

New Zealand.

ANALYSIS

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1892, No. 46.

AN ACT to amend the several Naval and Military Settlers' and
Volunteers' Land Acts. [11th October, 1892.]

WHEREAS the Commissioners of Crown Lands in various land districts have, under the authority of sections four and six of "The Naval and Military Settlers' and Volunteers' Land Act, 1891" (herein referred to as "the said Act"), reported to the Governor that, having inquired into claims of all persons who, under the authority of the aforesaid sections of the said Act, have advanced any such claims, they have found that the several persons mentioned in the Schedule to this Act had respectively substantiated such claims, and to the extent in the said Schedule expressed; and it is expedient to make provision for the settlement of such claims by the issue of certificates for remission of money in the purchase of land, as provided in the said Act: And whereas it is also expedient to extend the provisions of the Acts heretofore passed in relation to naval and military settlers:

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 Naval and Military Settlers' and Volunteers' Land Act, 1892." It shall be deemed to be incorporated with the said Act.

2. The paragraphs following are hereby added to subsection two of section two of "The Naval and Military Settlers' and Volunteers' Land Act, 1889," and shall be construed and take effect as if they had been originally enacted in the said subsection:—

- (a.) All persons who served in New Zealand and who retired from Her Majesty's Naval or Military Service with a good character for the purpose of settling in New Zealand at any time before the thirty-first day of December, one thousand eight hundred and seventy-two, and who prior to such date have so settled and resided in any part of New Zealand;
- (b.) Also all persons who retired from Her Majesty's Naval and Military Service with a good character for the purpose of settling in New Zealand at any time before the thirty-first day of December, one thousand eight hundred and sixty-eight;

whether or not any law was in force within such part of New Zealand authorising grants of land to naval and military settlers on retiring from the service for the purpose of settling in New Zealand.

Minister of Lands
to review claims.

3. Section eight of the last-mentioned Act is hereby repealed, and the following substituted:—

8. Every Commissioner, after inquiry into any claim brought before him, shall transmit the papers in such claim, together with his recommendation thereon, to the Minister of Lands,

If, after examination, the said Minister shall dissent from the Commissioner's recommendation upon any such claim, he may remit the papers in the claim for further consideration by the Commissioner; and if he shall approve any recommendation, and it be in favour of the claimant, the Minister shall report accordingly to the Governor, stating in such report that the claimant has proved his claim, according to the category in section *two* in respect whereof he claims, to a certificate entitling him, according to his rank on retirement or discharge from service, as the case may be, to the remission of money in the purchase of land in any part of the colony.

All such reports of the Minister shall be submitted by the Governor to Parliament at the session next after the receipt thereof.

Extension of time
for claims to be
heard.

4. Notwithstanding the expiration of the time limited for sending in claims to land under "The Naval and Military Settlers' and Volunteers' Land Act, 1889," and "The Naval and Military Settlers' and Volunteers' Land Act, 1891," any claims may be heard which are sent in on or before the thirty-first day of March, one thousand eight hundred and ninety-three; and the two Acts last aforesaid shall not be deemed to have lapsed in respect of any claim in consequence of such expiration as aforesaid, but all the provisions thereof respectively shall continue in force and shall take effect and be read subject to the provisions of this section; and every claim under either of the aforesaid two Acts sent in to any Commissioner prior to the passing of this Act, and rejected by him according to law, shall be reopened by him, and be heard and determined by him by virtue of the authority of this Act.

All certificates of remission-money issued under the foregoing sections of this Act shall be deemed to be issued under this Act, and shall be subject to the provisions of sections six, seven, and nine

thereof; but every such certificate shall be barred unless exercised on or before the thirty-first day of March, in the year one thousand eight hundred and ninety-five.

5. The two Acts herein last above mentioned shall henceforth be read and take effect subject to the insertions, alterations, and amendments thereof required by this Act.

Previous Acts amended.

6. The Governor may grant to the several persons mentioned in the Schedule to this Act, and to such persons as may, under the foregoing sections of this Act, be reported to the Governor as having substantiated their claim thereto, certificates for the remission of money in the purchase of land in manner provided by section two of the said Act, and subject to all the provisions thereof, saving that every certificate which is issued under the authority of this section shall be barred unless exercised on or before the thirty-first day of March, in the year one thousand eight hundred and ninety-five.

Remission certificates may be issued to persons in Schedule.

7. All certificates for the remission of money, issued under this Act, shall be subject to the provisions following:—

Conditions of occupation of land acquired under remission certificates.

- (1.) Every remission certificate shall be available for the purchase of land in any part of the colony, or for payment of any instalment due to the Crown in respect of any land.
- (2.) The original grantee of any remission certificate shall be entitled to exercise such certificate to its full extent in the selection of land, notwithstanding any limitation as to area mentioned in any Land Act for the time being in force; but, if entitled to select less than two hundred acres under the original certificate, may exercise a transferred certificate up to that limit.
- (3.) The transferee of any one or more such certificates shall not exercise such certificate or certificates in the selection of land in excess of two hundred acres inclusive of any land he may have selected as original grantee of a certificate, and subject in every case to all limitations of area mentioned in any such Land Act as aforesaid.
- (4.) As soon as all the claims aforesaid within any land district are satisfied, if there remain any allotments of land set apart for the purposes of this Act which are not required for such purposes, the Governor may declare the same to be open for disposal under the Land Act in such manner as he may think fit.

Section eight of the said Act is hereby repealed.

8. When any block of land is declared open for settlement under the Land Act, the Governor may set apart as many allotments therein as there may be original applications from holders of remission certificates issued under the said Act or this Act desirous of settling together in such block to form a special settlement therein.

Governor may group sections of land for selection by holders of certificates.

9. (1.) The original grantee of any unexercised remission certificate issued under the said Act or this Act may, upon application to the Commissioner of Crown Lands in any land district, and on surrender of such certificate, receive debentures to be issued under this Act for the amount of the remission money stated in the said certificate in lieu thereof; and

Exchange of certificates for debentures.

(2.) Any person named in the Schedule to this Act who has not received a remission certificate under this Act, upon application to the Commissioner of Crown Lands of the land district in respect whereof the remission certificate to which such person is entitled is authorised to be issued, may receive debentures to be issued under this Act in substitution of any such certificate to which he is entitled as aforesaid to an amount of the remission money to which he would be entitled under such certificate.

Debentures may be issued for redemption of scrip.

10. The Colonial Treasurer may, when so authorised by an Order in Council in that behalf, create and issue debentures from time to time, but for such amount only as may be necessary to effect the exchanges and substitutions authorised under the last preceding section.

Nature and currency of debentures.

Debentures shall—

- (1.) Be in such form as shall be prescribed by the Colonial Treasurer, shall be signed by the Colonial Treasurer and by the Controller and Auditor-General, and be for not less than fifteen pounds nor more than one hundred pounds;
- (2.) Be payable to bearer at such place or places within the colony as shall be named in the debenture, and shall bear interest at a rate not exceeding four pounds and ten shillings per centum per annum, payable half-yearly, and shall have a currency not exceeding seven years;
- (3.) Be numbered consecutively throughout the whole series of debentures issued under this Act;
- (4.) On presentation of a debenture at the prescribed times when any interest thereon is due, such interest shall be payable at any post-office money-order office within the colony, or at such other place or places within the colony, as the Colonial Treasurer may prescribe.

Debentures and interest charged on Consolidated Fund.

11. The sum of money named in any debenture issued under the authority of this Act, and all interest thereon, shall be a charge upon and paid out of the Consolidated Fund.

When due, debentures may be renewed.

12. When any debentures issued under this Act become due, the Colonial Treasurer, if he think fit, and on being so authorised by an Order in Council in that behalf, may renew such debentures, or any of them, by the creation and issue of new debentures for the like amount, which shall have a currency not exceeding seven years from the date of their issue.

Debentures to be convertible into stock.

13. The Governor in Council may from time to time declare all or any of the debentures issued under this Act to be convertible into stock created or issued under "The New Zealand Consolidated Stock Act, 1877," and "The Consolidated Stock Act, 1884."

SCHEDULE.

Schedule.

AUCKLAND.		£			£
Alexander, Robert (deceased), Forest Rangers	25	Blake, Richard Thomas, Royal Cavalry Volunteers	..	..	30
Andrews, James Fisher (deceased), 57th Regiment	40	Chicken, Joseph, Napier Rifle Volunteers	..	..	30
Barriball, William Henry, Waiuku Cavalry Volunteers	..	Cotter, Patrick, 65th Regiment	..	..	30
Barron, Thomas, Auckland Naval Volunteers	30	Currie, Henry, Waiuku Rifle Volunteers	..	..	30
Brunkard, William (deceased), Royal Artillery	40	Elmes, John, Artillery Volunteers	..	..	30
Clark, John, Thames Naval Volunteers	30	Finlayson, Robert Pearson, Wairoa Rifle Volunteers	..	..	30
Clout, Benjamin (deceased), 58th Regiment	..	Flanagan, Timothy, 14th Regiment	..	..	30
Curtis, William Alexander, Royal Navy	..	Foote, William, 65th Regiment	..	..	30
Diviani, Antonio, Pokero Rifle Volunteers	..	Gill, Michael, 57th Regiment	..	..	30
Dow, Andrew, Wairoa Rifle Volunteers	..	Gillmer, Eleazar Birch (deceased), Auckland Defence Force	..	..	30
Dromgool, James (deceased), Mauku Rifle Volunteers	..	Gorman, Patrick, 65th Regiment	..	..	30
Foley, Thomas (deceased), 18th Regiment	..	Gray, James, Artillery Volunteers	..	..	30
Franklin, John, Onehunga Rifle Volunteers	..	Gray, John (deceased), Wairoa Rifle Volunteers	..	..	30
Furby, William Stratford, 1st Westland Rifle Volunteers	..	Jackson, Richard, 65th Regiment	..	..	30
George, Henry Rowe (deceased), Otahuhu Cavalry Volunteers	..	Langley, John (deceased), Napier Rifle Volunteers	..	..	30
Gill, Frederick (deceased), Tauranga Cavalry Volunteers	..	Leach, Arthur, 12th Regiment	..	..	30
Gilfillan, Henry, Auckland Rifle Volunteers	..	Mackay, Alexander (deceased), Waipawa Cavalry Volunteers	..	..	30
Gilligan, Peter, 65th Regiment	..	McKain, Frederick, Wairoa Rifle Volunteers	..	..	30
Green, Edward Lister (deceased), 26th Regiment	..	Moffit, Robert (deceased), 65th Regiment	..	..	40
Grey, Walter (deceased), Royal Navy	200	Mogridge, Charles Samuel (deceased), Artillery Volunteers	..	..	30
Grey, Walter, Auckland Rifle Volunteers	..	Morrissey, John (deceased), 70th Regiment	..	..	30
Gordon, Samuel, Bombay Commissariat	..	O'Flaherty, Thomas, 65th Regiment	..	..	30
Hogg, Alexander, Auckland Naval Volunteers	..	Pearson, Thomas, 65th Regiment	..	..	20
Horne, Robert (deceased), Auckland Volunteers	..	Phillips, David, 70th Regiment	..	..	30
Howard, Frederick William, Otahuhu Cavalry Volunteers	..	Roe, Samuel, Waipawa Cavalry Volunteers	..	..	30
Jackson, William (deceased), Forest Rangers	100	Sellers, William Henry (deceased), Artillery Volunteers	..	..	30
Jordan, Thomas Edward (deceased), Tauranga Volunteers	..	Slater, Walter George, Napier Rifle Volunteers	..	..	30
Lewis, Francis Charles, Otahuhu Cavalry Volunteers	..	Walker, Peter (deceased), Wairoa Rifle Volunteers	..	..	30
Maclan, Benjamin John, Remuera Rifle Volunteers	..	Washington, William, 57th Regiment	..	..	30
Maedonald, Angus A. K., Auckland Rifle Volunteers	..	Winter, Martin (deceased), Napier Rifle Volunteers	..	..	30
McCabe, Charles Martin (deceased), Cambridge Cavalry Volunteers	..	WELLINGTON.			
Moore, William, Pukekohe Rifle Volunteers	..	Beaven, George, Wanganui Rifle Volunteers	..	..	30
Payton, John, Wairoa Rifle Volunteers	..	Bishop, James (deceased), 65th Regiment	..	..	30
Porter, William, 58th Regiment	..	Bradbury, Rowland Keats, Auckland Defence Force	..	..	25
Powley, Thomas Elwin, 96th Regiment	..	Broughton, Edward Thomas, Wanganui Rifle Volunteers	..	..	30
Pratt, John, 40th Regiment	..	Burrows, William (deceased), Wanganui Rifle Volunteers	..	..	30
Ratray, James (deceased), Hauraki Volunteers	..	Carkeek, Stephen (deceased), Wellington Rifle Volunteers	..	..	30
Robinson, Charles, Wellington Artillery Volunteers	..	Colman, Ewen, Kaiwarawara Rifle Volunteers	..	..	30
Rose, Henry James, Auckland Artillery Volunteers	..	Cummins, John (deceased), Wanganui Rifle Volunteers	..	..	30
Shale, William James, Onehunga Rifle Volunteers	..	Daly, Owen, Wellington Rifle Volunteers	..	..	30
Smith, Thomas Hawkins, Auckland Rifle Volunteers	..	Dixon, Charles, Masterton Rifle Volunteers	..	..	30
Thompson, William, 78th Regiment	..	Dixon, John (deceased), 65th Regiment	..	..	40
Traves, William Stephen, Auckland Artillery Volunteers	..	Donald, Donald, Masterton Rifle Volunteers	..	..	30
Twamley, George, Onehunga Rifle Volunteers	..	Eley, Thomas, 70th Regiment	..	..	30
Westrup, Charles, Forest Rangers	..	Fairbrother, Robert William, Carterton Rifle Volunteers	..	..	30
TARANAKI.		Frask, George, Lady Bowen Cavalry Volunteers	..	..	30
Harlin, William, 65th Regiment	..	Gilligan, James (deceased), 65th Regiment	..	..	30
HAWKE'S BAY.		Greensmith, Joseph, 65th Regiment	..	..	30
Austin, William, Waipawa Cavalry Volunteers	..	Henson, Stephen, Wanganui Rifle Volunteers	..	..	30
Badley, Paul (deceased), Hawke's Bay Yeomanry Cavalry Volunteers	..	Henson, Thomas, Wanganui Rifle Volunteers	..	..	30
Bear, Thomas William, Artillery Volunteers	..	Hodges, Carter, Kaiwarawara Rifle Volunteers	..	..	30
Black, William, Artillery Volunteers	..	Holland, Granville W. (deceased), Wanganui Rifle Volunteers	..	..	30

	£		£
CANTERBURY.			
Holland, William (deceased), Waiuku Rifle Volunteers	30	Cox, Luke John, Royal Navy	30
Hoskins, John, Wanganui Rifle Volunteers	30	Cox, William, 58th Regiment	40
Hughes, James, Wanganui Rifle Volunteers	30	Field, George, 58th and 65th Regiments	20
Hurley, William Gabel, Victoria Cavalry Volunteers	30	OTAGO.	
Johnson, William, Wanganui Rifle Volunteers	30	Brown, Hugh, Artillery Volunteers	30
Kells, John Foster, Wanganui Cavalry Volunteers	30	Casey, Michael (deceased), 43rd Regiment	30
Kennedy, Michael (deceased), 65th Regiment	30	Gregory, Peter, 65th Regiment	30
London, Henry William, Pahautanui Rifle Volunteers	30	Kay, John, Oamaru Rifle Volunteers	30
Manley, John, 57th Regiment	50	McKinlay, Malcolm, Clutha Rifle Volunteers	30
Mulcaby, Morris (deceased), 14th Regiment	30	Miller, Joseph Bain, Auckland Defence Force	25
Newcombe, William, 58th Regiment	20	Smaill, Alexander, Dunedin Hussars Volunteers	30
Overend, James Henry, Kaiwarawara Rifle Volunteers	30	Webster, James Alexander, Dunedin City Guards Volunteers	30
Petrie, Edward, Wellington Rifle Volunteers	30	Wright, William John, 65th Regiment	30
Roberts, William Thomas, 65th Regiment	30	SOUTHLAND.	
Shean, Edward (deceased), 65th Regiment	30	Ballantyne, David, Artillery Volunteers	30
Skinner, William Henry, Taranaki Rifle Volunteers	30	Bull, George Henry, Artillery Volunteers	30
Spalding, Thomas, 70th Regiment	30	Crawford, Henry, Invercargill Rifle Volunteers	30
Stuart, Edward, Pahautanui Rifle Volunteers	30	McChesney, Frank, Invercargill Rifle Volunteers	30
Twohy, Daniel, 65th Regiment	30	McKenzie, Abraham, Invercargill Rifle Volunteers	30
MARLBOROUGH.			
Davis Benjamin, 43rd Regiment	30	Morley, Joseph (deceased), Royal Artillery	30
Kerr, Peter, Auckland Defence Force	25	Perkins, William John, Southland Hussars	30
Harding, Robert March, Oamaru Rifle Volunteers .. .. .	..	Stead, John, Invercargill Rifle Volunteers	30
NELSON.			
Barnes, Warner, 99th Regiment	30	Stead, William, Invercargill Rifle Volunteers	30
Coulahar —, 40th Regiment	30	Ward, John, Invercargill Rifle Volunteers	30
Dawson, John, 57th Regiment	30	WESTLAND.	
Dollman, Thomas, Royal Navy	30	Blake, Henry (deceased), 40th Regiment	30
Gibbs, John, 12th Regiment	30	Blake, Herbert, 40th Regiment	30
Haigh, Allan, 68th Regiment	40	Brayshaw, James, Rifle Volunteers	30
Lally, Michael, 14th Regiment	30	Breeze, John Jerome, Rifle Volunteers	30
McMullen, Joseph, 68th Regiment	30	Connor, John, 70th Regiment	30
Newton, William, 70th Regiment	30	Cooper, Charles (deceased), 70th Regiment	30
Williams, John (deceased), 58th Regiment	30	Spoehr, August, Rifle Volunteers	30
		Stennard, Ebenezer, Rifle Volunteers	30
		Thompson, William Frederick, Rifle Volunteers	30
		Wallace, John, Rifle Volunteers	30
		Watt, William, Rifle Volunteers	30
		Williams, John, 58th Regiment	30