

Land Claimants Ordinance Amendment Act 1855

Public Act 1855 No 2
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**An Act to amend “*The New Zealand Company's Land Claimants Ordinance,*”
Session XI., No. 15.**

Preamble.

WHEREAS by an Ordinance made and passed by the Governor-in-Chief of New Zealand, with the advice and consent of the Legislative Council thereof, entitled “*An Ordinance to ascertain the Contracts and Engagements entered into by the New Zealand Company for the disposal of certain Lands in the Islands of New Zealand, and to provide for the completion of such Contracts and Engagements by the Colonial Government,*” after reciting that in certain cases various dealings had been had between the persons claiming title to lands in regard to which the land orders thereinbefore mentioned related, and that, for the purpose of preventing injury and inconvenience to persons who might have dealt with such claimants in respect of the lands so claimed by them, it might be expedient that the legal estate in the land to be comprised in any such grant as therein mentioned should in certain cases be deemed to have been in the grantee prior to the date of such grant, it was enacted that it should

be lawful for the Commissioner who should hear and decide any such claim, at his discretion, to report that for the purpose aforesaid it would be expedient that such legal estate should be deemed to have been in such grantee from and after a date to be named by such claimant in that behalf: And whereas it was by the sixteenth section of the said Ordinance provided that in every such case it should be the duty of the Colonial Secretary of the Province of New Munster, before issuing any such grant, to indorse thereon the date so reported as aforesaid, and the legal estate in the land to be comprised in such grant should be deemed to have been in the grantee thereof, from the date so to be indorsed as aforesaid: And whereas by virtue of a certain Act of Parliament made and passed in the fifteenth and sixteenth years of the reign of Her Majesty Queen Victoria, entitled "*An Act to grant a Representative Constitution to the Colony of New Zealand*," the office of Colonial Secretary for the Province of New Munster ceased to exist: And whereas great injury and inconvenience have been sustained by grantees in certain cases by reason of there being no person duly authorized to make the indorsement by the said recited Ordinance required to be made by the Colonial Secretary for the Province of New Munster: And whereas it is expedient that provisions should be made for remedying and preventing such injury and inconvenience:

Be it therefore enacted by the General Assembly of New Zealand as follows:—

1 Repeal of clause 16 of N. Z. Company's Land Claimants' Ordinance.

That clause sixteen of the said recited Ordinance shall be and the same is hereby repealed.

2 Duty mentioned in repealed clause to be performed by Colonial Secretary of New Zealand.

Whenever such indorsement as aforesaid shall not already have been duly made, it shall be the duty of the Colonial Secretary of New Zealand in all cases in which the Commissioner or Commissioners who shall already have heard and decided or who shall hereafter hear and decide any such claim as in the said recited Ordinance mentioned shall have already reported or shall hereafter report that, for the purposes in the said recited Ordinance in that behalf mentioned, it would be expedient that the legal estate in the land to be comprised in any such grant as therein mentioned should be deemed to have been in the grantee from and after a date to be named by the claimant in that behalf, to indorse upon every such grant the date so reported or to be reported as aforesaid, and thereupon the legal estate in the land to be comprised in such grants shall be deemed to have been in the grantee from the date so to be indorsed as aforesaid.

3 Short Title.

This Act shall be entitled and may be cited and referred to as "*The Land Claimants Ordinance Amendment Act, 1855*."