

## New Zealand.

ANNO TRICESIMO

# VICTORIÆ REGINÆ.

No. 21.

### ANALYSIS.

<p>Title.</p> <p>Preamble.</p> <p>1. Short Title.</p> <p>2. Endeavour or proposal to accept money as a consideration for abstaining to bid a misdemeanour.</p> <p>3. Actual receipt of money as such consideration a misdemeanour.</p>		<p>4. Extorted money recoverable.</p> <p>5. Declaration may be required from bidders at auction sale.</p> <p>6. Waste Land Board may notify such requirement.</p> <p>7. False declaration a misdemeanour.</p> <p>8. Procuring fictitious applications a misdemeanour. Schedule.</p>
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## AN ACT to prevent Persons from extorting Money as a consideration for abstaining to bid for the purchase of Crown Land at public sales by auction thereof.

[8th October 1866.]

**W**HEREAS unprincipled persons have at various times made use of sales by auction of Crown Lands as a means of extorting money from *bona fide* intending bidders thereat and it is expedient to prevent such practice for the future and to provide a remedy for such as have been or may be injured thereby—

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

I. The Short Title of this Act shall be “The Crown Lands Sales Extortion Prevention Act 1866.”

II. Every person who shall directly or indirectly offer or propose to accept or receive money or other valuable consideration as an inducement to abstain from bidding or competing as a purchaser or intending purchaser of land belonging to the Crown advertised for sale by public auction and whether or not the same land shall actually be put up for sale or otherwise shall be deemed to be guilty of a misdemeanour and be liable on conviction thereof to be imprisoned for any period not exceeding twelve calendar months and with or without hard labour or to be fined any sum not exceeding two hundred pounds sterling.

III. Every person who shall actually receive money or other valuable consideration for abstaining to bid for or compete for the purchase of any Crown Lands which shall have been advertised for sale by public auction and whether or not the same land shall be put up for sale by public auction shall be deemed to have been guilty of a misdemeanour and shall on conviction thereof be liable to be imprisoned with or without hard labour for any period not exceeding two years or fined any sum not exceeding five hundred pounds.

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*Crown Lands Sales Extortion Prevention.*

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Extorted money recoverable.

IV. Every person from whom money or other valuable consideration shall have been extorted by the means aforesaid may recover the amount or value of the consideration so extorted in an action for money had and received.

Declaration may be required from bidders at auction sale.

V. It shall be lawful for the Commissioner of Crown Lands in any Province of the Colony or any other person conducting any sale by public auction of Waste Lands of the Crown or any person attending any such sale to require that a declaration in the form of the Schedule to this Act appended shall be made and signed by any person desiring to bid or bidding at such sale and no bid from any such person shall be received until he shall have made and signed such declaration.

Waste Land Board may notify such requirement.

VI. It shall be lawful for the Waste Land Board of any Province by notice published in the Government *Gazette* of such Province prior to any sale by auction of any portion of the Waste Lands of the Province to require that every person shall before being allowed to bid at such sale make and sign a declaration in the form aforesaid and such declaration shall be made accordingly.

False declaration a misdemeanour.

VII. Every person who shall knowingly and wilfully make any false declaration under this Act shall be deemed guilty of a misdemeanour.

Procuring fictitious applications a misdemeanour.

VIII. Any Commissioner of Crown Lands or other person connected with the administration of any of the Waste Lands of the Colony who shall cause or attempt to cause or knowingly permit any person to apply for the purchase of any portion of the Waste Lands of the Crown such applicant not being a *bona fide* intending purchaser or who shall knowingly countenance or permit any collusion or arrangement between intending purchasers of land having for its object to preclude or supersede the necessity of *bona fide* competition at any such auction sale as aforesaid shall on conviction thereof be liable to a penalty not exceeding fifty pounds and shall for ever thereafter be rendered incapable of holding any office or employment under the Crown.

Schedule.

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**SCHEDULE.**

FORM OF DECLARATION.

I A. B. of                   do solemnly and sincerely declare that I have not offered or proposed or agreed to accept, and receive and that I have not actually received any money or any other valuable consideration as an inducement to abstain or for abstaining from bidding or competing as purchaser of any Waste Land of the Crown advertised in the Government *Gazette* of the Province of                   to be sold on the                   day of                   18                   .

(Signature) A. B.

Witness C. D.

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WELLINGTON, NEW ZEALAND:

Printed under the authority of the New Zealand Government by GEORGE DIDSBURY, Government Printer.