

and the mode of payment for the same: And whereas the Governor has, by Proclamation in the *New Zealand Gazette*, bearing date the seventh day of December, one thousand eight hundred and eighty, set apart seventeen thousand six hundred acres of a block of rural land in the North Island of New Zealand, known as the "Te Aroha Block," as a special settlement under and for the purposes of the said Act as therein mentioned:

Now, therefore, His Excellency the Governor, in pursuance and exercise of the power and authority conferred upon him by the hereinbefore in part recited Act, and by and with the advice and consent of the Executive Council of the said colony, doth hereby fix the following terms and conditions as those upon which the said special settlement shall be disposed of, and the mode of payment for the same, that is to say,—

If not inconsistent with the context, the following words and expressions shall have the meanings hereby assigned to them, that is to say—"Governor" means the Governor of the colony for the time being: "Agent-General" means the Agent-General of the colony for the time being in London, and includes any officer appointed to do any act required under these conditions to be done by the Agent-General: "selectors" means Samuel Grant and John Stovin Foster, of England, landowners, and includes their assignees or legal representatives respectively: "settler" means any person over eighteen years of age, not being a resident of the Australian Colonies, who shall purchase land from the selectors and emigrate to New Zealand.

2. The price to be paid for the seventeen thousand six hundred acres shall be twenty-nine thousand nine hundred and twenty pounds, being a competent valuation at the rate of thirty-four shillings per acre.

3. The selectors shall, at their own expense, cause the said land to be properly surveyed and laid off in sections of convenient size for occupation by the settlers within one month after their arrival. The cost of the minor triangulation shall be borne by the Government of the colony.

4. Main and occupation roads shall be laid out through the lands so surveyed. Road areas shall remain vested in Her Majesty the Queen, and be deemed to be public highways.

5. All surveys shall be conducted in accordance with instructions to be given from time to time by the Surveyor-General of the colony, and subject to his approval in every respect.

6. On or before the thirty-first day of March next, the selectors shall pay to the Agent-General in London the sum of three thousand pounds, and the balance of twenty-six thousand nine hundred and twenty pounds in instalments as hereinafter provided, that is to say, within six months after the date of payment of the said deposit, the sum of four thousand four hundred pounds; within twelve months after the date of payment of last-mentioned instalment, the sum of eight thousand eight hundred pounds; and within twelve months from the date of payment of the second last-mentioned instalment, the final sum of thirteen thousand seven hundred and twenty pounds.

7. The special settlement to which these conditions apply shall be formed as follows:—

(a.) The selectors shall, as herein provided, introduce from the United Kingdom or elsewhere (save from the Australian Colonies) at least two hundred and twenty-five adult emigrants, of whom one hundred and twenty shall embark for the Colony of New Zealand on or before the first day of January, one thousand eight hundred and eighty-two, and the remaining one hundred and five adult emigrants on or before the first day of January, one thousand eight hundred and eighty-three.

(b.) The selectors shall issue land orders in the form set forth in the Schedule, or to the effect thereof, to each settler purchasing land from them under these conditions. Every such order shall be issued in duplicate, one of which shall be left with the Agent-General, who shall countersign each such order as hereinafter provided.

(c.) The selectors and settler shall be jointly responsible for the due and proper performance of the conditions necessary to be fulfilled before issue of Crown grant.

(d.) The Agent-General shall countersign each land order on receiving payment from the selectors of the amount fixed under these conditions to be paid per acre on the area represented by such order; and, for the purpose of obtaining such countersignature, instalments paid (except the first payment of three thousand pounds) may be treated as payments on account of land orders. Every such order shall be duly signed and completed by the selectors and settler before such order is countersigned.

(e.) On the balance of said purchase-money being received by the Agent-General, as above provided, the selectors may issue land orders as against the three thousand pounds deposit until the same is wholly absorbed.

(f.) But should the selectors fail to complete the embarkation for the Colony of New Zealand of the said adult emigrants in the numbers and at the times hereinbefore respectively specified, the deposit of three thousand pounds, or so much of it as may remain unallotted, shall be forfeited to Her Majesty the Queen, and shall be held and retained by the Agent-General, subject to such directions as he may receive from the Governor.

(g.) All moneys received by the Agent-General under this agreement shall be deemed to be and shall be dealt with as revenue derived from the sale of Crown lands.

(h.) For the purpose of the foregoing conditions an "adult emigrant" means a person of either sex being not less than twelve years of age, but two persons under twelve shall be reckoned as one adult. Infants under twelve months shall not be reckoned.

8. In the event of deaths occurring amongst the settlers on the voyage, or other unforeseen casualty happening, the Governor may, at his discretion, extend the period within which settlers may be placed on the land for such a period, to be fixed by him, as will enable the selector to carry out these conditions.

9. Within three months after arrival, the settlers shall be placed on the land selected, in such blocks or allotments as they may have agreed on with the selectors; but at least forty-five families of settlers must be settled on the land set apart for the purposes of this agreement.

10. Within six months after the respective arrivals the selectors shall erect, or cause to be erected, on the land twenty-four and twenty-one dwelling-houses respectively, to be well and substantially built of timber or other durable materials, each of such dwelling-houses to contain at least three rooms; and