

(Mr. Rolleston.)

Canterbury Waste Lands.

ANALYSIS.

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A BILL INTITULED

“The Canterbury Waste Lands Act, 1873.” Title.

WHEREAS it is expedient to alter and amend the Regulations now Preamble.
in force in the Province of Canterbury for the sale letting or
disposal and occupation of the waste lands of the Crown in the said
Province:

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 shall be “The Canterbury Waste Short Title.
Lands Act, 1873.”

2. The words “the Regulations” in this Act shall mean all Interpretation.
Regulations Acts and Ordinances now in force in Province of Canter-
bury relating to the sale letting disposal or occupation of the waste
lands of the Crown in the said Province. The clauses hereinafter
mentioned and denoted by their numbers shall refer to the clauses of
that part of the Regulations which was brought into operation and
enacted under and by the various Acts Ordinances Bills and Regula-
tions mentioned in the Schedule to “The Waste Lands Act, 1858,”
as relating to the Province of Canterbury, and which the said Act
declared should have the force and effect of law, and which part of the
Regulations is contained in eighty-two clauses numbered consecutively.

[Omit clause 3.]

Applications how
to be made.

3. The clause numbered thirteen is hereby repealed, and the following provisions are made in lieu thereof:—All applications for the purchase of rural land shall be made and determined in the following manner, that is to say: the applicant, or any person duly authorized in writing on his behalf, shall sign a form of application containing a description of the land which the applicant desires to purchase, and shall deliver the same to the Survey Office either at Christchurch or Timaru, and the Chief Surveyor, or such person as he may appoint for the purpose, shall thereupon initial the same, and note thereon the precise time at which the application shall have been made; and the Commissioners shall during the sitting of the Board consider and determine all such applications in the order in which they shall have been received at the above-mentioned Survey Offices up to such day and hour as may be fixed by them at such sitting: Provided that if two or more persons shall apply at the same time for the same piece of land or any portion thereof, the Board shall determine the priority of right to be heard by lot.

New Clause 3.

Applications for
rural land.

3. The clause numbered thirteen is hereby repealed, and the following provisions are made in lieu thereof:—

All applications for the purchase of rural land shall be made and determined in the following manner, that is to say,—

When the applicant, or any person authorized in writing or by telegram on his behalf, shall apply at the Survey Office either at Christchurch or Timaru for the purpose of purchasing any portion of rural land, the Chief Surveyor, or such person as he may appoint, shall prepare a form of application for the said applicant, or any person authorized in writing on his behalf, to sign, containing a description of the portion of land which the applicant desires to purchase, and shall initial the said form, and note thereon the precise time at which the application shall have been made; and the Commissioners shall during the sitting of the Board consider and determine all such applications in the order in which they shall have been received at the above-mentioned Survey Offices, up to such day and hour as may from time to time be fixed by the Superintendent on the recommendation of the Board: Provided that if two or more persons shall apply at the same time for the same piece of land, or any portion thereof, the Board shall determine the priority of right to be heard by lot. Applications for the purchase of rural lands shall have priority of hearing before any other applications.

Application book to
be kept open.

4. For all other purposes, a book, to be called the "Application Book," shall be kept open during office hours at the Land Office, in which the name of every person desiring to make any application to the Board shall be written in order by himself or any person duly authorized in writing on his behalf, and the Commissioners shall, during the sitting of the Board, consider *and determine* all applications made by such persons in the order in which their names shall appear in the Application Book, except where otherwise provided: Provided that if any person shall not appear himself or by some person duly authorized on his behalf before the Board when called in his turn, his application shall be dismissed until his name shall appear again in the book in order: Provided also, that if two or more persons shall apply at the same time to write their names in the Application Book, the Chief Commissioner, or in his absence any other Commissioner or the Chief Clerk of the Board, shall bracket their

names and shall initial the bracket, and when they shall appear before the Board the Board shall determine the priority of right to be heard by lot, and it shall not be lawful for the Board to hear any application except such as shall be made in accordance with ~~this regulation: the provisions of this Act.~~

5. The clause numbered nineteen is hereby repealed, and the following provision is made in lieu thereof:—Reserves for the uses of the Provincial Government and for other public purposes may, upon the recommendation of the Provincial Council, be made by the Superintendent, and shall not be alienated from the specific purposes to which they shall have been severally dedicated, except under the provisions of an Act of the General Assembly intituled "The Public Reserves Act, 1854," and a full and complete description of every such reserve and of the purposes to which it shall have been dedicated shall, as soon as possible after it shall have been made, be published in the Government Gazette of the Province and set forth on the authenticated maps in the Land Office: Provided that the Superintendent may, if the Provincial Council be not then sitting, temporarily reserve land for such purposes until the next session of such Council. And if the Provincial Council shall not at its next sitting recommend the Superintendent to make the lands so temporarily reserved or any part thereof a reserve, the same or the portion not included in any such recommendation shall nevertheless not be open for sale except in the manner hereinafter provided.

Reserves how to be made.

6. The Superintendent may, nevertheless, immediately at the conclusion of every session of the Provincial Council, again temporarily reserve any such land for any purpose until the next session of such Provincial Council, or in case he shall not again temporarily reserve such land, he shall cause the same to be put up for sale by public auction at an upset price of forty shillings per acre, at such time and place of sale and in such mode of sale and payment of purchase money as he may think fit; and if such land be not sold at such auction, the same shall thereupon be open for sale as rural land.

Disposal of lapsed reserves.

7. Clause numbered twenty is hereby repealed, and in lieu thereof the following provision is made:—Reserves for public highways, bridle-paths and footpaths shall be made at any time whatever by the Superintendent or the Board, or by the Chief Surveyor under the authority of the Superintendent, and shall be set forth on the authenticated maps in the Land Office. The Superintendent and the Provincial Council may by Ordinance alter the line of any such highways, bridle-paths and footpaths and dispose of the land theretofore used for the same.

Reserves for public highways, &c.

8. ~~Any sections of rural land so limited by frontage lines or private lands as to contain less than twenty acres, shall be put up to auction at an upset price of forty shillings per acre, by order of the Superintendent, at least once in every three months. An auction shall be held once in three months, by order of the Superintendent, at which all sections of land containing less than twenty acres of land, not having been already exposed for sale by auction, shall be put up at an upset price of forty shillings per acre, and if not then sold such section shall thereupon be open for sale on application at a uniform price of forty shillings per acre: Provided always that nothing herein contained shall prevent prior application for and the sale of any such land, under and in pursuance of clause thirty-five of the said regulations.~~

Sale of land limited by frontage lines.

9. ~~Frontage and back or other boundary~~ lines for the purpose of selecting any rural land shall be taken to mean any road river or public reserve which may from time to time be set forth or indicated on any of the authenticated maps in the Survey Office of the said Province, or any such stream watercourse or natural feature of the

Frontage lines.

country as the Waste Lands Board shall determine necessary or expedient to be a frontage line ~~or back or boundary line.~~

Land sold to be
subject to roads.

10. All rural land in the said Province shall be sold subject to a right of laying out a road or roads over the same if found necessary or expedient on survey, and a Crown grant shall issue to the purchaser or purchasers of any such land excepting thereout so much thereof as may be required for such road or roads.

[*Omit clause 11.*]

Pre-emptive right
may be abandoned.

11. The holder of any improvement pre-emptive right may at any time abandon such pre-emptive right by notification to the Waste Lands Board of his wish to do so, and in the event of the land being purchased he shall be entitled to remove all improvements thereon; or in case of the removal of the improvements for which such improvement pre-emptive right was granted, the rights of pre-emption shall be deemed to be forfeited and determined.