

New Zealand.



ANALYSIS.

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| <p>Title.
Preamble.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Excepting land first mentioned in Schedule from operation of "The Railways Construction Act, 1878." | <ol style="list-style-type: none"> 3. Land described in Schedule set apart as Native Commonage. 4. Land vested in Her Majesty. Natives to have lease thereof in perpetuity free of rent, &c. 5. Power of resumption by Governor. Schedule. |
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1883, No. 25.—*Local.*

Title.

AN ACT to set apart certain Lands on the Shores of Lake Ellesmere, in the Provincial District of Canterbury, in aid of the Support and Maintenance of the Natives resident in the Vicinity thereof. [8th September, 1883.]

Preamble.

WHEREAS the lands in the Schedule hereto firstly described, containing in area about seven hundred acres, form part of the block of seventy-two thousand acres of land described in the Second Schedule to "The Railways Construction Act, 1878," which, under the tenth section of the said Act, have been declared to be Crown lands of special value, and have been authorized to be sold in manner therein mentioned, and the proceeds thereof have, under the eleventh section of the said Act, been authorized to be applied in the construction and maintenance of a line of railway to Little River and thence to Akaroa, from the main line from Amberley to Waitaki, or from a branch of the said line :

And whereas it is expedient that the lands first aforesaid, containing seven hundred acres, more or less, should be excepted from the operation of the Act aforesaid, and that such lands should be reserved in support of the Native residents in their vicinity, together with the other lands also described in the Schedule hereto :

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.

1. The Short Title of this Act is "The Taumutu Native Commonage Act, 1883."

Excepting land first mentioned in Schedule from operation of "The Railways Construction Act, 1878."

2. The lands first mentioned in the Schedule to this Act, containing in area about seven hundred acres, more or less, are hereby excepted from the operation of sections ten and eleven of "The Railways Construction Act, 1878," as if they had not been included in the Second Schedule to the said Act; and the said sections of the said

Act shall be deemed to be repealed in respect of the said seven hundred acres of land.

3. The two several parcels of land more particularly described in the Schedule hereto, and containing a total area of seven hundred and seventy acres, more or less, are hereby set apart as Crown lands for free occupation in commonage by the Natives residing at Taumutu, in the vicinity of Lake Ellesmere, in aid of their support and maintenance, and otherwise for their exclusive use and benefit.

Land described in Schedule set apart as Native commonage.

4. The last-mentioned lands are hereby vested in Her Majesty for the purposes aforesaid, in manner following:—

Land vested in Her Majesty.

(1.) No alienation of any kind shall be made of the said lands, or any of them, save as herein provided :

(2.) A lease in perpetuity of the said lands is hereby granted to the Natives aforesaid, with the full and exclusive right of occupation thereof, for such purposes as they shall think fit, free of any rent, fee, or charge ; subject, however, that the said Natives shall not have power to make any assignment whatever of their interest in the said lands or any part thereof, and subject also to the provisions of the next following section :

Natives to have lease thereof in perpetuity free of rent, &c.

(3.) The said lands shall not be exempt from the operation of "The Fencing Act, 1881;" but for all purposes of the said Act the Natives aforesaid shall be deemed to be Crown tenants of the said lands within the meaning of the sixth section of the Act last mentioned, and shall be liable in respect of the fencing of the said lands in manner as in the said section is provided in relation to Crown tenants generally :

(4.) The said lands, as being occupied exclusively by Natives, shall be exempt from rates under "The Rating Act, 1882," and every other Act relating to rates :

(5.) Her Majesty shall, for all purposes of "The Drainage Act, 1881," be deemed to be the owner of the said lands.

5. Notwithstanding anything in this Act contained, the Governor may resume either absolute or partial possession of any of the lands last aforesaid which, in his opinion, are required for any public work, and for the construction of any such work may authorize the entry upon such lands from time to time of any persons lawfully engaged in or about the reclamation or drainage of Lake Ellesmere or any part thereof, or any of the land on the shores thereof.

Power of resumption by Governor.

SCHEDULE.

Schedule.

ALL those two several parcels of land in the Southbridge Survey District, Provincia District of Canterbury, respectively hereinafter described, that is to say,—

Seven hundred acres, more or less ; bounded—Northward and Eastward by the low-water line of Lake Ellesmere, as shown on the official map No. 71, in the District Survey Office, Christchurch ; South-eastward by Section numbered 806 (in red) ; and South-westward and North-westward by the Taumutu and Bridges Road, and by Sections numbered 10462, 9467, 8828, and 9189, and a line in continuation of the south-eastern boundary-line of the last-mentioned section : excepting thereout Reserve 2542 (in red), containing ten acres, situate within the above-described boundaries.

Seventy acres, more or less, being Section numbered 806 (in red) on the official map in the Survey Office, Christchurch ; excepting thereout five acres for a landing-place, and a road connecting the same with the Taumutu and Bridges Road.