

New Zealand.



ANALYSIS.

- | | |
|---|--|
| <p>Title.
Preamble.
1. Short Title.
2. Governor may negotiate with Kauri Timber Company for surrender of lease of land suitable for settlement.</p> | <p>3. Conditions of negotiations.
4. On surrender, land to be open for settlement under Land Act. Schedules.</p> |
|---|--|

1893, No. 36.

AN ACT to provide for the Surrender of Leases of Crown Land Title.
available for Settlement at Tairua, in the Bay of Plenty.

[2nd October, 1893.]

WHEREAS certain blocks of Native land known as the Tairua Block (No. 2580), the Omaha Block (No. 2570), the Whangamata No. 1 Block (No. 3033), the Waiwhakaurunga Block (No. 2516), the Hihi-Piraunui Block (No. 2605), the Hotoritori Block (No. 2518), the Manginahae Block (No. 2625), the Mangarehu East Block (No. 2519A), part of the Mangarehu Block (No. 2519), and the Mangakirikiri No. 2 Block (No. 3388), all in the Thames County, have been, either wholly or in part, acquired by Her Majesty from the Native owners thereof respectively, subject, however, to certain leases which had previously to such acquisition been granted by the said Native owners, and are now vested in a certain timber company, known as the Kauri Timber Company (Limited):

And whereas it is desirable to obtain for purposes of settlement parts of the Tairua Block, the Waiwhakaurunga Block, the Hihi-Piraunui Block, the Hotoritori Block, the Manginahae Block, the Mangarehu East Block, the Mangarehu Block, and the Mangakirikiri No. 2 Block, respectively, the land whereof is in a great part suitable for such purposes: And whereas the aforesaid company, holding leases of the said blocks, are willing to surrender such leases, as to a portion of the land in the said blocks, to Her Majesty, in consideration of having their several leases of part of the Omaha and Whangamata No. 1 Blocks, which leases are for terms expiring on the twenty-eighth day of December, one thousand eight hundred and ninety-three, respectively, extended for a period of fifteen years from the date of the expiration of the said leases, and of obtaining a lease of a part of the Ohuka Block (No. 2906), for a term of fifteen years from the twenty-eighth day of December, one thousand eight hundred and ninety-three:

And whereas it is expedient to authorise the Governor to effect the proposed arrangement, whereby suitable land for settlement will be available :

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

Short Title.

Governor may negotiate with Kauri Timber Company for surrender of lease of land suitable for settlement.

1. The Short Title of this Act is “The Tairua Land Act, 1893.”

2. If at any time before the expiration of twelve months from the date of the passing of this Act the Kauri Timber Company (Limited), or their assigns, shall surrender to Her Majesty the leases they hold over so much of the Tairua Block of land and over so much of the Waiwhakaurunga Block of land, the Hihi-Piraunui Block of land, the Hotoritori Block of land, the Manginahae Block of land, the Mangarehu East Block of land, the Mangarehu Block of land, and the Mangakirikiri No. 2 Block of land, as respectively defined in the First Schedule hereto, and all their rights over such parts of the said lands under the said leases, then and in such case the Governor, in the name of Her Majesty, and in consideration of the aforesaid surrender, may grant to the said company, or their assigns, an extension of the leases they hold over part of the Omahu and Whangamata No. 1 Blocks of land, as the same are defined in the Second Schedule hereto, for a period not exceeding fifteen years, to date respectively from the twenty-eighth day of December, one thousand eight hundred and ninety-three, subject to the same rent as contained in their now current leases of such lands respectively; and in similar manner may issue to the said company or their assigns a lease of part of the Ohuka Block of land, as defined in the Second Schedule hereto, with the full and exclusive right of cutting and removing the timber growing thereon, for a period not exceeding fifteen years, to date from the twenty-eighth day of December, one thousand eight hundred and ninety-three, subject to such rents and conditions as the Governor shall think fit.

But no further extension of the aforesaid leases, or either of them, shall be made to the said company.

Conditions of negotiations.

3. The surrender aforesaid, and extension of leases respectively, shall be subject to the conditions following, that is to say :—

(1.) There shall be exempted from surrender an area not exceeding one hundred acres of the Tairua Block for a paddock, to be selected in one block by the said company within twelve months from the date of the passing of this Act, which the company shall continue to occupy under their original lease :

(2.) The aforesaid company shall, notwithstanding the surrender of the aforesaid lands, have, for a period not exceeding four years from the date of the surrender of the leases thereof, the right of ingress, egress, and regress from that part of the surrendered land in the Tairua Block known as McKenzie's Bush, and from any other part of the surrendered land in the Waiwhakaurunga, the Hihi-Piraunui, the Hotoritori, the Manginahae, the Mangarehu East, the Mangarehu, and the Mangakirikiri No. 2 Blocks, in the First Schedule hereto also described,

whereon any timber may be growing, for the purpose of cutting and removing the timber thereon respectively; and shall have a right of road over such portions of any of the surrendered land in the First Schedule described as the Surveyor-General shall mark out, for the purpose of removing timber from any other portion of the said blocks which is included in their leases but not surrendered; and shall also have a general right of floating and driving timber down or along such creeks or rivers running through the surrendered land as may be mutually agreed upon by the Surveyor-General and the company, without being liable for compensation to any person for damage done to the banks of such creeks or rivers, or anything being or growing thereon within a space of two chains from the said banks:

- (3.) Notwithstanding any extension of lease or new lease granted under this Act, the aforesaid company shall, as soon as they have denuded of timber the land or any of the lands comprised in any such extended lease or new lease, at the request of the Minister of Lands, forthwith surrender the lease of such land, or part thereof, to Her Majesty.
- (4.) All lands comprised within any extension of lease or new lease shall be subject to "The Mining Act, 1891," and regulations made thereunder: Provided that no mining operations carried on upon the said lands shall hinder or prevent the said company from cutting down, removing, or driving out any timber standing thereon.

4. On the surrender of the lease of the parts of the Tairua, the Waiwhakaurunga, the Hihi-Piraunui, the Hotoritori, the Manginahae, the Mangarehu East, the Mangarehu, and the Mangakirikiri No. 2 Blocks of land aforesaid, and on any future surrender of a lease by the aforesaid company under the terms of this Act, the land comprised therein shall be deemed to be Crown lands open for settlement under "The Land Act, 1892," in any manner the Governor may think fit to dispose of the same.

On surrender, land to be open for settlement under Land Act.

SCHEDULES

Schedules.

FIRST SCHEDULE.

TAIRUA BLOCK (No. 2580), (PART OF).

ALL that area in the Auckland Land District, being portion of the Tairua Block, situated in Blocks XII. and XIII., Whitianga Survey District, and Blocks II. and III., Tairua Survey District. Bounded towards the south-east by the Tairua River; towards the north-east by a line commencing at a point where a line drawn at right angles to the north-eastern boundary-line of middle portion of Tairua Block (No. 3390) from the northernmost corner of that block strikes the left bank of Tairua River, and proceeding north-westerly parallel to the said north-eastern boundary-line for a distance of 120 chains; thence towards the north-west by a line drawn westerly at right angles to the latter line as far as a line running north-westerly from the Tairua River, parallel to and at such a distance from the said described north-eastern boundary-line as will enclose an area of 3,000 acres, more or less; and thence towards the south-west by the last-mentioned line to the said Tairua River, exclusive of any kauri timber growing thereon.

All that area in the Auckland Land District, being part of the Tairua Block, situated in Whitianga Survey District and Tairua Survey District, containing by admeasurement 11,000 acres, more or less. Bounded towards the south-east generally by Wharekawa East No. 4 Block, Wharekawa East No. 5 Block, Wharekawa East No. 3 Block, and Wharekawa East No. 2 Block; towards the north-east by the sea; towards the north-west generally by Tairua River and by the middle portion of Tairua Block (No. 3390) to a point on its south-west boundary-line 52 chains from its most southerly corner; thence by a line at right angles to the said boundary line for a distance of 60 chains; thence by a line at right angles to the said 60-chain line to the Tairua River, and by the Tairua River.

WAIWHAKAURUNGA BLOCK (No. 2516), AND HIHI-PIRAUNUI BLOCK (No. 2605),
(PARTS OF).

All that area in the Auckland Land District, containing by admeasurement 2,176 acres, more or less, situated in Blocks III. and VI., Thames Survey District, being portions of the Waiwhakaurunga and Hihi-Piraunui Blocks. Bounded towards the east by a due south line from a point on the southern boundary-line of said Block III. distant 80 chains due west from the western boundary-line of Tairua Survey District to a point where a line drawn from the south-east corner of Section No. 2, Block VI., on a bearing of 58° , intersects the said due south line; towards the south-east by a right line to the said corner; towards the south by the southern boundary-line of said Section No. 2 of Block VI.; towards the west and south-west generally by Kahe Block (No. 2606), the Waiwhakaurunga River, the Panebenehe Block, a line across the said Waiwhakaurunga River, and by Hotoritori Stream to a point where a line bearing 238° from the south-western corner of Waiwawa Block (95 acres) intersects the said stream; and towards the north-west generally by a right line to the said corner of Waiwawa Block, thence by a line across and thence by the Waiwhakaurunga River and Maroraurariki Creek; towards the north-east by the said creek to a point where a line bearing 35° from the first-mentioned point on the southern boundary-line of Block III. intersects the said Maroraurariki Creek; and again towards the south-east by a right line to the said first-mentioned point.

HOTORITORI BLOCK (No. 2518).

All that area in the Auckland Land District, containing by admeasurement 523 acres, more or less, situated in the Thames Survey District, and bounded towards the north-east by the Hotoritori Stream; towards the south by the Manginahae Block (No. 2625); towards the south-west by part of the Mangarehu Block (No. 2519); and towards the north-west and again towards the north-east by the Waiwhakaurunga Block.

MANGINAHAE BLOCK (No. 2625).

All that area in the Auckland Land District, containing by admeasurement 147 acres, more or less, situated in the Thames Survey District, and bounded towards the north generally by the Hotoritori Block (No. 2518); towards the east generally by the Waiwhakaurunga River; and towards the south-west generally by the Tahunga Stream, by the Mangarehu East Block (No. 2519A), and the Mangarehu Block (No. 2519).

MANGAREHU EAST BLOCK (No. 2519A).

All that area in the Auckland Land District, containing by admeasurement 468 acres, more or less, situated in the Thames Survey District, and bounded towards the north-east by the Manginahae Block (No. 2625); towards the east and south-east by the Waiwhakaurunga River; and towards the south-west by a right line forming the north-eastern boundary-line of the south portion of Mangarehu Block, and forming part of the north-eastern boundary of part of the Mangarehu Block (No. 2519).

MANGAREHU BLOCK (No. 2519), (PART OF).

All that area in the Auckland Land District, containing by admeasurement 807 acres, more or less, situated in the Thames Survey District, and bounded towards the north-east generally by the Hotoritori Block (No. 2518), the Manginahae Block (No. 2625), and the Mangarehu East Block (No. 2519A); towards the south-east by the south portion of Mangarehu Block; towards the south-west by the Mangarehu Stream; and towards the north-west by a right line bearing S. 63° W. from a point on the south-western boundary of Hotoritori Block (No. 2518), distant 2779 links from the Waiwhakaurunga Block, measuring along the said boundary of the said Hotoritori Block.

MANGAKIRIKIRI No. 2 BLOCK (No. 3388).

All that area in the Auckland Land District, containing by admeasurement 245 acres, more or less, situated in the Thames Survey District, and bounded towards the north and east generally by the Kakaramata Stream and the Mangarehu Stream; towards the south-east by the south portion of Mangakirikiri Block; towards the south-west by Mangakirikiri No. 4 Block; and towards the north-west by Mangakirikiri Block.

SECOND SCHEDULE.

OMAHU BLOCK (No. 2570), (PART OF).

ALL that piece or parcel of land in the Provincial District of Auckland, in the Colony of New Zealand, containing by admeasurement 1,880 acres, more or less, being part of a block of land known as Omahu Block (No. 2570), situate near Hikutaia, in the District of Hauraki. Bounded towards the north by lines 620, 1466, 204, 796, and 10647 links; towards the east by a line, 12200 links; towards the south by a line, 16300 links; and towards the west by the Tairua River to the point of commencement.

WHANGAMATA No. 1 BLOCK (No. 2033), (PART OF).

All that piece or parcel of land in the Provincial District of Auckland, in the Colony of New Zealand, containing by admeasurement 2,662 acres, more or less, being part of a block of land called or known as Whangamata No. 1 Block, situate at Whangamata, in the District of Hauraki. Bounded towards the north-east by a line, 10100 links; towards the south-east by a line, 26400 links, to Maungaroa; towards the south-west by lines, 345 and 8700 links; and towards the north-west by lines, 2172, 2434, 452, 372, 1180, and 21500 links, to the point of commencement.

OHUKA BLOCK (No. 2906), (PART OF).

All that piece or parcel of land in the Provincial District of Auckland, in the Colony of New Zealand, containing by admeasurement 1,120 acres, more or less, being part of a block of land called or known by the name of Ohuka Block (No. 2906), situate in the District of Hauraki. Bounded towards the north-west by the Oneura Creek, and by lines 100, 243, 406, 465, 440, 581, and 118 links; towards the east by the Tairua River; towards the south by the Ohuka Creek to its source; thence by the southern boundary-lines of the Ohuka Block aforesaid to the summit of the range between the head-waters of the Ohuka and Kohirahi Streams; and towards the west by the summit of the range leading to the northern boundary-line of the Ohuka Block aforesaid at the watershed between the Oneura Stream and the Apakura River.