

SESSION II.  
1912.  
NEW ZEALAND.

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LANDS COMMITTEE:  
LAND LAWS AMENDMENT BILL

(REPORT ON THE); TOGETHER WITH THE MINUTES OF PROCEEDINGS.

(MR. E. NEWMAN, CHAIRMAN.)

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*Report brought up on the 9th October, 1912, together with the Minutes of Proceedings, and ordered to be printed.*

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ORDERS OF REFERENCE.

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*Extracts from the Journals of the House of Representatives.*

WEDNESDAY, THE 3RD DAY OF JULY, 1912.

*Ordered*, "That Standing Order No. 219 be suspended, and that a Committee be appointed, consisting of eleven members, to whom shall stand referred after the first reading all Bills affecting or in any way relating to the lands of the Crown, or educational or other public reserves; the Committee to have power to make such amendments therein as they think proper, and to report generally when necessary upon the principles and provisions of the Bill; the Committee to have power to call for persons, papers, and records; three to be a quorum: the Committee to consist of Mr. Anderson, Hon. Mr. Buddo, Mr. Forbes, Mr. Guthrie, Mr. Lang, Mr. E. Newman, Mr. Nosworthy, Mr. T. W. Rhodes, Mr. R. W. Smith, Mr. Witty, and the mover."—(Hon. Mr. T. MACKENZIE.)

TUESDAY, THE 13TH DAY OF AUGUST, 1912.

*Ordered*, "That the names of Mr. Coates, Mr. MacDonald, Mr. Robertson, Mr. Statham, and the mover be added to the Lands Committee, and that the name of Mr. Lang be omitted."—(Hon. Mr. MASSEY.)

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MEMORANDUM FOR THE CHAIRMAN OF THE LANDS COMMITTEE.

THE Bill intituled the Land Laws Amendment Bill, having been read a first time in the House of Representatives on the 26th day of September, stands referred to the Lands Committee for report.

H. OTTERSON,  
Clerk, House of Representatives,

House of Representatives, 26th September, 1912.

## REPORT.

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THE Lands Committee, to whom was referred the Land Laws Amendment Bill, have the honour to report that they have carefully considered the same, and recommend that it be allowed to proceed with the amendments as shown on the copy of the Bill attached hereto.

9th October, 1912.

EDWARD NEWMAN, Chairman.

## MINUTES OF PROCEEDINGS.

WEDNESDAY, THE 2ND DAY OF OCTOBER, 1912.

The Committee met at 10.30 a.m., pursuant to notice.

Present: Mr. Anderson, Hon. Mr. Buddo, Mr. Coates, Mr. Forbes, Mr. Guthrie, Mr. MacDonald, Hon. Mr. Massey, Mr. E. Newman (Chairman), Mr. Nosworthy, Mr. T. W. Rhodes, Mr. Robertson, Mr. Statham, Mr. Witty.

The order of reference referring the Land Laws Amendment Bill to the Committee was read by the Clerk.

### *Land Laws Amendment Bill (Hon. Mr. Massey).*

Resolved, That clause 1 as printed stand part of the Bill.

Resolved, That clause 2 as printed stand part of the Bill.

Clause 3: Resolved, on the motion of Mr. Witty, That the clause be amended by the addition to subclause (3) of the following proviso: "Provided that no right-of-way in any subdivision of land for a town be of less width than sixty-six feet, except with the consent of the Governor in Council."

Resolved, That clause 3 as amended stand part of the Bill.

Resolved, That clause 4 as printed stand part of the Bill.

Resolved, That clause 5 as printed stand part of the Bill.

Resolved, That clause 6 as printed stand part of the Bill.

Clause 7: The hour of 11 of the clock having arrived, the Minister of Lands retired, and the Committee adjourned until 12 noon.

And the hour of 12 of the clock having arrived, the Committee resumed.

Resolved, That consideration of clause 7 be postponed.

Clause 8: Resolved, on the motion of Mr. Witty, That consideration of clause 8 be postponed.

Clause 9: Resolved, on the motion of Mr. Forbes, That clause 9 be amended by striking out the word "ten" in line 29, with a view of inserting the word "twenty-five" in lieu thereof.

Resolved, That the word "twenty-five" be inserted in lieu of the word "ten."

Resolved, on the motion of Mr. Witty, That the clause be further amended by the addition of the words "shall be applied for the acquisition of other land for the purpose of national endowment" at the end of subclause (2).

Resolved, That subclause (4) be struck out.

Resolved, That clause 9 as amended stand part of the Bill.

Resolved, That clause 10 as printed stand part of the Bill.

Resolved, That clause 11 as printed stand part of the Bill.

Resolved, That clause 12 as printed stand part of the Bill.

Clause 13: Resolved, on the motion of the Hon. Mr. Massey, That clause 13 be amended by the insertion of the word "small" before the word "grazing-run" in line 33.

Resolved, on the motion of the Hon. Mr. Massey, That the clause be further amended by striking out the word "fifteen" in line 34, and the insertion of the word "twenty" in lieu thereof.

Resolved, That consideration of subclause (3) be postponed.

Resolved, That the clause—with the exception of subclause (3)—as amended stand part of the Bill.

The Committee then adjourned until 10.30 a.m. on Thursday, the 3rd instant.

THURSDAY, THE 3RD DAY OF OCTOBER, 1912.

The Committee met at 10.30 a.m., pursuant to notice.

Present: Mr. Anderson, Hon. Mr. Buddo, Mr. Coates, Mr. Forbes, Mr. Guthrie, Mr. MacDonald, Hon. Mr. Massey, Mr. E. Newman (Chairman), Mr. Nosworthy, Mr. T. W. Rhodes, Mr. Robertson, Mr. R. W. Smith, Mr. Statham, Mr. Witty.

The minutes of previous meeting were read and confirmed.

### *Land Laws Amendment Bill.*

Resolved, That clause 14 as printed stand part of the Bill.

Resolved, That clause 15 as printed stand part of the Bill.

Resolved, That clause 16 be struck out.

Clause 17: Resolved, on the motion of the Hon. Mr. Massey, That the clause be amended by the insertion of the word "homestead" before the word "buildings" in line 13.

Mr. Witty moved to amend the clause by the addition of the words "or within five chains of any homestead" to the proviso of subclause (2).

And the question being put, That the words proposed to be added be so added, it passed in the negative.

Resolved, That the clause as amended stand part of the Bill.

Clause 18: Resolved, on the motion of the Hon. Mr. Massey, That clause 18 be amended by the insertion of the words "or his successor in title" after the word "licensee" in line 21.

Resolved, That the clause as amended stand part of the Bill.

Clause 19: Resolved, That consideration of clause 19 be postponed.

Clause 20: Resolved, on the motion of the Hon. Mr. Massey, That subclause (1) be amended by striking out the words "or in section sixteen of this Act (relating to the renewal of leases of small grazing-runs)" in lines 35 and 36.

Resolved, That the subclause as amended stand part of the clause.

Resolved, That subclause (2) as printed stand part of the clause.

Resolved, That consideration of subclause (3) be postponed.

Resolved, That subclause (4) as printed stand part of the clause.

Mr. Witty moved to amend subclause (5) by the insertion of the words "for one term only" after the word "renewal" in line 16.

And the question being put, That the words proposed to be inserted be so inserted, the Committee divided, and the names were taken down as follow:—

Aye, 1: Mr. Witty.

Noes, 10: Mr. Anderson, Hon. Mr. Buddo, Mr. Forbes, Mr. Guthrie, Mr. MacDonald, Hon. Mr. Massey, Mr. E. Newman, Mr. T. W. Rhodes, Mr. Robertson, Mr. Statham.

So it passed in the negative.

Resolved, That subclause (5) as printed stand part of the clause.

Resolved, That subclause (6) as printed stand part of the clause.

Resolved, That subclause (7) as printed stand part of the clause.

Clause 21: Mr. Witty moved to amend clause 21 by the insertion of the words "after consultation with the Land Purchase Board" after the word "Minister" in line 33.

And the question being put, That the words proposed to be inserted be so inserted, the Committee divided, and the names were taken down as follow:—

Ayes, 8: Hon. Mr. Buddo, Mr. Forbes, Mr. Guthrie, Mr. MacDonald, Hon. Mr. Massey, Mr. E. Newman, Mr. Statham, Mr. Witty.

Noes, 2: Mr. Anderson, Mr. T. W. Rhodes.

So it was resolved in the affirmative.

And the question being put, That subclause (1) as amended stand part of the clause, the Committee divided, and the names were taken down as follow:—

Ayes, 10: Mr. Anderson, Hon. Mr. Buddo, Mr. Forbes, Mr. Guthrie, Mr. MacDonald, Hon. Mr. Massey, Mr. E. Newman, Mr. T. W. Rhodes, Mr. Robertson, Mr. Statham.

No, 1: Mr. Witty.

So it was resolved in the affirmative.

Mr. Witty moved to amend subclause (2) by striking out the words "public tender" in line 3, with a view of inserting the words "by ballot" in lieu thereof.

And the question being put, That the words proposed to be omitted stand part of the clause, the Committee divided, and the names were taken down as follow:—

Ayes, 7: Mr. Anderson, Hon. Mr. Buddo, Mr. Guthrie, Hon. Mr. Massey, Mr. E. Newman, Mr. T. W. Rhodes, Mr. Statham.

Noes, 4: Mr. Forbes, Mr. MacDonald, Mr. Robertson, Mr. Witty.

So it was resolved in the affirmative.

Resolved, That the subclause as printed stand part of the Bill.

Subclause (3): And the question being proposed, That subclause (3) as printed stand part of the Bill, the Committee divided, and the names were taken down as follow:—

Ayes, 6: Mr. Anderson, Mr. Guthrie, Hon. Mr. Massey, Mr. E. Newman, Mr. T. W. Rhodes, Mr. Statham.

Noes, 5: Hon. Mr. Buddo, Mr. Forbes, Mr. MacDonald, Mr. Robertson, Mr. Witty.

So it was resolved in the affirmative.

And the question being proposed, That clause 21 as amended stand part of the Bill, the Committee divided, and the names were taken down as follow:—

Ayes, 6: Mr. Anderson, Mr. Guthrie, Hon. Mr. Massey, Mr. E. Newman, Mr. T. W. Rhodes, Mr. Statham.

Noes, 5: Hon. Mr. Buddo, Mr. Forbes, Mr. MacDonald, Mr. Robertson, Mr. Witty.

So it was resolved in the affirmative.

Clause 22: Resolved, That subclause (1) as printed stand part of the clause.

The Committee then adjourned.

#### TUESDAY, THE 8TH DAY OF OCTOBER, 1912.

The Committee met at 10.30 a.m., pursuant to notice.

Present: Mr. Anderson, Hon. Mr. Buddo, Mr. Coates, Mr. Forbes, Mr. Guthrie, Mr. MacDonald, Hon. Mr. Massey, Mr. E. Newman (Chairman), Mr. Nosworthy, Mr. T. W. Rhodes, Mr. Robertson, Mr. Statham, Mr. Witty.

The minutes of previous meeting were read and confirmed.

#### *Land Laws Amendment Bill.*

The Committee resumed consideration of the Land Laws Amendment Bill.

Clause 22: Resolved, on the motion of Mr. Massey, That subclause (1) be amended by the addition of the following proviso at the end of paragraph (a): "Provided that the purchaser may at any time pay the balance of purchase-money then unpaid, together with interest thereon, to the date of payment."

Resolved, That paragraph (a) as amended stand part of the clause.

Resolved, That paragraph (b) as printed stand part of the clause.

Resolved, on the motion of the Hon. Mr. Buddo, That subclause (2) be amended by the insertion of the words "Land Purchase Board, with the approval of the" before the word "Minister" in line 32.

Resolved, That the subclause as amended stand part of the clause.

Resolved, That the clause as amended stand part of the Bill.

Clause 23: Resolved, on the motion of Mr. Witty, That clause 23 be amended by striking out the word "one-half," and the insertion of the word "one-quarter" in lieu thereof.

Resolved, That the clause as amended stand part of the Bill.

Clause 24: Resolved, on the motion of the Hon. Mr. Massey, That clause 24 be amended by the insertion of the following words at the beginning of the clause: "No tender shall be accepted unless it is accompanied by a declaration as required in the case of an applicant for land under Part III of the Land Act, 1908, but except as aforesaid."

Resolved, That the clause as amended stand part of the Bill.

Clause 25: Resolved, on the motion of the Hon. Mr. Massey, That clause 25 be amended by the insertion of the words "under section twenty-one hereof" after the word "Minister" in line 43.

Resolved, That the clause as amended stand part of the Bill.

Clause 26: Resolved, on the motion of the Hon. Mr. Massey, That the clause be amended by striking out the word "two" in line 48, and the insertion of the word "one" in lieu thereof.

Mr. Witty moved to further amend clause 26 by striking out the word "four" in line 53, with a view of inserting the word "five" in lieu thereof.

And the question being put, That the word proposed to be omitted stand part of the clause, the Committee divided, and the names were taken down as follow:—

Ayes, 7: Mr. Coates, Mr. Guthrie, Hon. Mr. Massey, Mr. E. Newman, Mr. Nosworthy, Mr. T. W. Rhodes, Mr. Statham.

Noes, 4: Hon. Mr. Buddo, Mr. Forbes, Mr. MacDonald, Mr. Witty.

So it was resolved in the affirmative.

Resolved, That clause 26 as amended stand part of the Bill.

Clause 27: Resolved, on the motion of the Hon. Mr. Massey, That clause 27 as amended by the addition of the words "and all moneys repaid by the owner pursuant to the last preceding section shall be paid into that account."

Resolved, That the clause as amended stand part of the Bill.

Resolved, That clause 28 as printed stand part of the Bill.

Resolved, That clause 29 as printed stand part of the Bill.

Clause 30: The question being put, That subclause (1) as printed stand part of the clause, the Committee divided, and the names were taken down as follow:—

Ayes, 8: Mr. Coates, Mr. Guthrie, Mr. MacDonald, Hon. Mr. Massey, Mr. E. Newman, Mr. Nosworthy, Mr. T. W. Rhodes, Mr. Statham.

Noes, 3: Hon. Mr. Buddo, Mr. Forbes, Mr. Witty.

So it was resolved in the affirmative.

The Hon. Mr. Massey moved to amend subclause (2) by deleting the words "but the provisions of section fifty-four of the principal Act shall not apply to such lands."

And the question being put, it was resolved in the affirmative.

Resolved, That subclause (2) as amended stand part of the clause.

Resolved, That subclause (3) as printed stand part of the clause.

Resolved, That clause 30 as amended stand part of the Bill.

Clause 31: The question being put, That clause 31 as printed stand part of the Bill, the Committee divided, and the names were taken down as follow:—

Ayes, 8: Mr. Coates, Mr. Guthrie, Mr. MacDonald, Hon. Mr. Massey, Mr. E. Newman, Mr. Nosworthy, Mr. T. W. Rhodes, Mr. Statham.

Noes, 3: Hon. Mr. Buddo, Mr. Forbes, Mr. Witty.

So it was resolved in the affirmative.

Clause 32: Resolved, on the motion of the Hon. Mr. Massey, That clause 32 be amended by striking out the word "severally" in line 47, and the insertion of the words "in severalty" in lieu thereof.

Resolved, That clause 32 as amended stand part of the Bill.

Resolved, That clause 33 as printed stand part of the Bill.

Clause 34: Resolved, on the motion of the Hon. Mr. Massey, That clause 34 be amended by striking out the words "Land for Settlements Act, 1908," and the insertion of the words "principal Act" in lieu thereof.

Resolved, That the clause as amended stand part of the Bill.

Clause 7: And the question being put, That clause 7 as printed stand part of the Bill, it passed in the negative.

Resolved, on the motion of the Hon. Mr. Massey, That the following new clause be inserted in lieu thereof:—

"7A. (1.) Section one hundred and three of the principal Act is hereby amended by adding the following subsection:—

"(4.) At every such ballot preference shall be given to landless applicants who have children dependent on them, or who have within the two years immediately preceding the date of the ballot competed at least twice unsuccessfully at any previous land-ballot, whether under the principal Act or the Land for Settlements Act, 1908."

"(2.) Sections 104 and 105 of the principal Act are hereby repealed."

Clause 8: Resolved, on the motion of the Hon. Mr. Massey, That clause 8 be amended by the insertion of the words "at any one time" after the words "rent" in line 13.

Resolved, on the motion of the Hon. Mr. Massey, That the clause be further amended by the addition of the following proviso at the end of subclause (1): "Provided that the amount that may be so postponed shall not exceed three years' rent in the aggregate."

Resolved, That subclause (1) as amended stand part of the clause.

Resolved, on the motion of the Hon. Mr. Massey, That subclause (2) be amended by the insertion of the words "together with interest thereon" after the words "portion" in line 18.

Mr. Witty moved to further amend the subclause by the insertion of the words "or it shall become a liability on the incoming tenant" after the word "thereon" of the preceding resolution.

And the question being put, it passed in the negative.

Resolved, That the subclause as amended stand part of the clause.

Resolved, That subclause (3) as printed stand part of the clause.

Resolved, That clause 8 as amended stand part of the Bill.

Clause 13: Resolved, That subclause (3) as printed stand part of the clause.

Resolved, That clause 13 as amended stand part of the Bill.

Clause 19: And the question being put, That clause 19 as printed stand part of the Bill, it passed in the negative.

Clause 20: Resolved, That consideration of clause 20 be postponed.

Schedule: Resolved, That the first paragraph stand part of the schedule.

Resolved, That the second paragraph stand part of the schedule.

Resolved, That the third paragraph stand part of the schedule.

Resolved, That consideration of the fourth paragraph be postponed.

Resolved, That the fifth paragraph stand part of the schedule.

Resolved, That the sixth paragraph stand part of the schedule.

Resolved, That the seventh paragraph stand part of the schedule.

Resolved, That the eighth paragraph stand part of the schedule.

Resolved, That the ninth paragraph stand part of the schedule.

Resolved, That the tenth paragraph stand part of the schedule.

Resolved, That the eleventh paragraph stand part of the schedule.

Resolved, That the twelfth paragraph stand part of the schedule.

Resolved, on the motion of the Hon. Mr. Massey, That the schedule be amended by the insertion of the following new paragraph:—

"Section 267 (2)—By adding the words "and shall be applied in the purchase of other lands which shall form part of the national endowment."

Resolved, That the fourteenth paragraph stand part of the schedule.

Resolved, on the motion of the Hon. Mr. Massey, That the following new clause be inserted in the Bill:—

"3A. (1.) The Minister may from time to time by writing under his hand appoint a fit person to be the Deputy of any Commissioner of Crown Lands to act in case of the death, illness, or unavoidable absence of the Commissioner.

"(2.) Every such Deputy, while so acting, shall have and may exercise all the powers, duties, and functions, and shall be subject to all the responsibilities of the Commissioner.

"(3.) The fact of a Deputy exercising any power, duty, or function as aforesaid shall be conclusive proof of his authority to do so, and no person shall be concerned to inquire whether the occasion has arisen requiring or authorizing the Deputy so to do."

Resolved, on the motion of the Hon. Mr. Massey, That the following new clause be inserted in the Bill:—

"9A. (1.) The revenue received from national endowment land after deducting all sums which are now payable therefrom to any local or public authority shall be paid by the Receiver of Land Revenue into the Public Account, to the credit of the National Endowment Account.

"(2.) Out of the moneys in the National Endowment Account, there shall be paid the cost of the administration of the national endowment land.

"(3.) Sections 261 and 263 of the principal Act are hereby repealed."

Resolved, That the Law Draftsman (Mr. Jolliffe) be empowered to make certain verbal amendments in the Bill.

Resolved, on the motion of Mr. T. W. Rhodes, That Mr. Jolliffe be instructed to draft a clause for the Land Laws Amendment Bill to provide security of tenure to selectors within the goldfields district and to safeguard mining rights.

The Committee then adjourned until 10.30 a.m. on Wednesday, the 9th instant.

#### WEDNESDAY, THE 9TH DAY OF OCTOBER, 1912.

The Committee met at 10.30 a.m., pursuant to notice.

Present: Mr. Anderson, Hon. Mr. Buddo, Mr. Coates, Mr. Forbes, Mr. Guthrie, Mr. MacDonald, Hon. Mr. Massey, Mr. E. Newman (Chairman), Mr. Nosworthy, Mr. T. W. Rhodes, Mr. Robertson, Mr. R. W. Smith, Mr. Statham, Mr. Witty.

The minutes of previous meeting were read and confirmed.

#### *Land Laws Amendment Bill.*

The Committee resumed consideration of the Land Laws Amendment Bill.

Clause 20: Resolved, on the motion of the Hon. Mr. Massey, That clause 20 be amended by striking out the words "renewable lease under section one hundred and eighty of the said Act" in subclause (1), and the insertion of the words "lease as hereinafter described" in lieu thereof.

Resolved, That the subclause as amended stand part of the clause.

Resolved, That subclause (2) as printed stand part of the clause.

Resolved, on the motion of the Hon. Mr. Massey, That subclause (3) be amended by striking out the word "renewable" in the second line.

Resolved, That the subclause as amended stand part of the clause.

Resolved, on the motion of the Hon. Mr. Massey, That subclause (4) be amended by striking out the word "renewable" in line 5 and line 10.

Resolved, That the subclause as amended stand part of the clause.

Resolved, on the motion of the Hon. Mr. Massey, That subclause (5) be amended by striking out the word "renewable" in line 11.

Resolved, That the subclause as amended stand part of the clause.

Resolved, That subclause (6) as printed stand part of the clause.

Resolved, That subclause (7) as printed stand part of the clause.

Resolved, on the motion of the Hon. Mr. Massey, That the following new subclause be added to the clause:—

"(8.) Every lease under this section shall be for a term of twenty-one years, with a right of renewal from time to time for a further term of twenty-one years, exercisable in the same manner as in the case of renewable leases under Part III of the principal Act, and all the provisions of that Act relating to renewable leases shall, *mutatis mutandis*, apply to leases under this section."

Resolved, That the clause as amended stand part of the Bill.

Schedule: Resolved, on the motion of the Hon. Mr. Massey, That the schedule be amended by striking out the fourth paragraph and inserting the following words in lieu thereof:—

"(4.) The rent for the period elapsing between the date of the lease and the due date of the first half-yearly payment shall be payable at the option of the Board either with such first half-yearly payment or at the due date of the next succeeding half-yearly payment."

Resolved, That the schedule as amended stand part of the Bill.

Resolved, on the motion of the Hon. Mr. Massey, That the following new clause be inserted in the Bill:—

"19A. (1.) Where the holder of a pastoral license has suffered exceptional loss of live-stock by reason of the severity of the winter and the heavy falls of snow, and such loss has crippled his resources, the license of such holder may be extended for such period not exceeding five years as, in the opinion of the Minister and the Land Board, seems equitable.

"(2.) The license during such extended period shall be held on similar terms and conditions as are embodied therein."

Resolved, on the motion of the Hon. Mr. Massey, That the following new clause be added to the Bill:—

"20A. This Part of this Act shall form part of and be read together with the Land Act, 1908, which Act is in this Part of this Act referred to as the principal Act."

Resolved, on the motion of the Hon. Mr. Massey, That the following new clause be added to the Bill:—

"20B. In this Part of this Act, if not inconsistent with the context,—

" 'Notice' means a notice in writing signed by a lessee of land held under lease in perpetuity of the lessee's intention to purchase the fee-simple of the land:

" 'Original capital value' means the amount upon which the yearly rental of four per centum was computed at the date of the lease:

" 'Price' means the price at which land held under lease in perpetuity may be purchased, ascertained in the manner provided by this Part of this Act."

The Hon. Mr. Massey moved to insert the following new clause in the Bill:—

"20C. (1.) The owner of a lease in perpetuity shall have a right at any time hereafter during the existence of the lease to purchase the fee-simple of the land comprised in the lease at a price ascertained and determined in the manner provided by this Part of this Act.

"(2.) The right of purchase hereby conferred shall be exercised by giving notice to the Commissioner.

"(3.) The delivery of the notice to the Commissioner shall constitute a contract between the lessee and the Crown for the purchase and sale of the said land.

"(4.) The lessee shall in the notice notify whether he elects to purchase for cash or upon deferred payments."

Mr. Witty moved to amend subclause (1) by striking out the words "at a price ascertained and determined in the manner provided by this Part of this Act," with a view of inserting the words "provided that the price paid shall not be less than the present-day value."

And the question being put, That the words proposed to be omitted stand part of the clause, the Committee divided, and the names were taken down as follow:—

Ayes, 10: Hon. Mr. Buddo, Mr. Coates, Mr. Guthrie, Mr. Macdonald, Hon. Mr. Massey, Mr. E. Newman, Mr. Nosworthy, Mr. T. W. Rhodes, Mr. R. W. Smith, Mr. Statham.

Noes, 3: Mr. Forbes, Mr. Robertson, Mr. Witty.

So it was resolved in the affirmative.

Resolved, That subclause (1) as printed stand part of the clause.

Resolved, That subclause (2) as printed stand part of the clause.

Resolved, That subclause (3) as printed stand part of the clause.

Resolved, That subclause (4) as printed stand part of the clause.

And the original question being put, That the clause as printed stand part of the Bill, the Committee divided, and the names were taken down as follow:—

Ayes, 11: Mr. Anderson, Hon. Mr. Buddo, Mr. Coates, Mr. Guthrie, Mr. MacDonald, Hon. Mr. Massey, Mr. E. Newman, Mr. Nosworthy, Mr. T. W. Rhodes, M. R. W. Smith, Mr. Statham.

Noes, 3: Mr. Forbes, Mr. Robertson, Mr. Witty.

So it was resolved in the affirmative.

The Hon. Mr. Massey moved to insert the following new clause in the Bill:—

“20D. The price shall be computed as follows:—

- “(a.) A sum equal to one-half the difference between a rental at *five* per centum per annum and a rental of *four* per centum per annum on the original capital value shall be treated as having become due by the purchaser to the Crown on each half-yearly day appointed by the lease for the payment of rent prior to the delivery of the notice, and to have remained unpaid.
- “(b.) Upon each such sum interest shall be computed at the rate of *four* per centum per annum, compounded with half-yearly rests from the date when such sum is treated as having become due until the date of the delivery of the notice.
- “(c.) The aggregate of the sums mentioned in paragraph (a) hereof and the aggregate of the interests computed as directed by paragraph (b) hereof shall be added to the original capital value and the total shall be the price.”

Mr. Forbes moved to amend the clause by striking out the word “four” in subsection (a), with a view of inserting the word “five” in lieu thereof.

And the question being put, That the word proposed to be omitted stand part of the clause, the Committee divided, and the names were taken down as follow:—

Ayes, 12: Mr. Anderson, Hon. Mr. Buddo, Mr. Coates, Mr. Guthrie, Mr. MacDonald, Hon. Mr. Massey, Mr. E. Newman, Mr. Nosworthy, Mr. T. W. Rhodes, Mr. Robertson, Mr. R. W. Smith, Mr. Statham.

Noes, 2: Mr. Forbes, Mr. Witty.

So it was resolved in the affirmative.

And the original question being put, That the clause as printed stand part of the Bill, it was resolved in the affirmative.

Resolved, on the motion of the Hon. Mr. Massey, That the following new clause be added to the Bill:—

“20E. If the lessee elects to purchase for cash—

- “(a.) He shall within three months after the delivery of the notice pay the price, together with all rent accrued and accruing due under the lease up to the date of the delivery of the notice, and also interest at *five* per centum per annum on the price from that date to the date of payment, and upon such payments being made in full, the purchase shall be deemed to have been completed.
- “(b.) If he makes default in any such payment within the time aforesaid, the Board may, in its discretion, cancel and determine the contract of purchase, and the lessee shall continue to hold the land under his lease in *perpetuity*, but in such case the lessee shall not be entitled to again give a notice until the expiration of *five* years from the delivery of the first-mentioned notice.”

Resolved, on the motion of the Hon. Mr. Massey, That the following new clause be added to the Bill:—

“20F. If the lessee elects to purchase upon deferred payments,—

- “(a.) He shall, within three months after the delivery of the notice, pay a deposit equal to ten per centum of the price, together with all rent accrued and accruing due under the lease up to the date of the delivery of the notice.
- “(b.) Upon such payment the lease shall determine, and he shall hold the land under license to occupy, but such license shall be subject to any right, title, interest, or incumbrance existing or vested in any person other than the lessee affecting the lease at the time of such determination.
- “(c.) The license to occupy shall provide for the payment of the balance of ninety per centum of the price by equal annual instalments extending over a period of nine years, with a right to the licensee to pay off at any time the whole or any part of the price then remaining unpaid, and shall also provide for the payment by the licensee of interest half-yearly at the rate of *five* per centum per annum from the date of the delivery of the notice upon such part of the price as shall for the time being remain unpaid.
- “(d.) The license to occupy shall be in the prescribed form, and shall contain (and the right of the licensee shall be subject to) such provisions for forfeiture of the right and interest of the licensee in the event of his failure to pay any instalment of the price or to make any payment of interest as may be prescribed.
- “(e.) Upon payment of the price in full and of all interest, the purchase shall be deemed to be completed.”

Resolved, on the motion of the Hon. Mr. Massey, That the following new clause be added to the Bill:—

“20G. The computation of the price and of all other payments to be made as herein provided, whether the lessee elects to purchase for cash or on deferred payments, shall be made by the Commissioner or by some person appointed by the Commissioner in that behalf, and by such computation the price and all such other payments shall be exclusively ascertained and determined for all purposes.”

Resolved, on the motion of the Hon. Mr. Massey, That the following new clause be added to the Bill:—

"20h. (1.) On the completion of a purchase by the lessee in the case of purchase for cash or by the licensee in the case of a purchase on deferred payments, the Board shall certify to the Minister that the lessee or licensee is entitled to a Crown grant of the land purchased, and a Crown grant accordingly shall in due course be issued to him.

"2. The fee-simple so granted shall continue to be subject to any right, title, interest, or incumbrance existing or vested in any other person than the lessee or licensee at the time of such completion."

Resolved, on the motion of the Hon. Mr. Massey, That the following new clause be added to the Bill:—

"20i. The provisions of section ninety-seven of the principal Act as to the limitation of areas shall apply to the exercise of a right of purchase under this Part of this Act as if the purchaser were not already in occupation of the land in respect of which the right of purchase exists."

Resolved, on the motion of the Hon. Mr. Massey, That the following new clause be added to the Bill:—

"20j. The Governor may, by Order in Council, make such regulations as he considers necessary for carrying into effect the provisions of this Part of this Act."

Resolved, on the motion of the Hon. Mr. Massey, That the following new clause be added to the Bill:—

"20k. The proceeds derived from any sale of land under the provisions of this Part of this Act shall be paid into the Land for Settlements Account."

Resolved, on the motion of the Hon. Mr. Massey, That the following new clause be added to the Bill:—

"20l. The provisions of this Part of this Act do not apply to land which is subject to the provisions of the Land for Settlements Act, 1908."

The Hon Mr. Massey moved, That the following new clause be added to the Bill:—

"20m. Section one hundred and seventy-seven of the principal Act is hereby repealed."

And the question being put, That the clause as printed stand part of the Bill, the Committee divided, and the names were taken down as follow:—

Ayes, 10: Mr. Anderson, Hon. Mr. Buddo, Mr. Coates, Mr. Guthrie, Hon. Mr. Massey, Mr. E. Newman, Mr. Nosworthy, Mr. T. W. Rhodes, Mr. R. W. Smith, Mr. Statham.

Noes, 3: Mr. Forbes, Mr. Robertson, Mr. Witty.

So it was resolved in the affirmative.

Clause 31: Resolved, on the motion of the Hon. Mr. Massey, That clause 31 be amended by striking out the words "section one hundred and seventy-seven of the Land Act, 1908," and the insertion of the words "Part 1A of this Act" in lieu thereof.

Resolved, on the motion of the Hon. Mr. Massey, That the clause be further amended by striking out the words "subsections two to thirteen of that section," and the insertion of the words "that Part" in lieu thereof.

Resolved, That the clause as amended stand part of the Bill.

Resolved, on the motion of the Hon. Mr. Massey, That the following new clause be added to the Bill:—

"20n. For the purposes of this Part of this Act the term 'owner' means the person or all the persons who are for the time being beneficially entitled (whether legally or equitably) to the fee-simple of any land."

Resolved, on the motion of the Hon. Mr. Massey, That the following new clause be added to the Bill:—

*"Agreements with Owners of Native Land."*

"27A. (1.) In this section, if not inconsistent with the context,—

"'Native freehold land' and 'Native' have respectively the meanings assigned to those terms in the Native Land Act, 1909:

"'Land Officer' means and includes a Commissioner of Crown Lands, or such other officers of the Lands and Survey Department as the Minister appoints to be Land Officers for the purposes of this section:

"'Agents' means persons appointed by Native owners to be agents under the provisions of this section, and where only one such person is so appointed means that person.

"(2.) Notwithstanding anything in the Native Land Act, 1909, the Native owner or owners of any Native land may, either personally or by an agent or agents as hereinafter provided, enter into an agreement with the Minister for the sale or lease of such Native freehold land (or of any part thereof) in the manner prescribed in the preceding provisions of this Part of this Act, as if such Native freehold land were European land.

"(3.) The Native owners of any Native freehold land may by writing under their hand appoint some person or persons not exceeding three in number to be the agents of all such owners for the purposes of this section.

"(4.) Where the Native owners of any Native freehold land exceed five in number, the appointment of agents for the purposes of this section may, if the Minister so directs, be made in the manner following:—

"(a.) The provisions of sections three hundred and thirty-eight to three hundred and fifty-one inclusive of Part XVIII of the Native Land Act, 1909 (relating to the powers of assembled Native owners) shall (except as hereinafter otherwise provided) be deemed to be incorporated in this section.

"(b.) The provisions of section three hundred and forty-six of the said Act shall not apply to proceedings under this section, but in lieu thereof it is hereby enacted

that the assembled owners of any Native freehold land may pass in the manner provided by the said Part XVIII, a resolution that such land shall be disposed of by sale or lease under this Part of this Act, and a further resolution appointing some person or persons (not exceeding three in number) to be the agents of those owners for the purposes of this section.

“(c.) On the confirmation by the Board of any resolution under this section, a copy of that resolution and confirmation under the seal of the Board shall be transmitted by the Chairman to the Minister, and shall be gazetted.

“(d.) A copy of the *Gazette* containing any such resolution and confirmation shall be conclusive evidence of the determination of the owners that the land shall be disposed of under this Part of this Act and that the appointment of agents was duly made by all the Native owners of the land.

“(5.) Agents appointed pursuant to this section shall have and may exercise during the term of their appointment, for the purposes of this Part of this Act, all the powers of the owners with respect to the land for the disposition of which they have been appointed agents; and, in particular, may execute in their own names on behalf of the owners, without any further consent or concurrence of the owners of such land, all such conveyances, transfers, leases, and other documents as are necessary for any of the purposes of this Part of this Act and for the disposition of land thereunder.

“(6.) Notwithstanding anything in the preceding provisions of this section, no Native freehold land to which this section relates shall be disposed of by sale or lease, except with the concurrence of a Land Officer, who shall be a party to every sale or lease of any part of such land, and shall join in the execution of every conveyance, transfer, lease, or other document in respect thereof.

“(7.) Every conveyance, transfer, lease, or other document affecting land executed by the agents and by a Land Officer shall for all purposes effectually convey, transfer, demise, or otherwise affect the estate or interest in such land, according to the tenor of the instrument so executed.

“(8.) The proceeds of all sales of land under this section shall be payable only to the Land Officer, and shall be paid by the Land Officer into an account to be entitled the Native Land Trust Account.

“(9.) Such proceeds shall be applied; first, in repayment of moneys advanced and expended by the Minister and interest thereon as provided by section twenty-six hereof; and next, in payment of all other charges and expenses incurred by the Minister and the agents and the Land Officer in relation to the land, and the balance of the capital proceeds shall be invested in such manner and upon such trusts for all the Native owners of the land, and their successors, as may be prescribed by regulations:

“Provided that where by the agreement between the agents and the Minister it is stipulated that a part, not exceeding one-third of the whole of such balance of the capital proceeds, shall be paid over to the Native owners, such part may be so paid over in lieu of being invested as aforesaid:

“Provided further that in every case the prescribed trusts of the moneys invested shall be such as to permit only the payment to the Native owners and their successors of the income of the investments.

“(10.) The rents of all land demised under this section shall be paid into the said Native Land Trust Account, and shall be paid thereout from time to time to the Native owners and their successors.

“(11.) There shall be charged and paid out of the said Native Land Trust Account in respect of the management and investment of the capital moneys, and the collection and distribution of the income and rents, such allowances and charges as may be prescribed by regulations.

“(12.) Every purchaser and lessee of land under this section shall be deemed to be so far the purchaser or lessee of Native freehold land as that all the provisions of Part XII of the Native Land Act, 1909, relating to limitation of area, shall apply to the acquisition by such purchaser or lessee of the land purchased by or leased to him.

“(13.) Save as is herein expressly provided the provisions of the Native Land Act, 1909, shall not apply to any appointment of agents, agreement with the Minister, or deed of conveyance, transfer, lease, or other document affecting any Native freehold land under the provisions of this section, and it shall not be necessary that any such document be confirmed or be executed as required by that Act.

“(14.) The Governor in Council may from time to time make such regulations as he deems necessary or expedient for the purpose of giving effect to this section.”

Resolved, That the Bill as amended be reported to the House.

Resolved, That the minutes of proceedings be reported to the House, and be printed.

The Committee then adjourned.

*Approximate Cost of Paper.*—Preparation, not given; printing (1,500 copies), £5 10s.

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