

Naval and Military Settlers.

No. XXXV.

NAVAL AND MILITARY SETTLERS ACT.

AN ACT to confirm certain Applications made by Naval and Military Settlers for Free Grants of Land, and to enlarge the time for making such Applications.

[3rd November, 1860.]

[Reserved for the signification of Her Majesty's pleasure. Assented to, *Gazette*, 4th July, 1861.]

Preamble.

WHEREAS by an Act passed by the Superintendent and Provincial Council of the Province of Auckland, Session VIII. No. 2, intituled "*The Auckland Waste Lands Act, 1858*," certain enactments were made for free grants of land for naval and military settlers, and it was thereby provided that all applications for land orders entitling such settlers to land under the said enactment should be made within twelve calendar months after the retirement or discharge of the applicant, or within three months from the passing of the said Act, by those who had then retired or been discharged: And whereas by an Act of the General Assembly of New Zealand, intituled "*The Waste Lands Act, 1858*," provision was made for free grants of land to naval and military settlers in the Provinces of Wellington and New Plymouth, in like manner and upon the same terms and conditions as naval and military settlers were entitled to land under the said "*Auckland Waste Lands Act, 1858*:" And whereas the said Act of the General Assembly was reserved for the signification of Her Majesty's pleasure thereon: And whereas before the said lastly-mentioned Act had received Her Majesty's assent the said period of three months prescribed by the said Auckland Waste Lands Act had elapsed: And whereas several applications for free grants of land have been made in the Provinces of Wellington and Taranaki, by naval and military settlers, in conformity with the provisions of the said recited Acts except in respect of the said period of three months so prescribed as aforesaid: And whereas it is desirable to give validity to the said applications, and to extend the time for further making such applications:

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

Short Title.

1. The Short Title of this Act shall be "*The Naval and Military Settlers' Act, 1860*."

Applications heretofore made confirmed.

2. That all applications which have been made by naval and military settlers for free grants of land in the Provinces of Wellington and Taranaki respectively, otherwise in conformity with the provisions of the said recited Acts but not within the three months aforesaid, shall be valid and effectual to entitle the applicants to all the privileges and advantages conferred by the said Acts, as fully as if such applications had been made within the said period.

Further time for applications.

3. That all such officers, non-commissioned officers, and privates, marines, and seamen, as mentioned in the said recited Acts, who have resided in the several Provinces of Wellington and Taranaki for twelve months previous to the passing of this Act, shall be entitled to land free of cost in the said Provinces respectively upon the same conditions as prescribed by the said Acts: Provided that all applications for land made under the provisions of this Act shall be made within three months from Proclamation of Her Majesty's confirmation of this Act having been given shall have been made by the Governor.

4. And

Taranaki Settlers' Relief.

4. And whereas certain Regulations for the sale and disposal of waste lands of the Crown in the Province of Nelson were brought into operation on the first of July, one thousand eight hundred and fifty-six, and it was by the said Regulations provided that money certificates of the amounts therein specified to be taken in payment for waste land of the Crown should be given upon certain terms and conditions to naval and military settlers who should retire or obtain their discharge for the purpose of settling in New Zealand after the first day of July, one thousand eight hundred and fifty-six, and it is expedient that such persons who had settled prior to that date in the said Province should receive the like gratuities in land: Be it therefore enacted that all military or naval settlers now resident in the Province of Nelson, who shall have belonged to Her Majesty's service or that of the East India Company, and who shall have retired or obtained their discharge prior to the first day of July, one thousand eight hundred and fifty-six, for the purpose of settling in New Zealand, shall be entitled to money certificates, to be taken in payment for Crown land, of the same amounts respectively as they would have been entitled to under the aforesaid Regulations of the first of July, one thousand eight hundred and fifty-six, had they settled since that date in the said Province: Provided always that all the conditions required by the said Regulations of the first of July, one thousand eight hundred and fifty-six, except so far as relates to the date of their retirement or discharge, shall be fulfilled by the naval and military settlers who shall become entitled to such money certificates under this Act: Provided also that no money certificate shall be given to any person who shall have obtained a free grant of land or money certificate in any other Province.

5. Provided that this Act, except so far as it relates to the Province of Nelson, shall not be held to apply to the case of any military or naval settler unless he shall have actually served in Her Majesty's Forces in the Colony.

6. This Act shall not come into operation till Her Majesty's pleasure shall have been taken thereon, and the same shall have been confirmed by Her Majesty, with the advice of her Privy Council, and a Proclamation of such confirmation having been given shall have been made by the Governor.

Regulations as to naval and military settlers in the Province of Nelson prior to 1st July, 1856.

Applicant to have served in the Colony.

Commencement of Act.