

New Zealand.

ANNO VICESIMO NONO

VICTORIÆ REGINÆ.

No. 48.

ANALYSIS.

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AN ACT to amend "The Waste Lands Act 1858" so far as it affects the Province of Hawke's Bay.

[Reserved for the signification of Her Majesty's pleasure.]

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

I. The Short Title of this Act shall be "The Hawke's Bay Waste Lands Regulations Amendment Act 1865."

II. So much and such parts of "The Waste Lands Act 1858" and of the Schedule affecting the Waste Lands of the Province of Hawke's Bay as are inconsistent with the provisions of this Act and so far only as they would interfere with or prevent the operation of this Act are hereby repealed.

III. From and after the time of this Act coming into operation all Waste Lands of the Crown in the said Province not heretofore proclaimed as open for selection or sale shall before being proclaimed as open for selection or sale be classified as follows by the Commissioner of Crown Lands—

Class one shall comprise lands suitable for Townships or for Special Settlements.

Class two shall comprise land suitable for Agricultural Settlements.

Class three shall comprise land suitable for Pastoral purposes.

IV. All lands included in class one aforesaid shall subject to the provisions hereinafter contained be disposed of by public auction at such times in such sections and in such manner as the Superintendent with the advice and consent of the Executive Council of the said Province shall from time to time direct by notice in the Government Gazette of the said Province three months previously to any such sale.

V. The lowest upset prices at which such lands shall be offered for sale shall be for town lands twenty pounds per acre for suburban land reserved for special settlement two pounds per acre.

Hawke's Bay Waste Lands Regulations Amendment.

Second-class lands to be surveyed and laid out in 10 to 320 acre sections.

VI. All lands included in class two aforesaid shall be surveyed and laid off in sections containing not less than ten acres nor more than three hundred and twenty acres and shall thereafter by notice to be advertised in manner aforesaid be declared open for selection and sale for the purposes of agricultural settlement at a fixed price of one pound for every acre of the land to be sold.

Common lands to be reserved.

VII. There shall be reserved out of the lands included in class three aforesaid in proximity to the lands included in class two aforesaid blocks of land to an extent equal to the blocks of land declared or about to be declared open for selection and sale for the purposes of agricultural settlement and the blocks of land so reserved shall be in like manner notified as set apart for the term of fourteen years from the date of the notice thereof for the purpose of commonage for the benefit of the occupiers of the lands comprised in class two aforesaid who shall be entitled to rights of common therein in proportion to the extent of such land comprised in class two as shall be in their respective occupations and according to such regulations as shall from time to time be established by Act of the Provincial Council of the said Province.

Third-class lands to be divided into blocks suitable for runs.

VIII. After such reserves shall have been made as last aforesaid all the lands comprised in class three aforesaid shall be divided into blocks suitable for runs not exceeding ten thousand acres in extent the natural features of the country being considered in the division and natural boundaries adopted as far as may be practicable.

Runs to be offered for lease to highest bidder.

IX. When such last mentioned lands shall have been so divided into runs the Superintendent shall in the *Government Gazette* of the Province give three months notice of a day and hour and a place at which the lands therein mentioned will be offered to be leased for terms of fourteen years to the persons who shall bid at public auction the highest rents for the same and the Superintendent shall in such notice fix the lowest rents which will be accepted for the same lands respectively.

Form of leases.

X. Such leases shall be executed for and on behalf of Her Majesty by the Commissioner of Crown Lands and be in the form or to effect of the Schedule hereto.

SCHEDULE.

This deed made the day in the year of our Lord one thousand eight hundred and between Her Majesty the Queen of the one part and [name description and residence of lessee] of the other part.

Whereas the lands hereinafter described being Crown Lands in the Province of Hawke's Bay were duly divided from other lands suitable for runs and by notice published in the *Government Gazette* of the said Province notified to be offered for lease on the day of at o'clock in the for a term of fourteen years to the persons who should bid the highest rents for the same according to the provisions of "The Hawke's Bay Waste Lands Regulations Amendment Act 1865" and whereas on the day at the time and place aforesaid the said [lessee] was and was declared to be the person who did bid the highest rents for the said lands Now this deed witnesseth that Her Majesty the Queen doth hereby demise and lease unto the said [lessee] hereinafter called the lessee his executors administrators and assigns all that [description of land leased] together with the appurtenances to hold the same unto the said lessee his executors administrators and assigns for the term of fourteen years from the day of the date hereof rendering and paying therefore yearly and every year the annual rent or sum of by payments to be made on the day of in each year Provided always and it is hereby declared that in case the rent hereby reserved shall be in arrear and unpaid for the space of next after any or either of the days hereinbefore appointed for payment of the same it shall be lawful for the Crown Lands Commissioner for the Province of Hawke's Bay his successors and assigns on behalf of Her Majesty Her successors and assigns into and upon the said demised premises or any part thereof in the name of the whole to re-enter and thereby determine this lease and the said lessee doth hereby for himself his heirs

