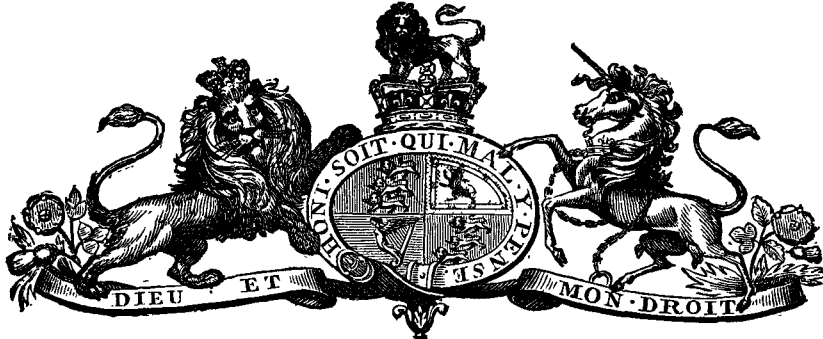


NEW ZEALAND.



TRICESIMO SECUNDO ET TRICESIMO TERTIO

VICTORIÆ REGINÆ.

No. XIV.

ANALYSIS.

- | | |
|---|--|
| <p>Title.
Preamble.
1. Short Title.
2. Governor at instance of Superintendent may authorize issue of Crown Grant to Military &c. Settler though he may not have resided for full period of forty-eight months when his absence caused by wounds &c.</p> | <p>3. Power to Governor to grant land in other cases of hardship.
4. Governor may give leave of absence to Military Settlers in certain cases on recommendation of Superintendent.
5. And extend such leave.
6. Time of service in Militia and in Armed Constabulary to avail settlers.
7. Interpretation.</p> |
|---|--|

AN ACT to amend the Law relating to Grants of Land Title.
to Naval and Military Settlers.

[6th August 1869.]

WHEREAS many persons have settled in the Provinces of Preamble.
Auckland and Taranaki as Naval and Military Settlers with the object of obtaining Land Orders under the provisions of the Act of the Provincial Council of Auckland intituled "The Auckland Waste Lands Act 1858" or under that Act as validated or as applied to the said Provinces or either of them by "The Waste Lands Act 1858" and have subsequently been wounded or injured in health while engaged in the military service of the Colony and similar cases may hereafter arise and it is expedient to relieve such persons in certain cases from the necessity for residing within the respective Provinces where the land to which they would be entitled under one or both of such Acts is situate for the full period necessary to entitle them to the benefit of such Land Orders And whereas other persons have settled in the Provinces of Auckland and Taranaki with the view of obtaining Land Orders under the provisions of the said Acts and are now unable to do so and it is desirable that they should be allowed to obtain such Land Orders

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

Naval and Military Settlers.

Short Title.

1. The Short Title of this Act shall be "The Naval and Military Settlers Act 1869."

Governor at instance of Superintendent may authorize issue of Crown Grant to Military &c. Settler though he may not have resided for full period of forty-eight months when his absence caused by wounds &c.

2. Whenever the Superintendent of either of the said Provinces with the approval of the Provincial Council thereof shall signify in writing to the Governor that any person who would otherwise have been entitled as a retired officer non-commissioned or warrant officer or private soldier marine or seaman to a Crown Grant of land within such Province under the said Act or Acts has resided within such Province for a period less than the said period of forty-eight calendar months out of the period of five years mentioned in "The Auckland Waste Lands Act 1858" or in the case of Auckland the period of thirty-six calendar months mentioned in "The Auckland Waste Lands Act Amendment Act 1862" but that he has during such period of forty-eight calendar months or thirty-six calendar months as the case may be been absent from such Province for the purpose of obtaining medical treatment for the cure of wounds received or of any disease contracted without his own default while in the military service of the Colony or otherwise for the purpose of recovering his health impaired by such wounds or disease and that such absence was reasonably necessary and was altogether or in part of reasonable duration for such purpose then the Governor may by Order in Council direct that the period of such absence or such part thereof as shall have been stated by the Superintendent to have been reasonable for such purpose shall for the purposes of the said Acts be treated as if such person had been resident in the said Province during the whole or such part of such period of absence as aforesaid and such Order in Council shall have the force of law.

Power to Governor to grant land in other cases of hardship.

3. Whenever the Superintendent of either of the said Provinces with the approval of the Provincial Council thereof shall signify to the Governor on or before the thirty-first day of March next ensuing that any person hereinbefore referred to has resided in such Province for a period less than as aforesaid and as required by such provisions and has under circumstances which in the opinion of such Superintendent and Provincial Council render his case one of injustice or hardship been deprived of or prevented obtaining the grant of land he would otherwise have obtained and that in the opinion of such Superintendent and Provincial Council a grant of such land ought to be made to such person it shall be lawful for the Governor in Council to issue a grant of land to such person of the amount to which he would have been entitled under the Acts aforesaid.

Governor may give leave of absence to Military Settlers in certain cases on recommendation of Superintendent.

4. Whenever any such person shall desire to be absent from either of the said Provinces for either of the purposes mentioned in the second section of this Act then upon the recommendation of the Superintendent of such Province stating that such person desires so to be absent from the said Province and that such absence is reasonably necessary the Governor may by Order in Council direct that such person shall have leave of absence for such period as to him shall seem fit commencing from any day to be named in such Order in Council and the period of such leave of absence when expired shall be treated as if such person had been resident in the said Province during the whole thereof.

And extend such leave.

5. The Governor may upon the like recommendation from time to time by Order in Council extend the said period of leave of absence for any further period that he may think fit and every such extended period shall be deemed for all purposes part of the original period of leave of absence as if it had been granted by the first Order in Council.

Time of service in

6. All persons who having selected land in any Province in New

Naval and Military Settlers.

Zealand under the provisions of all or any of the said Acts have served or shall serve in the Colonial Militia or in the Armed Constabulary in any part of New Zealand shall be entitled to reckon the time of such service as part of the time of residence in such Province required of them by all or any of the said Acts.

Militia and in
Armed Constabulary
to avail settlers.

7. So far as concerns persons who have selected lands in the Province of Auckland the term "Auckland Waste Lands Act 1858" shall include "The Auckland Waste Lands Act Amendment Act 1862" and the sixty-fourth section of "The Auckland Waste Lands Act 1867."

Interpretation.

WELLINGTON, NEW ZEALAND:

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