

New Zealand.



ANALYSIS.

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| <p style="text-align: center;">Title.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Commonage lands vested in the Public Trustee. 3. Lands to be set apart for use of owners. 4. Public Trustee may lease surplus lands. | <ol style="list-style-type: none"> 5. Application of proceeds. 6. Inquiry as to previous dispositions of the land. 7. Power of resumption by Governor. 8. Repeal. Schedule. |
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1905, No. 24.

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| Title. | AN ACT to make Better Provision for the Management of the Taumutu Native Commonage. [23rd October, 1905.] |
| | BE IT 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, 1905.” |
| Commonage lands vested in the Public Trustee. | 2. (1.) The lands described in the Schedule hereto (hereinafter referred to as “ the said lands ”) are hereby vested in the Public Trustee as an estate in fee-simple for the use and benefit of such Natives as the Native Land Court, on the application of the Public Trustee or any person claiming to be interested therein, determines.
(2.) The Native Land Court, in determining the rights or interests of any such Natives, shall give effect to the original intention for which the said lands were set apart. |
| Lands to be set apart for use of owners. | 3. (1.) The Public Trustee shall set apart suitable portions of the said lands for the use and occupation of the Natives beneficially entitled for grazing or other purposes.
(2.) Such Natives shall not have power to make any assignment whatever of their interest in the lands so set apart. |
| Public Trustee may lease surplus lands. | 4. The Public Trustee may from time to time lease any portions of the said lands not needed for the use or occupation of the Natives, for any term not exceeding twenty-one years, in such manner and subject to such conditions as he thinks fit. |
| Application of proceeds. | 5. The annual rents and proceeds of the lands so leased shall be held by the Public Trustee, to be distributed by him among the Natives beneficially interested in the said lands according to their respective interests : |

Provided that in making such distribution the Public Trustee shall take into account the benefit which any Native is deriving from his occupation of any part of the said lands for grazing or other purposes, and shall adjust his share of the rents and proceeds accordingly.

6. (1.) The Native Land Court is hereby empowered to make inquiry concerning any leases or agreements relating to the said lands heretofore granted by the Natives or any of them, and to decide whether any compensation for improvements or otherwise is equitably payable to any lessee, and, if so, to award such sum as compensation as it may deem fit.

Inquiry as to previous dispositions of the land.

(2.) Any compensation so awarded shall be payable out of the rents and proceeds of the said lands.

7. Notwithstanding anything herein, the Governor may resume either absolute or partial possession of any of the said lands that in his opinion are required for any public work; and for the construction of any such work may authorise 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.

8. "The Taumutu Native Commonage Act, 1883," is hereby repealed.

Repeal.

SCHEDULE.

Schedule.

ALL those two several parcels of land in the Southbridge Survey District, Land 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 District Survey Office, Christchurch: excepting thereout five acres for a landing-place, and a road connecting the same with the Taumutu and Bridges Road.