

No. XLVII.

AN ACT to authorize the Governor to grant or otherwise assure to the Corporation of the Town of Port Chalmers certain lands as Compensation for Town Belt Land taken for the Dunedin and Moeraki Railway, and for injury to Property belonging to the Corporation of such Town by such Railway.

PORT CHALMERS
COMPENSATION.

[29th November, 1877.]

WHEREAS the Dunedin and Moeraki Railway passes through the entire extent of the Town Belt of Port Chalmers, and upwards of eight acres of such belt have been taken to construct the said railway, and the remaining part of the said belt is so cut up as to render it nearly useless for the purposes for which it was originally set apart: And whereas by the construction of the said railway the said Town Belt and other property belonging to the Corporation of the said town has been injuriously affected to a large extent, and it is just and equitable to make compensation for the land so taken and the property so injuriously affected:

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

LOCAL.

Short Title.

Governor may grant to body corporate of Port Chalmers certain lands.

Grant of land in Schedule.

Vesting of said land in said body corporate.

Land vested to be held on trust as an endowment.

Passing of Act a full and complete discharge.

No grant under section 350 of "The Municipal Corporations Act, 1876," hereafter to be made to the said body corporate.

Schedule.

Port Chalmers Compensation.

1. The Short Title of this Act shall be "The Port Chalmers Compensation Act, 1877."

2. The Governor in Council may, upon the request of the Municipal Council of the Town of Port Chalmers, grant to the body corporate of the said town, in fee-simple, out of the waste lands of the Crown in the Provincial District of Otago, three thousand acres of rural land: Provided always that such land shall be selected by the Waste Land Board, being of a value of one pound per acre.

3. The Governor may grant or otherwise assure to the said body corporate in fee-simple the piece of land described in the Schedule hereto. Upon the issue of such grant or the execution of such assurance as aforesaid, the said piece of land shall vest in the body corporate, freed and discharged from any uses or trusts theretofore affecting such land.

4. Any land vested in the body corporate under the provisions of this Act shall be held upon trust as an endowment in aid of the borough funds of the said town; and it shall be lawful for the said body corporate to lease the said lands, or any part thereof, for any term not exceeding twenty-one years, to take effect in immediate possession, at such rent or rents, and subject to such covenants and conditions on the part of the lessors and lessees respectively, as to the said body corporate shall seem expedient.

5. The passing of this Act shall be deemed a full and complete discharge of all claims and demands which the said Town of Port Chalmers, or the body corporate thereof, are entitled to for the land so taken as aforesaid, or for any injuries or damage arising through the construction of the said railway.

6. No grant shall hereafter be made to the body corporate of the said town of Port Chalmers under the provisions of the three hundred and fiftieth section of "The Municipal Corporations Act, 1876," notwithstanding such town may be constituted a borough under that Act; and, so far as regards the said town, the powers conferred by the said section are hereby revoked.

SCHEDULE.

ALL that piece or parcel of land in the Provincial District of Otago containing by admeasurement two (2) rods and four (4) perches, more or less, situate partly within the area known as the Town Belt of Port Chalmers, and partly within the area known as Mussel Bay Reclamation, both of which areas are Crown-granted to the Superintendent of Otago and his successors. Bounded towards the North-east by the Town Belt of Port Chalmers and other part of Mussel Bay Reclamation, two hundred (200) links; towards the South-east by other part of Mussel Bay Reclamation, three hundred and four and two-tenths (304.2) links; towards the South-west by other part of Mussel Bay Reclamation and Town Belt of Port Chalmers, one hundred and fifty (150) links; and towards the North-west by other part of Town Belt of Port Chalmers, three hundred (300) links; as the same is delineated on the map deposited in the office of the Surveyor-General, Wellington, and thereon coloured red.
