

New Zealand.

## ANALYSIS.

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| <p>Title.<br/>Preamble.<br/>1. Short Title.<br/>2. Arrangements made confirmed.<br/>3. D. A. Tole duly appointed.</p> | <p>4. D. A. Tole to be nominal plaintiff or defendant.<br/>5. Governor may release lessee from certain covenants, &amp;c.<br/>6. Subsection (1) of section 5 of said Act explained.</p> |
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1883, No. 21.

An Act to amend "The Thermal Springs District Act, 1881." Title.  
[8th September, 1883.]

WHEREAS an arrangement was made on or about the twenty-fifth day of November, one thousand eight hundred and eighty, by Francis Dart Fenton, Esquire, on behalf of the Government of New Zealand, with the chiefs of the Ngatiwhakaua tribe (hereinafter called "the said tribe") that the title to certain lands adjacent to Lake Rotorua should be investigated and the ownership thereof certified by the Native Land Court; and that the said land should be then brought under the operation of "The Thermal Springs District Act, 1881" (hereinafter called "the said Act"): Preamble.  
And whereas the Native Land Court duly investigated the title of the said lands and certified the title thereto to be vested in the said tribe: And whereas the said arrangement was, on or about the twentieth day of November, one thousand eight hundred and eighty-one, confirmed by the said tribe: And whereas, on or about the twenty-fifth day of February, one thousand eight hundred and eighty-three, a further agreement was made between Henry Tacy Clarke, on behalf of the Government of New Zealand, and the chiefs and people of the said tribe, whereby it was agreed that all those portions of the arrangement made between the said Francis Dart Fenton and the said tribe which remained unfulfilled should be carried out, subject to certain modifications in the said agreement mentioned: And whereas it is expedient that the arrangement and agreement so made as aforesaid should be confirmed, and provision made for giving effect to same and to the intention and objects of the said Act:

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 is "The Thermal Springs District Act 1881 Amendment Act, 1883." Short Title,

Arrangements made confirmed.

2. The said hereinbefore recited arrangement and agreement are hereby confirmed, and shall be deemed to have been and to be valid and effectual as from the twentieth day of November, one thousand eight hundred and eighty-one, and shall be deemed and taken on that date to have conferred on and given to the Governor all the rights, powers, and authorities specified or mentioned in the said Act in respect of the said lands the subject of the hereinbefore recited arrangement.

D. A. Tole duly appointed.

3. Daniel Austin Tole, the Commissioner of Crown Lands at Auckland, shall, as from the twentieth day of November, one thousand eight hundred and eighty-one, be deemed to have been and to be the person duly appointed by the Governor for all and every the purposes mentioned in the twelfth section of the said Act.

D. A. Tole to be nominal plaintiff or defendant.

4. And the said Daniel Austin Tole, and any other person whom the Governor may hereafter from time to time appoint under the said section of the said Act, shall be the nominal plaintiff, without personal liability, by and against whom and in whose name all actions, suits, and other proceedings shall be commenced and carried on in respect of any contract made or to be made or any other matter or thing done or hereafter to be done or purporting to be made or done under the provisions or authority of the said Act.

Governor may release lessee from certain covenants, &c.

5. It shall be lawful for the Governor, at his discretion, by writing under his hand, to release or discharge the lessee of any allotment demised under the provisions of the said Act from any covenant, condition, or agreement contained in the lease granted to him but not specified in the conditions of lease under which the said lease was agreed to be taken.

Subsection (1) of section 5 of said Act explained.

6. Subsection one of section five of the said Act shall be deemed and construed to include or extend to the cession by the Native proprietors of any land, to provide for or promote the construction or extension of a railway from a junction with the Waikato-Thames Railway to Rotorua, and the land so ceded may be held, dealt with, or disposed of in such manner and on such terms and conditions as the Governor may think fit or prescribe, provided that the consent of the Native proprietors or the said tribe, ascertained in such manner as the Governor shall direct, be first obtained.