all that is necessary for the enforcement of these regulations, and shall in all cases be the judge of the breach or fulfilment of the same, or of any conditions contained or implied therein.

2. The lands in the settlement shall be divided into the following three classes, or any of them—namely, town, suburban, and rural lands. The lands shall be laid off as nearly as can conveniently be done in sections of the following sizes: Town lands in sections of not less than one-quarter of an acre each; suburban lands in sections of not less than one acre nor more than ten acres; and rural lands in sections of not less than fifty acres nor more than one hundred and fifty acres.

Schedules.

3. Any exceptionally-situated or irregularly-shaped parcel of land may be deemed to be and may be sold as a section of land of that class within which it may, by its situation, be most appropriately included, notwithstanding that its area may be less than the minimum area above defined for that class of lands.

4. Town and suburban lands shall be sold by auction for cash, and in the same manner as other town and suburban lands are sold by auction in the Land District of Westland.

5. The rural sections shall be allotted by the Land Board, upon application, to adult male settlers of the age of eighteen years and upwards; and the Land Board may, if it thinks fit, allot more than one section to the same selector, provided that not more than one hundred and fifty acres be allotted to any one selector.

6. The price of rural lands shall be 2s. per acre per annum to resident selectors, and payment of the same for ten years shall entitle the resident selector to a grant of the land without further payment, provided that there have been, in the opinion of the Land Board, *bond fide* occupation, and cultivation to the extent of one-fifth of the area held, or improvements which in value may be considered equivalent to such cultivation, and that all these regulations have been duly complied with.

7. At any time after the expiration of two years from the allotment of any section the selector shall be entitled to a Crown grant of his land, if he shall have performed the foregoing condition as to occupation, cultivation, and improvements, and shall pay, by way of purchase-money, such a sum as, together with any yearly payments that he shall have previously made, shall amount to 20s. per acre.

8. All lands which have been heretofore selected and allotted as suburban lands shall be deemed to have been selected and allotted as rural lands, anything in these regulations to the contrary notwithstanding, and the price of such lands shall be the same as is fixed by these regulations as the price of rural lands, and allowance accordingly shall be made to all selectors of suburban lands upon payments already made by them; but no such allowance shall be made in case unless the Land Board is of opinion that there has been *bond fide* occupation and cultivation of the land by the selector, or that the conditions as to occupation and cultivation contained in these regulations will be complied with.

9. All applications for lands shall be made at the principal land office, or, if a local land office be appointed for the district comprising the settlement, at such local land office, in manner provided by section twenty-seven of "The Land Act, 1877."

10. All lands which have not been selected or sold may be classified anew by the Land Board in conformity with the provisions of sections thirty-eight and thirty-nine of "The Land Act, 1877," and with these regulations; and the Land Board may cause sections in each class to be laid off in conformity with these regulations.

11. All rents shall be paid half-yearly in advance, and all payments shall be made at the local land office, or, if there is no such office, at the principal land office, or in such manner and at such place as may be directed by the Land Board.

12. No person who shall be indebted to the Government on any account whatever shall become entitled to the freehold of the land allotted to him, or to any document purporting to confer such title, until such debt to the Government shall have been satisfied, unless the Minister of Lands shall otherwise direct.

13. If any selector shall neglect or omit to pay the rent for a period of three months after the same shall have become due, the Land Board shall have

power to offer for sale by public auction the whole of such selector's interest in the land allotted to him, and in all improvements effected thereon; and out of the proceeds of such sale there shall be payable to the Government the expenses of the sale and the rent due, and, in addition, unless the Minister of Lands shall otherwise direct, any debt which on any other account may be due from the selector to the Government, and the surplus, if any, shall be paid to the selector.

14. No transfer of the interest of any selector in the land allotted to him shall be permitted without the authority of the Land Board, and no transfer shall be permitted unless one-fifth of the land shall have been cultivated or improved, or, if less than one-fifth, then one-twentieth for every year that shall have elapsed from the date of the allotment of the land. *The interest in any land selected under this Act shall not be capable of being charged, encumbered, or taken in execution in any manner whatever.*

15. Reserves upon unallotted land may be made by the Governor for any purpose that he may think fit.

16. The Land Board shall have the same powers of granting licenses and leases as are conferred by the sections of "The Land Act, 1877," numbered from eighty-six to ninety, and constituting the Fourth Part of the said Act, and the same powers of granting mineral leases as are conferred by the Appendix to "The Land Act, 1877," relating to the Land District of Westland—that is to say, Appendix L.

17. The Land Board shall also be empowered to grant licenses for the felling and removal of timber upon such unallotted lands, and at such price and subject to such restrictions as shall be stated on such licenses, but no such license shall extend over any reserve made by the Governor, unless such reserve was made for such purpose, without the previous approval of the Governor.

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SECOND SCHEDULE.

DESCRIPTION OF LAND OCCUPIED BY JOSEPH COLLYER AT OKURU.

Two hundred and sixty-two acres two roods, more or less, situate in Special Settlement Block I., Jackson's Bay District: Commencing at a point on the Road Reserve along the southern bank of the Okuru River, being the northernmost corner of Ferry Reserve; thence south-easterly along north-eastern boundary of said Ferry Reserve and line in continuation thereof for fifty-six chains seventy-seven links; thence north-easterly at a right angle for fifty-eight chains thirty-six links, to the Road Reserve before mentioned; and thence westerly along the said Road Reserve to the commencing point, being Section numbered 231: as the same is delineated on the map of the Chief Surveyor of Westland, setting out and describing the said Special Settlement Block No. I., excepting so much and such part not exceeding five per cent. of the land above described as may be necessary for the making of roads, tramways, or railways.

DESCRIPTION OF LAND OCCUPIED BY JOHN MARKS AT THE HAAST.

Two hundred and sixty-two acres two roods, more or less, situate in Special Settlement Block I., Jackson's Bay District: Commencing at a point on the Road Reserve along the south bank of the Haast River, distant two chains seventy links, and bearing southerly  $183^{\circ} 40'$  magnetic, from traverse peg B<sub>A</sub> on said Road Reserve; thence southerly along a line in continuation of said bearing for sixty chains; thence easterly at a bearing of  $93^{\circ} 37'$  magnetic for fifty-seven chains thirty-one links; thence northerly parallel with western boundary for twenty-three chains, to the Road Reserve before mentioned; and thence north-westerly down the said Road Reserve to the commencing point, being Section No. 289: as the same is delineated on the map of the Chief Surveyor of Westland, setting out and describing the said Special Settlement Block I., excepting so much and such part not exceeding five per cent. of the land above described as may be necessary for the making of roads, tramways, or railways.