

five weather-board houses, one house to each block occupied, and each to contain three rooms. That the emigrants shall be placed on the lands, and continuously reside thereon, and that one-fifth of the total area of land shall be put under cultivation, and that each emigrant shall be entitled to purchase the land he occupies at such price as he and Mr. Stewart may agree, payment of the price to be certified by him. That if all these conditions be fulfilled on or before the first of January, 1883, to the satisfaction of the Board, Crown grants shall be issued to the emigrants for the land selected, and to Mr. Stewart for the balance of the land not occupied by the special settlement party. Each grant to contain the usual reservation of right to take not more than five per cent. of the land for roads, railways, or other public works; and that if the terms be not fulfilled the agreement to be void, and the ten shillings per acre paid in cash forfeited and dealt with as land revenue of the district, with a saving of the interests of emigrants who have fulfilled the conditions of settlement; and, lastly, that the provisions of Part IV. of the Act shall be modified or varied as may be requisite by the special conditions to be inserted in the contract."

And whereas it is expedient that the agreement hereinafter set forth should be entered into for the purpose of giving effect to the said recommendations of the Waste Lands Board:

Now, therefore, these presents witness that the Governor, in pursuance and exercise of the authority given him under the said Act, and in accordance with the recommendations aforesaid, doth hereby covenant and agree with the said George Vesey Stewart, his executors, administrators, and assigns; and the said George Vesey Stewart, for himself, his heirs, executors, administrators, and assigns, doth hereby covenant and agree with the Governor in manner following, that is to say,—

1. In the construction of this agreement, unless the context shall otherwise require, the following terms and expressions shall have the meanings hereby given to them:—

"Governor" includes the Governor of the colony for the time being.

"Agent-General" means the Agent-General of the colony for the time being in London.

"The Board" means the Waste Lands Board for the time being constituted under any Waste Lands Act in force in the district.

"Contractor" means the said George Vesey Stewart, and includes any person to whom this contract may be assigned with the written consent of the Board.

"Land" means the block of land hereinafter described.

"Emigrant" means a person forming one of a special settlement party for the purposes of the said Act, and the emigrants introduced hereunder shall be deemed a special settlement party.

"District" means the Provincial District of Auckland.

"Month" means a calendar month.

"The said Act" means "The Auckland Waste Lands Act, 1874."

2. The land affected by this agreement is bounded and described as follows:—

All that parcel of land in the Provincial District of Auckland, situated in the Katikati and Aoangate Survey Districts, containing eight thousand eight hundred and twenty (8,820) acres, more or less. Bounded towards the North and North-east by the confiscation boundary eight thousand one hundred (8100) links, by a road one hundred (100) links wide one thousand one hundred and forty (1140) links, five hundred and one (501) links, and two hundred and fifty-one (251) links; towards the East by the road aforesaid two thousand one hundred and sixty-three (2163) links, four hundred and fifty-four (454) links, one thousand six hundred (1600) links, one thousand and fifty-seven (1057) links, six hundred and seven (607) links, seven hundred and seventy-three (773) links, five hundred and seventy-eight (578) links, two hundred and ninety-seven (297) links, and across a road one hundred (100) links; again towards the North-east by that road fifty (50) links, seven hundred and sixty-six (766) links, seven hundred and twenty-six (726) links, one thousand four hundred and forty-eight (1448) links, and one thousand and seventy-four (1074) links, thence across a road one hundred (100) links, and by the road aforesaid seven hundred and twenty-seven (727) links, and six hundred and sixty (660) links to high watermark of the Tauranga Harbour; again towards the East by the aforesaid harbour and by Lot 3, Katikati District, four hundred and six (406) links, eight hundred and ninety-five (895) links, and two thousand nine hundred and four (2904) links, across a road (100) links wide, and by that road six hundred and twenty (620) links, and by Lot 4 of the aforesaid district four hundred and seventy-nine (479) links to the Tuapiro River, thence by that river to its intersection with a line forming the western boundary of Lot 34 of the Katikati District aforesaid, thence by a line thirty-nine thousand two hundred and eighteen (39218) links forming the western boundaries of Lots 34, 35, 69, 68, 51, 53, 66, 65, 55, and 58, all of the District of Katikati aforesaid, and by the production of the aforesaid line to a road; towards the South by the aforesaid road four hundred and ninety-eight (498) links, three thousand four hundred and forty-seven (3447) links, six hundred and ninety-two (692) links, one thousand two hundred and seven (1207) links, seven hundred and fifteen (715) links, three hundred and five (305) links, two hundred and ninety-one (291) links, five hundred and fifty-one (551) links, three hundred and forty-two (342) links, six hundred and fifteen (615) links, six hundred and ninety-eight (698) links, five hundred and eighty-seven (587) links, one thousand two hundred and forty-two (1242) links, six hundred and forty-three (643) links, three hundred and seven (307) links, eight hundred and eighty-six (886) links, seven hundred and forty-eight (748) links, six hundred and seventeen links (617) links, one hundred and fifteen (115) links, one hundred and seventy-two, (172) links, two hundred and eighty-seven (287) links, three hundred and eighty-seven (387) links two hundred and forty-two (242) links, two hundred and sixty-seven (267) links, one hundred and fifty-three (153) links, three hundred and ninety-six (396) links, two hundred and forty-three (243) links, one hundred and ninety-four (194) links, three hundred and sixty-two (362) links, one hundred and eighty-four (184) links, three hundred and ninety-eight (398) links, two hundred and thirty-three (233) links, one hundred and seventy-three (173) links, and five hundred and thirty-six (536) links; towards the South-west by a line seven thousand six hundred and four (7604) links; towards the West by lines seven thousand five hundred and forty-three (7543) links, seven thousand seven hundred (7700) links, six thousand five hundred (6500) links, and nine thousand (9000) links; again