

If land not under
Land Transfer Act.

(2.) If such land was not theretofore subject to the provisions of
“The Land Transfer Act, 1885,”—

(a.) The District Land Registrar shall cause an entry of such Proclamation and map to be made under the proper head or title in the index-book of the Deeds Registry Office ; and

(b.) Upon such deposit such land shall thereupon become subject to the provisions of “The Land Transfer Act, 1885.”

If land under Land
Transfer Act.

(3.) If the said land was theretofore subject to the provisions of
“The Land Transfer Act, 1885,”—

(a.) The District Land Registrar shall register such Proclamation and map against such land ; or, if no Crown grant, certificate of title, or other instrument evidencing the title to such land has been issued, shall make a provisional registration of such Proclamation and map against the said land :

(b.) Any person in possession of the Crown grant, certificate of title, or other instrument evidencing the title to such land shall, upon receiving notice from the District Land Registrar in that behalf, deliver up to him such grant, certificate of title, or other instrument to be wholly or partially cancelled as the case may require ; and any person refusing or neglecting so to deliver up any such instrument shall be liable to a penalty not exceeding fifty pounds :

(c.) The District Land Registrar shall retain every such instrument, and shall, when required by the registered proprietor of the land not taken, issue to him free of charge a certificate of title for such land, unless no Crown grant has been issued for the same.

Compensation not
payable until
certificate of title
delivered up.

(4.) No person having in his possession such Crown grant, certificate of title, or other instrument shall be entitled to claim or receive any compensation under this Act until such certificate is delivered up to the District Land Registrar.

1904, No. 33, sec. 11

(5.) Where the land is within a mining district a copy of the Proclamation shall be deposited with the Mining Registrar for registration, and the Registrar shall register the same as on the hour and date of its being so deposited.

Where Proclamation not registerable to be lodged with Surveyor-General.
1894, No. 42, sec. 24

25. In the case of a Proclamation setting apart or taking any lands which are not subject to the provisions of “The Land Transfer Act, 1885,” and dealings with which are not registerable under the provisions of “The Deeds Registration Act, 1868,” the Minister shall cause a copy of the same and of the map referred to therein to be lodged in the office of the Surveyor-General, and the Surveyor-General shall cause the land included in such Proclamation to be shown upon the proper maps and records of the district affected by such Proclamation in such manner as to prevent such land being disposed of in any manner at variance with such Proclamation.

Severed Land.

Owner may require small parcel of land severed to be taken.
Ibid, sec. 25

26. (1.) If any land, not situate in a town or built upon, is so divided by the land taken for any work as to leave on either side thereof a less quantity of land than half a statute acre, the Minister or local authority, as the case may be, shall, if so required by the owners of