

New Zealand.

ANNO TRICESIMO PRIMO

V I C T O R I Æ R E G I N Æ .

No. 25.

**AN ACT to establish the County of Westland
and to make temporary provision for the
government thereof.**

Title.

[10th October 1867.]

WHEREAS it is expedient to provide for the separation of the District of Westland from the Province of Canterbury

Preamble.

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

1. The Short Title of this Act shall be "The County of Westland Act 1867."

Short Title.

2. That portion of the Province of Canterbury described in the Schedule hereto shall be separated from and cease to be a part of the said Province of Canterbury and shall be and be called the County of Westland.

County of Westland established.

3. Until other provisions shall be made by the General Assembly or other lawful authority the laws and ordinances of the Province of Canterbury in force within the said county at the time of the coming into operation of this Act shall remain in force within the said county so far as the same are applicable.

Canterbury laws in force there.

4. All powers now by law vested in the Superintendent of the said Province either solely or with the advice and consent of the Executive Council of the said Province shall within the said county become vested in the Governor Provided that the Governor in Council may from time to time delegate all or any of the said powers to such person or persons as he may think fit and subject to such limitations as he may think fit and may in like manner alter or revoke such delegations and any act which is now by law required to be done by any public officer of the Province of Canterbury shall be done within the said county by such person or persons as the Governor shall appoint or direct.

Powers of Superintendent vested in Governor.

5. In order to provide for the construction establishment and maintenance of roads bridges wharves ferries and other public works within the said county the Governor in Council may from time to time constitute and define road districts therein and such districts may from time to time alter or abolish and may provide for the constitution of boards for the management of the business of such districts and may from time to time make regulations for the election of such boards and for defining the number of members thereof and such regulations may from time to time alter or repeal.

Governor may establish road districts and boards.

6. All roads bridges wharves ferries drains watercourses streams ditches and the like within any such district not being private property shall be deemed at law to be under the control and management of the board of the district and it shall be the duty of the board out of any

Roads &c. to be under control of boards.

County of Westland.

money in its hands available for such purposes to make establish maintain form and cleanse such roads bridges wharves ferries drains watercourses streams and ditches.

Boards may levy rates.

7. The Governor in Council may from time to time authorize any such board to levy rates upon all lands buildings and tenements within its district and may make regulations for the due and impartial levying and collection thereof and for limiting the amount of such rates to be levied in any one year and may alter or revoke any such regulations and such rates shall be expended in the works and for the purposes hereinbefore described and for the payment of the salaries of the officers of the board and all other expenses incident to the proper transaction of its business.

Boards to keep accounts.

8. The boards shall keep true and faithful accounts of all moneys received and expended by them and such accounts shall be open to inspection at all reasonable hours and shall from time to time be audited in such manner as the Governor may direct.

Colonial Treasurer to keep separate account of revenues of county.

9. The Colonial Treasurer shall keep a separate account to be called the County of Westland Account into which account shall be paid all public moneys arising within the said county which by any law or ordinance now or hereafter in force would but for the passing of this Act have been payable into the provincial account of the Province of Canterbury and in the interpretation of the fourth division of "The Public Revenues Act 1867" respecting the revenues payable to Provinces the word "Province" shall be taken and deemed to include the county of Westland and the words "provincial account" shall be taken and deemed to include the County of Westland Account and all revenues arising within the said county under "The Gold Duties Act 1858" and "The Gold Fields Act 1866" and under any Acts amending the same shall be paid into the County of Westland Account.

Provisional power to Governor to provide for expenses of Government.

10. Until other provision shall have been made by law in that behalf the Colonial Treasurer shall out of the moneys paid into such separate account pay such sums as the Governor shall from time to time by warrant direct for or towards the expenses incident to the administration of the government of the said county and to the management of the Waste Lands of the Crown and of the gold fields within the same and to the maintenance of the main road from Hokitika to Arthur's Pass and of the electric telegraph within the said county and the surplus after such payments shall be distributed to the several road boards and municipalities within the said county in such proportions as the Governor shall direct.

Debt of Canterbury to be apportioned by arbitration.

11. The permanent public debt of or charged against the said Province and already raised shall be apportioned between the said Province and the said county according to the proportion in which the said Province and the said county respectively shall from time to time contribute to the Customs Revenue of the Colony.

Interest &c. charged on separate account.

12. Such proportion of the interest and sinking fund of the said debt allocated to the said County as shall be paid by the Provincial Government of the Province of Canterbury out of the Provincial Account thereof shall be from time to time deducted by the Colonial Treasurer out of any moneys hereby made payable to the County of Westland Account and shall be paid over by him to the said Provincial Account.

County council established.

13. There shall be in and for the said county a council to advise and assist the Governor or the person or persons to whom he shall delegate any powers under the provisions of the Gold Fields Act and of this Act in the exercise of all such powers and in the expenditure and distribution of the money to be paid into the County of Westland Account.

County of Westland.

14. The said council shall consist of seven members whereof one member who shall be the chairman thereof shall be appointed by the Governor in Council four members shall be elected for the electoral district of Westland two members for the town of Hokitika and two members for the town of Greymouth as the said electoral district and towns are severally defined by an Ordinance of the Superintendent and Provincial Council of the Province of Canterbury intituled "The Provincial Council Extension Ordinance 1866" and all the laws applicable to the election of members of Provincial Councils shall apply to the election of the council hereby constituted.

How constituted.

15. Upon and after the day on which this Act shall be brought into operation as hereinafter provided the members elected to represent the districts and towns aforesaid in the Provincial Council of the Province of Canterbury shall cease to be members of the said Provincial Council and so much of the said Provincial Council Extension Ordinance as provides for the election of members for the said district and towns respectively is hereby repealed.

Westland
Representatives no
longer to sit in
Provincial Council.

16. All estate and interest of the Superintendent of the said Province in any public reserves or lands within the said county shall upon the coming into operation of this Act forthwith vest in the Governor who shall have with respect to such reserves all the powers conferred upon the Superintendent and Provincial Council by grant under "The Public Reserves Act 1854."

Provincial reserves
to vest in Governor.

17. It shall be lawful for the Governor in Council from time to time as he may think fit by proclamation published in the *New Zealand Gazette* to make regulations for the sale letting disposal occupation and management of any Waste Lands of the Crown and to alter the laws in force within the said country of Westland at the time of the coming into operation of this Act regulating the sale letting disposal occupation and management of such lands within the said county of Westland and to sell let and dispose thereof at such prices and in such allotments and generally in such manner as he shall deem expedient and in like manner to alter vary or annul any such regulations and to make others. Provided that it shall not be lawful by any such regulation to authorize the sale of land classified under such regulations as rural land at a less price than ten shillings per acre. Provided also that nothing in this section contained shall affect or authorize the making of regulations to affect any promise contract or engagement made by or on behalf of Her Majesty previously to the coming into operation of this Act and then incomplete or unfulfilled.

The Governor
empowered to make
regulations for sale
&c. of waste lands in
county.

18. It shall be lawful for the Governor in Council to do and order all things necessary for bringing this Act into operation according to the true intent thereof.

Rural lands not to be
sold at less than 10s.
per acre.Governor to make
orders.

19. This Act shall come into force upon such day as the Governor shall by proclamation direct.

When Act to come
in force.

SCHEDULE.

THAT part of the present Province of Canterbury comprised within the following boundaries—The sea coast from the mouth of the River Awarua to the mouth of the River Grey thence the southern boundary of the Province of Nelson to the saddle between the Rivers Teramakau and Hurunui thence the watershed between the Eastern and Western Coasts of the said Province of Canterbury to its intersection with the northern boundary of the Province of Otago thence the said last-named boundary to the commencing point at the mouth of the River Awarua.

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