

1892.

NEW ZEALAND.

WASTE LANDS COMMITTEE

(REPORT OF THE) ON THE LAND BILL, TOGETHER WITH MINUTES OF PROCEEDINGS

Brought up 25th August, 1892, and ordered to be printed.

ORDERS OF REFERENCE.

Extracts from the Journals of the House of Representatives.

TUESDAY, THE 5TH DAY OF JULY, 1892.

Ordered, "That a Committee be appointed, consisting of ten members, to consider all Bills and petitions that may be introduced into this House affecting the waste lands of the Crown, and to report generally on the principles and provisions which they contain, with power to confer and sit together with any similar Committee which may be appointed by the Legislative Council, and agree to a joint or separate report; the Committee to have power to call for persons, papers, and records; three to be a quorum. The Committee to consist of the Hon. Mr. Rolleston, Mr. Duncan, Mr. W. C. Smith, Mr. Rhodes, Mr. Hogg, Mr. Meredith, Mr. C. H. Mills, Mr. R. Thompson, Mr. Mackintosh, and the mover."—(Hon. Mr. J. McKENZIE.)

THURSDAY, THE 7TH DAY OF JULY, 1892.

Ordered, "That the names of Mr. T. Mackenzie and Mr. Lake be added to the Waste Lands Committee."—(Hon. Mr. J. McKENZIE.)

MEMORANDUM for the CHAIRMAN of the WASTE LANDS COMMITTEE.

The Bill intituled the Land Bill was read a second time in the House of Representatives on the 10th August, and, by order of the House, stands referred to the Waste Lands Committee for report.

House of Representatives, 11th August 1892.

GEORGE FRIEND,
Clerk, House of Representatives.

REPORT.

THE Waste Lands Committee, to whom was referred the above Bill, have the honour to report that they have duly considered the same, and beg to recommend that the Bill be allowed to proceed with the amendments thereto, which are shown on the attached copy of the Bill.

R. THOMPSON,
Chairman.

MINUTES OF PROCEEDINGS.

MONDAY, 15TH AUGUST, 1892.

THE Committee met pursuant to notice.

Present: Mr. R. Thompson (Chairman), Mr. Duncan, Mr. Hogg, Mr. Lake, Mr. T. Mackenzie, Hon. Mr. J. McKenzie, Mr. Mackintosh, Mr. Meredith, Mr. C. H. Mills, Hon. Mr. Rolleston, and Mr. W. C. Smith.

The Surveyor-General, Mr. S. Percy Smith, was also in attendance.

The minutes of the last meeting were read and confirmed.

The Committee then took up consideration of the Land Bill.

Preamble postponed.

Clause 1, short title read and agreed to.

Clause 2, read and agreed to.

Clause 3 read. Amendments proposed, page 6, after line 7, To insert the words "'Lease in perpetuity' means a lease of land granted under this Act for a term of nine hundred and ninety-nine years." On the question being put, That the words proposed to be inserted stand part of the clause, the Committee divided, and the names were taken down as follow: Ayes, 6—Mr. Duncan,

Mr. Mackintosh, Hon. Mr. J. McKenzie, Mr. Meredith, Mr. Mills, Mr. W. C. Smith. Noes, 1—Hon. Mr. Rolleston. Lines 26 to 28 struck out.—(Hon. Mr. J. Mackenzie.) Amendments agreed to. Clause as amended agreed to.

Clauses 4 to 10 read and agreed to.

Clause 11 postponed.

Clause 12 read. Line 17, *Resolved*, To strike out the words "in Council." Line 28, the same words were struck out.

Clause 13 read. Line 41, amendment proposed, To insert the words "with the consent of the local body." Amendment agreed to. Clause as amended agreed to.

Clause 14 read and agreed to.

Clause 15 read. Line 51, amendment proposed, To insert the words "or on lease in perpetuity" after the word "lease."—(Hon. Mr. J. McKenzie.) Amendment agreed to. Clause as amended agreed to.

Clause 16 read. Line 16, amendment proposed, To insert the words "or on lease in perpetuity" after the word "lease."—(Hon. Mr. J. McKenzie.) Amendment agreed to. Clause as amended agreed to.

Clauses 17 to 19 read and agreed to.

Clause 20 postponed.

Clauses 21 to 27 read and agreed to.

Clause 28 read. Subsection (e), amendment proposed, To insert the words "or for injury or damage done to any Crown lands by wrongful entry or occupation, or by wrongful removal therefrom of anything the property of Her Majesty," after the word "lands."—(Hon. Mr. J. McKenzie.) Amendment agreed to. Clause as amended agreed to.

Clauses 29 to 32 read and agreed to.

Clause 33 read. Line 17, amendment proposed, To insert the words "or removed therefrom" after the word "thereon."—(Hon. Mr. J. McKenzie.) Amendment agreed to. Clause as amended agreed to.

Clauses 34 to 43 read and agreed to.

Clause 44 read. Page 19, line 8, amendment proposed, To insert the words "rents or other payments" after the word "moneys."—(Hon. Mr. J. McKenzie.) Amendment agreed to. Clause as amended agreed to.

Clauses 45 to 51 read and agreed to.

Resolved, To adjourn till Tuesday, the 16th August, at 10.30 a.m., when consideration of the Bill will be resumed.

The Committee then adjourned.

TUESDAY, 16TH AUGUST, 1892.

THE Committee met pursuant to notice.

Present: Mr. R. Thompson (Chairman), Mr. Duncan, Mr. Lake, Mr. Mackintosh, Hon. Mr. J. McKenzie, Mr. Meredith, Mr. C. H. Mills, Hon. Mr. Rolleston, and Mr. W. C. Smith.

The minutes of the previous meeting were read and confirmed.

The Committee then resumed consideration of the Land Bill.

The Surveyor-General was in attendance.

Clauses 52 and 53 read and agreed to.

Clause 54 read. Line 37, amendment proposed, To strike out the words "perpetual lease," and insert the words "lease in perpetuity" in lieu thereof. Amendment agreed to. Clause as amended agreed to.

Clause 55 read and agreed to.

Clause 56 read. Page 22, line 19, subsection (4), amendments proposed, To strike out the word "immediate" after the word "shall." Same line and subsection, To insert the words "on and after the day following such auction."—(Hon. Mr. J. McKenzie.) Amendments agreed to. Clause as amended agreed to.

Clause 57 read. Line 32, subsection (3), amendment proposed, To strike out the words "perpetual lease," and insert the words "a lease in perpetuity" in lieu thereof.—(Hon. Mr. J. McKenzie.) Amendment agreed to. Clause as amended agreed to.

Clause 58 read and agreed to.

Clause 59 read. Line 2, subsection (2), amendment proposed, To strike out the words "perpetual lease," and insert the words "for a lease in perpetuity" in lieu thereof.—(Hon. Mr. J. McKenzie.) Amendment agreed to. Clause as amended agreed to.

Clause 60 read. Line 7, amendment proposed, After the word "thereof" to add the words "otherwise the part of the purchase-money or the amount of survey-fee, as the case may be, paid by way of deposit shall be forfeited, and the contract for the sale of the land shall thenceforward be null and void."—(Hon. Mr. J. McKenzie.) Amendment agreed to. Clause as amended agreed to.

Clauses 61 to 73 read and agreed to.

Clause 74 read. Line 11, amendment proposed, After the word "regulations" to insert the following words in lieu thereof: "shall be dated as from the day of the granting thereof."—(Hon. Mr. J. McKenzie.) Amendment agreed to. Clause as amended agreed to.

Clauses 75 to 77 read and agreed to.

Clause 78 read and postponed.

Clause 79 read. Line 49, amendment proposed, After the word "lease" to insert the words "or transfer of lease." To strike out the words "the system known as" in the same line, and insert after the word "system" in line 50 the words "or the lease-in-perpetuity system."—(Hon. Mr. J. McKenzie.) Amendments agreed to. Clause as amended agreed to.

Clauses 80 to 88 read and agreed to.

Clause 89 read. Line 43, amendment proposed, After the word "cash" to insert the words "or on deferred payments." Line 44, After the words "perpetual lease" to insert the words "or on lease in perpetuity."—(Hon. Mr. J. McKenzie.) Amendments agreed to. Clause as amended agreed to.

Clauses 90 to 100 read and agreed to.

Clause 101 read. Lines 14 and 31, amendments proposed, To strike out the words "perpetual lease," and insert the words "lease in perpetuity" in lieu thereof. (Hon. Mr. J. McKenzie.) Amendments agreed to. Clause as amended agreed to.

Clauses 102 to 104 read and agreed to.

Clause 105 read and postponed.

Clauses 106 to 110 read and agreed to.

Clause 111 read. Line 12, amendment proposed, That the word "twenty" be struck out, and "one hundred" inserted in lieu thereof.—(Mr. Mackintosh.)

On the question being put that the words proposed to be inserted stand part of the clause, the Committee divided, and the names were taken down as follow: Ayes, 3—Mr. Duncan, Mr. Mackintosh, Mr. Smith. Noes, 4—Mr. Lake, Hon. Mr. J. McKenzie, Mr. Meredith, Mr. Mills. So it was resolved in the negative.

Resolved, That the word "twenty" be struck out, and the word "fifty" inserted in lieu thereof. Amendment agreed to. Clause as amended agreed to.

Clauses 112 to 120 read and agreed to.

Clause 121 read. Line 42, amendment proposed, To strike out all the words from "payments" to "or," and insert in lieu thereof the words "or on perpetual lease under any Act repealed by this Act, or on a lease in perpetuity under this Act."—(Hon. Mr. J. McKenzie.) Amendment agreed to. Clause as amended agreed to.

Clause 122 read. Subsection (1), amendment proposed, That this subsection be struck out and the following substituted in lieu thereof: "(1) In respect of deferred-payment lands under any Act as aforesaid, and of lands occupied with right of purchase under this Act, for a period of fifteen years from the date of the license." The following to be a new subsection: "(1A.) In respect of lands disposed of under section eight of the aforesaid Appendix C, for the whole term of the license." In subsection (2), line 10, To strike out all the words after the word "and," and insert in lieu thereof "and in respect of any such leases granted thereafter, and in respect of leases in perpetuity granted under this Act, for a period of fifteen years from the date of the lease; and."—(Hon. Mr. J. McKenzie.) Amendments agreed to. Clause as amended agreed to.

Clause 123 read. Line 19, amendment proposed, After the word "thereof" to insert the words "When it shall appear necessary, the Board may, at its discretion, direct such payment to be made to a separate account."—(Mr. Lake.) Amendment agreed to. Clause as amended agreed to, subject to its being redrafted by the Law Draftsman.

Clauses 124 to 126 read and agreed to.

Clause 127 read. Amendment proposed, To strike out the clause.—(Mr. Lake.)

On the question being put, That the clause be struck out, the Committee divided, the names being taken down as follow: Ayes, 1—Mr. Lake. Noes, 6—Mr. Duncan, Mr. Hogg, Hon. Mr. J. McKenzie, Mr. Meredith, Mr. Mills, and Mr. Smith.

So it was resolved in the negative. Clause agreed to.

Clauses 128 to 131 read and agreed to.

Clause 132 read. Subsection (1), line 7, amendment proposed, To strike out the words "perpetual lease," and insert in lieu thereof the words "lease in perpetuity." Subsection (2), To strike out all the words after the words "valuable stone," and insert in lieu thereof the words "be selected on lease in perpetuity only."—(Hon. Mr. J. McKenzie.) Amendments agreed to. Clause as amended agreed to.

Clause 133 read and agreed to.

Clause 134 read. Subsection (1), line 21, the word "nine" was struck out, and the word "eight" substituted in lieu thereof; line 22, the word "eleven" was struck out, and the word "ten" substituted in lieu thereof. Subsection (2), the words "perpetual lease" were struck out, and the words "lease in perpetuity" were inserted in lieu thereof. In the same section the word "fifteen" was struck out, and "ten" inserted in lieu thereof.—(Hon. Mr. J. McKenzie.) Amendments agreed to. Clause as amended agreed to.

Clause 135 read. Line 32, amendment proposed, After the word "interval" to insert the words "of space."—(Hon. Mr. J. McKenzie.) Amendment agreed to. Clause as amended agreed to.

Clause 136 read. Lines 44 and 50, amendment proposed, To strike out the words "perpetual lease" and insert the words "lease in perpetuity" in lieu thereof.—(Hon. Mr. J. McKenzie.) Amendment proposed, line 9, subsection (4), To strike out the words "subject to the consent of the Minister."—(Mr. Lake.) Amendments agreed to. Clause as amended agreed to.

Clause 137 read. Line 15, amendment proposed, To strike out the words "perpetual lease," and insert the words "lease in perpetuity" in lieu thereof.—(Hon. Mr. J. McKenzie.) Amendment agreed to. Clause as amended agreed to.

Clause 138 read and postponed.

Clauses 139 and 140 read and agreed to.

Clause 141 read. Line 15, amendment proposed, To strike out the word "thirty," and insert the word "twenty" in lieu thereof.—(Mr. Lake.) Amendment agreed to. Clause as amended agreed to.

Clause 142 read and agreed to.

Clause 143 read. Line 39, amendments proposed, To strike out all the words after the word "lease" to the word "subject," and insert in lieu thereof the words "in perpetuity of the same

land under this Act.”—(Hon. Mr. J. McKenzie.) Amendment agreed to. In subsection (3), line 47 To strike out the word “four,” and insert “five” in lieu thereof.—(Mr. Meredith.)

On the question being put, That the word proposed to be substituted stand part of the clause, the Committee divided and the names were taken down as follow: Ayes, 5—Mr. Lake, Mr. Mackintosh, Hon. Mr. J. McKenzie, Mr. Meredith, and Mr. Mills. Noes, 3—Mr. Duncan, Mr. Hogg, and Mr. W. C. Smith. So it was resolved in the affirmative. Amendment agreed to. Clause as amended agreed to.

Clause 144 read. Amendments proposed: Line 10, After the word “system” to insert the words “or the perpetual-lease system.” Line 11, To strike out the words “the deferred-payment system,” and insert in lieu thereof the words “such system respectively.” Line 13, After the word “licenses,” to insert the word “leases.” Line 16, After the word “thereof,” to add the words “or to perpetual-lease lands and lessees thereof.”—(Hon. Mr. J. McKenzie.) Amendments agreed to. Clause as amended agreed to.

Resolved, To adjourn till Wednesday, the 17th August, at 10.30 a.m., when consideration of the Bill will be resumed.

The Committee then adjourned.

WEDNESDAY, 17TH AUGUST, 1892.

THE Committee met pursuant to notice.

Present: Mr. R. Thompson (Chairman), Mr. Duncan, Mr. Hogg, Mr. Lake, Mr. T. Mackenzie, Hon. Mr. J. McKenzie, Mr. Mackintosh, Mr. Meredith, Mr. C. H. Mills, Hon. Mr. Rolleston, and Mr. W. C. Smith.

Minutes of the previous meeting were read and confirmed.

The Committee then resumed consideration of the Land Bill.

Clause 145 read. Line 29, subsection (3), amendment proposed, *Resolved*, To strike out the word “twelve,” and insert the word “ten” in lieu thereof. Line 33, subsection (3), To strike out the words “perpetual lease,” and insert the words “lease in perpetuity” in lieu thereof.—(Hon. Mr. J. McKenzie.) Amendments agreed to. Clause as amended agreed to.

Clause 146 read. Line 44, amendment proposed, To strike out the words “perpetual lease,” and insert the words “lease in perpetuity” in lieu thereof.—(Hon. Mr. J. McKenzie.) Amendment agreed to. Clause as amended agreed to.

Clause 147 read and agreed to.

Clause 148 read. Line 31, amendment proposed, *Resolved*, To strike out the words “and twelve.” Amendment agreed to. Clause as amended agreed to.

Clause 149 read. Line 47, amendment proposed, To strike out the words “perpetual lease issued to him for the same land,” and insert in lieu thereof the words “lease in perpetuity of the same land issued to him under this Act, subject to a yearly rental of five per centum on the cash price of the land at the time of the expiration of the license, which shall be ascertained by a revaluation of such land without buildings or fencing, to be made in such manner as the Board may direct.”—(Hon. Mr. J. McKenzie.) Amendment agreed to. Clause as amended agreed to.

Clause 150 read. Amendments proposed: Head line, To strike out the words “perpetual lease,” and insert the words “lease in perpetuity” in lieu thereof. Lines 1 and 2, to strike out the words “perpetual lease,” and insert the words “lease in perpetuity” in lieu thereof. Subsection (1), line 3, to strike out the word “fifty,” and insert the words “nine hundred and ninety-nine” in lieu thereof.—(Hon. Mr. J. McKenzie.)

Resolved, Line 7, subsection (2), to strike out the word “four,” and insert the word “five” in lieu thereof. Amendment agreed to. Clause as amended agreed to.

Clause 151 read. Struck out.

Clause 152 read. Amendment proposed, line 17, To strike out the words “perpetual lease,” and insert the words “lease in perpetuity” in lieu thereof. Line 24, To strike out the words “perpetual lease,” and insert the words “lease in perpetuity” in lieu thereof.—(Hon. Mr. J. McKenzie.) Amendments agreed to. Clause as amended agreed to.

Clauses 153 to 157 read. Struck out.

Clauses 158 and 159 read and agreed to.

Clause 160 read. Lines 34 and 37, amendments proposed, To strike out the words “perpetual lease,” and insert the words “lease in perpetuity” in lieu thereof.—(Hon. Mr. J. McKenzie.) Amendments agreed to. Clause as amended agreed to.

Clause 161 read. Amendment proposed, After the word “Proclamation” to insert the words “The total amount of land set apart as special settlements in the colony shall not exceed 100,000 acres in any one financial year.”—(Mr. Lake.)

On the question being put, That the words proposed to be inserted stand part of the clause, the Committee divided, and the names were taken down as follow: Ayes, 3—Mr. Lake, Mr. T. Mackenzie, Hon. Mr. Rolleston. Noes, 6—Mr. Hogg, Mr. Mackintosh, Hon. Mr. J. McKenzie, Mr. Meredith, Mr. C. H. Mills, Mr. W. C. Smith. So it was resolved in the negative.

Further amendment proposed, After the word “Proclamation” to insert the words “the total amount of land set apart as special settlements in the colony shall not exceed 250,000 acres in any one financial year.”—(Hon. Mr. J. McKenzie.)

On the question being put, That the words proposed to be inserted stand part of the clause, the Committee divided, and the names were taken down as follow: Ayes, 6—Mr. Hogg, Mr. Mackintosh, Hon. Mr. J. McKenzie, Mr. Meredith, Mr. C. H. Mills, Mr. W. C. Smith. Noes, 3—Mr. Lake, Mr. T. McKenzie, Hon. Mr. Rolleston. So it was resolved in the affirmative. Amendment agreed to. Clause as amended agreed to.

Clause 162 read. Amendment proposed, To strike out the words “perpetual lease,” line 19, and insert the words “lease in perpetuity” in lieu thereof.—(Hon. Mr. J. McKenzie.) Amendment

agreed to. Line 19, After the word "lease," to insert the words "or on freehold in fixed proportions."—(Hon. Mr. Rolleston.)

On the question being put, That the words proposed to be inserted stand part of the clause, the Committee divided, and the names were taken down as follow: Ayes, 3—Mr. Lake, Mr. T. McKenzie, Hon. Mr. Rolleston. Noes, 6—Mr. Hogg, Mr. Mackintosh, Hon. Mr. J. McKenzie, Mr. Meredith, Mr. C. H. Mills, Mr. W. C. Smith. So it was resolved in the negative.

Subsection (2), line 23, amendment proposed, To strike out the words "perpetual lease," and insert the words "lease in perpetuity" in lieu thereof.—(Hon. Mr. J. McKenzie.) Subsection (2), line 24, amendment proposed, *Resolved*, To strike out the word "four," and insert the word "five" in lieu thereof. Amendments agreed to.

Further amendment proposed to insert a new subsection after the word "thereof:" "That not more than 320 acres can be held by one person under this system."—(Hon. Mr. J. McKenzie.) Amendment agreed to. Clause as amended agreed to, subject to its being redrafted by the Law Draftsman.

Clause 163 read and agreed to.

Clause 164 read and postponed.

Clauses 165 and 166 read and agreed to.

Clause 167 read. Amendments proposed, In subsection (4), line 28, To strike out all the words from "on" to "each" inclusive, and insert in lieu thereof the words "in perpetuity under Part III. of this Act."—(Hon. Mr. J. McKenzie.) Line 37, To strike out the word "four," and insert the word "five" in lieu thereof. Amendments agreed to. Clause as amended agreed to.

Clauses 168 to 178 read and agreed to.

Clause 179 read. Amendment proposed, After the word "lease," in line 11, to insert the words "and subject to the same conditions of residence and improvements."—(Hon. Mr. J. McKenzie.) Amendment agreed to. Clause as amended agreed to.

Clauses 180 to 220 read and agreed to.

Resolved, To adjourn till Friday, the 19th August, at 10.30 a.m., when consideration of the Bill will be resumed.

The Committee then adjourned.

FRIDAY, 19TH AUGUST, 1892.

THE Committee met pursuant to notice.

Present: Mr. R. Thompson (Chairman), Mr. Hogg, Mr. Lake, Mr. T. Mackenzie, Hon. Mr. J. McKenzie, Mr. Mackintosh, Mr. Meredith, Mr. Rhodes, Hon. Mr. Rolleston, and Mr. W. C. Smith.

The minutes of the last meeting were read and confirmed.

The Committee resumed consideration of the Land Bill.

Clause 221 read. Amendment proposed, line 17, After the words "flour-mills" to insert the words "flax-mills."—(Mr. W. C. Smith.) Amendment agreed to. Clause as amended agreed to.

Clauses 222 and 229 read and agreed to.

Clause 230 read. Struck out.

Clause 230A (new clause). *Resolved*, on the motion of the Hon. Mr. J. McKenzie, That the following be a clause of the Bill, namely:—

Notwithstanding anything contained or implied in "The New Zealand State Forests Act, 1885," the Governor from time to time may grant a lease for grazing purposes, for not exceeding twenty-one years, of any land subject to that Act from which the timber has been removed, burnt, or destroyed, subject to such conditions and covenants as the Governor, in his discretion, may think fit to impose, and subject also as follows:—

(1.) That the land comprised in the lease shall continue under the Act last aforesaid, subject only to the right of the lessee to use the land for grazing purposes;

(2.) That the lessee shall have no right to fell or remove from the land any live or dead trees or timber, whether standing or lying on the ground;

(3.) That all persons duly authorised in that behalf shall have free right of ingress, egress, and regress for any of the purposes of the Act last aforesaid, or for felling or removing from the land any trees or timber as aforesaid; and

(4.) That the lessee, at the expiration of the term of his lease, may remove all fencing and buildings erected by him on the land.

Clause agreed to.

Clause 230B (new clause). *Resolved*, on the motion of the Hon. Mr. J. McKenzie, That the following be a clause of the Bill, namely:—

If any person shall be found on any Crown lands whatever, or on any reserve, or on any lands subject to "The New Zealand State Forests Act, 1885," having in his possession any live or dead timber, bark, flax, clay, gravel, stone, guano, kauri-gum, or other substance whatever, he shall, for the purposes of this Act, be deemed to have cut, stripped, dug, or removed the same from Crown lands, and it shall lie on such person to prove that he did not so do, or that he had authority so to do.

Clause agreed to.

Clause 230C (proposed new clause). Proposed by Mr. Mackintosh, That the following be a clause of the Bill, namely:—

220c. Notwithstanding anything contained in this Act, any selector under this Act or any former Land Act may at all times while in the *bona fide* occupation of land, and without license from any Board or Commissioner of Crown Lands, enter upon any State forest and cut or remove therefrom any timber he may require exclusively for his own domestic use, or for fencing the land in his own occupation.

On the question being put, That the clause shall stand part of the Bill, the Committee divided, and the names were taken down as follow: Ayes, 4: Mr. Duncan, Mr. Hogg, Mr. Mackintosh, and Mr. W. C. Smith. Noes, 6: Mr. Lake, Hon. Mr. J. McKenzie, Mr. Meredith, Mr. Rhodes, and Hon. Mr. Rolleston.

So it was resolved in the negative. Clause struck out.

Clauses 231 to 247 read and agreed to.

Clause 248 read. Amendment proposed, Line 16, page 70, insert the following paragraph (Hon. Mr. J. McKenzie), namely:—

The Board also may sanction improvements to be continued by any person whom they shall approve on behalf of any child or children whose parents, or one of whose parents, is dead; and, in case of the death of any child of a selector who holds land under the homestead system for such child, when improvements have been made thereon to the satisfaction of the Board, the Board may authorise such selector to retain such land notwithstanding the death of the said child, or that such selector shall thereby become the holder of land in excess of the quantity he may be entitled to hold under the said system.—Amendment agreed to. Clause as amended agreed to.

Schedules.

Schedule A read. Amendment proposed, To insert before the word “anywhere” the words “or lease-in-perpetuity system.”—(Hon. Mr. J. McKenzie.) Amendment agreed to. Schedule as amended agreed to.

Schedule B read and agreed to.

Schedule C read. Amendment in head line, To strike out the words “perpetual lease,” and insert the words “lease in perpetuity” in lieu thereof. Page 72, paragraph 5, amendment proposed, “After the word “renewal” to insert the words “or a lease in perpetuity.”—(Hon. Mr. J. McKenzie.) Amendments agreed to. Schedule as amended agreed to.

Schedule D read and agreed to.

Schedule E read. Amendment proposed, in paragraph 4, To strike out the words “which taken together with the pastoral lands I am now applying for would exceed 5,000 acres in area.”—(Hon. Mr. J. McKenzie.) Amendment agreed to. Schedule as amended agreed to.

Schedules F and G read and agreed to.

Appendix read and agreed to.

This concluded the consideration of the Bill.

The Committee then proceeded to reconsider certain clauses of the Bill, as follows:—

Clause 11. Amendment proposed, line 16, after the word “peace,” to add the words “or, at the discretion of the said Justices, to imprisonment for any period not exceeding six months.” Amendment agreed to. Clause as further amended agreed to.

Clause 13. Line 40, amendment proposed, After the word “notice” to insert the words “but subject to the like consents as aforesaid.” Amendment agreed to. Clause as further amended agreed to.

Clause 16. Subsection (2), line 15, amendment proposed, After the words “disposed of” to insert the words “on deferred payments or.” Amendment agreed to. Clause as further amended agreed to.

Clause 16A. Proposed new clause:—

16A. In any case where a road is stopped or sold under the provisions of sections ninety-three to ninety-six inclusive, and section ninety-nine of “The Public Works Act, 1882,” or of any Act amending the same, the Supreme Court shall have jurisdiction to grant relief where it is shown that the Road Board or County Council has acted in an illegal, unjust, or oppressive manner, and the Court may annul, either in whole or in part, the stopping or sale of such road, and the road shall thereupon remain a public highway as before; and the Court may grant such other relief in addition thereto or in lieu thereof as shall to it appear just, upon such terms as to costs or otherwise as may to it seem fit.

If any such road has been stopped for the benefit of a private person under section ninety-nine of the said Act, such person may be joined as a party to the action, and if the decision in the case is given against him the Court may compel him to pay such part of the costs or other expenses as to it shall seem just, and the decision of the Court in all cases shall be absolute and final:

Provided, however, that any person availing himself of the provisions of this section must give notice in writing to the Road Board or County Council of his intention to appeal to the Supreme Court within thirty days from the date of the decision or other action of the Road Board or County Council to which he objects; and if he do not thereupon commence his action in the said Court, and carry it on with reasonable diligence, his right of action shall lapse.

The provisions of this section shall, *mutatis mutandis*, relate back and apply to the act of the Clive Road Board and Hawke's Bay County Council in having stopped and sold certain roads in the Township of Clive: Provided that any person aggrieved by the aforesaid acts of the said Road Board or County Council as aforesaid shall give notice and commence an action thereon in the Supreme Court within three months from the passing of this Act; and the Court, in giving judgment, shall take into consideration the costs and expenses which have been already incurred by any party to such action in heretofore maintaining or defending his rights in the Supreme Court or in the Court of Appeal, and the Court shall have power to give such directions, and make and enforce such orders, as may be necessary.—(Hon. Mr. J. McKenzie.)

On the question being put, That clause 16A be a clause of the Bill, the Committee divided, and the names were taken down as follow: Ayes, 7—Mr. Duncan, Mr. Hogg, Mr. Mackintosh, Hon. Mr. J. McKenzie, Mr. Meredith, Mr. Mills, and Mr. W. C. Smith. Noes, 3—Mr. Lake, Mr. Rhodes, and Hon. Mr. Rolleston. So it was resolved in the affirmative.

Clause agreed to.

Clause 20. Amendment proposed to add a new paragraph, as follows:—

Wherever any town district or borough shall become merged in a county, all reserves for public purposes made within such town district or borough, or granted to or vested in the Town Board or Borough Council thereof, shall be deemed to have been made for such purposes within the county wherein such town district or borough is merged, or to have been granted to or vested in the County Council thereof as from the date when such town district or borough, or the Town Board or Borough Council thereof, ceased to exist.—(Hon. Mr. J. McKenzie.)

Amendment agreed to. Clause as further amended agreed to.

Clause 45. Line 14, amendment proposed, After the word “of” to insert the words “arriving at a decision upon any application submitted to them, or of making.”—(Hon. Mr. J. McKenzie.) Amendment agreed to. Clause as further amended agreed to.

Clause 57. Line 32, subsection (3), amendment proposed, To strike out the words “two per centum,” and insert the words “two and a half per centum” in lieu thereof.—(Hon. Mr. J. McKenzie.) Amendment agreed to. Clause as further amended agreed to.

Clause 61. Subsection (1), amendment proposed, After the word “in” to insert the words “and circulated in the locality where such lands are situated.”—(Mr. C. H. Mills.) Amendment agreed to. Clause as further amended agreed to.

Clause 78. Line 45, amendment proposed, To strike out the words “during the currency of such license or lease.” (After discussion, the consideration of this clause was further postponed.)

Clause 80. Line 18, amendment proposed, To strike out the word “leased,” and insert the words “sold or leased under this Act” in lieu thereof.—(Hon. Mr. J. McKenzie.)

Clause 105. Line 11, amendment proposed, To strike out the word “may,” and insert in lieu thereof, “(1.) May.” Line 17, after the word “acre” to insert the word “or.” Amendments agreed to. Clause as further amended agreed to. New subsection proposed, after the word “or,” as follows: “(2.) May, if not sold at such auction, be let for any time not exceeding fourteen years, at a rent not less than five per centum on the upset price of such lands, subject that the lessee shall not have any right of compensation for improvements at the expiration of his lease.”—(Hon. Mr. J. McKenzie.) Amendment agreed to. Clause as further amended agreed to.

Clause 108A. New clause proposed:—

108A. Any selector of less than six hundred and forty acres of land under Part III. of this Act, or under the provisions of any former Act relating to occupation of land on similar tenure, may apply to the Board for an additional area of surveyed or unsurveyed land contiguous to the land in his selection; and the Board, if they think fit, but subject to the limitations of this Act, may dispose of such land to the applicant without competition, at such price not being in any case less than twenty shillings per acre, to hold the same on the same tenure as that of his original selection.

Lands which are separated only by a road or a stream shall be deemed to be contiguous for the purposes of this section.—(Mr. Mackintosh.)

Clause agreed to.

Clause 121. Line 48, amendment proposed, After the word “derived” to insert the following new paragraph: “The price or value of land upon which a third is to be paid to local authorities under this section shall be deemed to be and to have been the net price or value before any addition has been made thereto, under the provisions of ‘The Government Loans to Local Bodies Act Amendment Act, 1891.’”—(Hon. Mr. J. McKenzie.) Amendment agreed to. Clause as further amended agreed to.

Clause 123. Line 23, subsection (1), amendment proposed, After the word “situate” to insert the words “or to the Road Board of the adjacent district, if the access is from or through that district.”—(Mr. Lake.) Amendment agreed to. Clause as further amended agreed to.

Clause 125A. New clause proposed, as follows:—

When any local authority entitled to receive the third of the annual payments arising from lands held on deferred payments or perpetual lease shall satisfy the Land Board of the district that they have completed the making of the roads of access to open up the said lands, to which purpose the aforesaid payments are by law applicable, or that they propose to complete the same out of moneys then proposed to be borrowed under the said Act, then and in either of such cases the Board may grant a certificate to the local authority to such effect as the case may be, and the said local authority shall thereafter be entitled to apply the recurring annual payments aforesaid as ordinary revenue of the district in the first above-mentioned case, and in the second case may pledge such annual payments, or so much thereof as shall be necessary, in lieu of or in reduction of special rates as security for any such loan as aforesaid.

In case any selector of land on deferred payments shall pay the capitalised value of the land in his occupation, the third of such value shall in every case be applicable in the same manner as provided in this section in respect of the recurring annual payments, and shall be so applied.—(Hon. Mr. J. McKenzie.)

Clause agreed to.

Clause 138 further postponed.

Clause 162A. New clause proposed: “162A. No person shall be capable of becoming the holder of any land within a special settlement exceeding three hundred and twenty acres in area.”—(Hon. Mr. J. McKenzie.) Clause agreed to.

Resolved, To adjourn *sine die*. Next meeting postponed clauses to be further considered.

The Committee then adjourned.

WEDNESDAY, 24TH AUGUST, 1892.

THE Committee met pursuant to notice.

Present: Mr. R. Thompson (Chairman), Mr. Duncan, Mr. Hogg, Mr. Lake, Mr. T. Mackenzie, Hon. Mr. J. McKenzie, Mr. Mackintosh, Mr. C. H. Mills, Mr. Rhodes, Hon. Mr. Rolleston, and Mr. W. C. Smith.

The minutes of the previous meeting were read and confirmed.

Committee then resumed further consideration of the Land Bill.

Clause 4. Line 46, amendment proposed, After the word "the" to insert the word "management."—(Hon. Mr. J. McKenzie.) Amendment agreed to. Clause as further amended agreed to.

Clause 13. Subsection (3), amendment proposed, "After the word "trustees" to insert the words "Provided that subsections 2 and 3 alone shall only be applied with the consent of the Road Board, or County Council if there be no Road Board, or other local authority in whose district the lands are situated." After word "mentioned," to insert the words "and may grant such closed road in exchange for a road taken hereunder, and the Crown grant or other instrument of title may be amended accordingly by indorsement under the provisions of 'The Crown Grants Act, 1883.'"—(Hon. Mr. J. McKenzie.) Amendment agreed to. Clause as further amended agreed to.

Clause 17. Line 29, amendment proposed, After the word "thereof" to insert the words "Provided, also, that in cases where towns have been laid out and have been in existence for a period of fifteen years since the same was laid out, and where the local authority had approved and formed any road or street of a less width than sixty-six feet, then in such case the Governor may, in his discretion, approve of such streets or roads."—(Hon. Mr. J. McKenzie.) Amendment agreed to. Clause as further amended agreed to.

Clause 61. Subsection (1), line 18, further amendment proposed, After the word "*Gazette*" to insert the words "and in a newspaper printed." Line 21, to strike out the word "and," and insert in lieu thereof the word "or."—(Mr. C. H. Mills.) Amendment agreed to. Clause as further amended agreed to.

Clause 76. Amendment proposed, To add to subsection (2) the following: "A mortgagee, having a power of sale in case of default under the mortgage, shall not in any case be admitted into possession or occupation of the land comprised in his mortgage, and shall exercise his power of sale within twelve months from the time when such power accrued; and such sale shall be conducted by public auction in the ordinary manner, and the mortgagee shall not be entitled to sell through the Registrar under 'The Property Law Consolidation Act, 1883.' The purchaser at any such sale may have the lease or license transferred to him under this section, and subject thereto."—(Hon. Mr. J. McKenzie.) Amendment agreed to. Clause as further amended agreed to.

Clause 78. Amendment proposed, To strike out the clause, and insert the following in lieu thereof, namely:—

The interest of a licensee or of a lessee in land held on any tenure under this Act, except as hereinafter mentioned, shall not during the currency of the first twelve months of such lease or license be assignable at law or in equity, or be capable of being charged, encumbered, extended, or taken in execution in any manner; but after that time such interest may be transferred under and subject to section seventy-six.

Nothing in this section shall be deemed to apply to land within any village settlement under Part IV. of this Act, or to land held for pastoral purposes under Part VI. of this Act.—(Hon. Mr. J. McKenzie.)

Amendment agreed to. Clause as further amended agreed to.

Clause 122. Subsection (1), line 32, amendment proposed, After the word "aforesaid" to strike out the words "and of lands disposed of under section eight of the aforesaid Appendix C," and insert in lieu thereof the words "for a period of ten or fourteen years, as may be the case, from the date of the license."—(Hon. Mr. J. McKenzie.) Amendment agreed to. Clause as further amended agreed to.

Clause 138. Line 40, amendment proposed, To strike out the word "such," and insert the word "any" in lieu thereof.—(Hon. Mr. J. McKenzie.) Amendment agreed to. Clause as further amended agreed to.

Resolved, on the motion of Mr. W. C. Smith, That the Bill be recommitted for the purpose of reinserting the word "four" in clause 150 and other clauses of the Bill, the Committee having struck out the word "four," and inserted the word "five" in lieu thereof. On the question being put, That the word "four" stand part of the clause as originally printed, the motion was declared carried on the voices. "Four" was accordingly retained and "five" struck out.

Resolved, on the motion of the Hon. the Minister of Lands, That the Chairman report the Bill to the House as amended.

Resolved, To adjourn till a date to be fixed by the Chairman.

Resolved, That the Committee meet on Wednesday, the 31st August, to draw up a report on the petition of the Masterton Road Board, No. 169, Session 1892.

The Committee then rose.

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