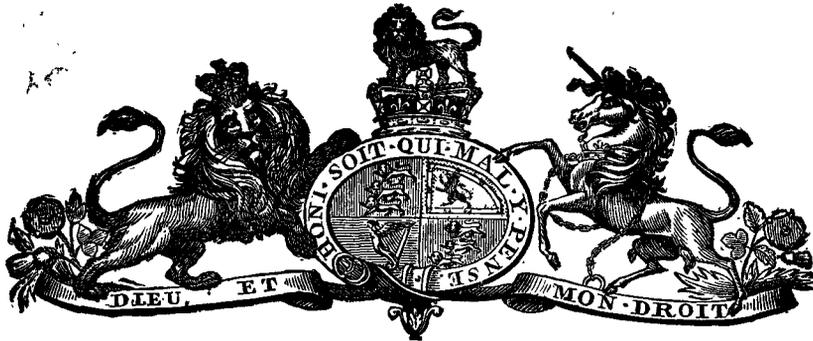


NEW ZEALAND.



TRICESIMO TERTIO ET TRICESIMO QUARTO

VICTORIÆ REGINÆ.

No. LXVI.

ANALYSIS.

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| <p>Title.
Preamble.
1. Short Title.
2. Commissioner of Crown Lands to lay off road.
3. Commissioner may employ Surveyors and others and may enter on lands.</p> | <p>4. Notice to owners.
5. Commissioner to assess compensation if any.
6. Plan to be made.
7. Compensation may be ordered to be paid.
8. Penalty for obstructing execution of Act.
Schedule.</p> |
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AN ACT to authorize the taking of Land for the purpose
of a Road through certain Blocks of Land granted
to George Duppa. [12th September 1870.]

Title.

WHEREAS the lands described in the Schedule hereto were
granted to George Duppa subject to a certain indefinite right
of road reserved by and in the grants thereof And whereas the
right of taking such road has not been exercised within the time in
that behalf specified in "The Crown Grants Act 1866" And whereas
it is expedient that a road should be constructed through the said lands
for the convenience of the public and of persons occupying other lands
adjacent thereto

Preamble.

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 shall be "The Wairau Valley Road
Act 1870."

Short Title.

2. The Commissioner of Crown Lands for the Province of Marl-
borough within three calendar months after the passing of this Act
may lay off or cause to be laid off through the lands mentioned
in the Schedule hereunto one line of road sixty-six feet in width
in such a manner as shall in his opinion sufficiently meet the con-
venience of the public travelling through the Valley of the Wairau
and of the persons occupying lands adjoining the lands in the Schedule
hereunto mentioned and such road and the soil thereof when so laid

Commissioner of
Crown Lands to lay
off road.

Wairau Valley Road.

off as aforesaid shall thenceforth be and become the property of and vested in Her Majesty and be deemed from thenceforth to be a common and public highway and subject to the laws for the time being in force in the said Province of Marlborough relating to highways.

Commissioner may employ Surveyors and others and may enter on lands.

3. For the purpose of laying off the said road the said Commissioner of Crown Lands or any other person acting under his authority or instructions with surveyors and servants and with horses and all necessary instruments and other implements may from time to time enter upon the said lands and fix thereon any survey or other marks which may be necessary for defining and laying off the said road and may after the same has been so laid off remove and level any obstructions or impediments to the use thereof by the public.

Notice to owners.

4. Before making any such entry as aforesaid it shall be the duty of the said Commissioner of Crown Lands to give to the owner or owners for the time being of the said lands or leave for him or them at his or their last known place of abode in the Province of Marlborough notice in writing of his intention to make such entry and of the time not being less than four weeks after the service of such notice at which such entry will be made and of the day on which he will hear all objections to the laying out of the road and all claims for compensation connected therewith and if after a hearing of the case it shall still appear to the Commissioner that the road is required for the convenience of the public and may be justly taken the said Commissioner or other person acting under his authority shall proceed to define and lay off the said road causing as little damage or injury by severance or otherwise to the said lands or the owner or owners thereof as possible regard being had to the convenient line of such road.

Commissioner to assess compensation if any.

5. The said Commissioner of Crown Lands shall immediately after laying off the said road report to the Secretary for Crown Lands what compensation ought to be paid or given to the owner or owners of the said lands in respect of the road so laid off as aforesaid having in assessing such compensation regard to the fact that a line of road of the width aforesaid had actually been reserved when the said lands were granted to the said George Duppa and that the said George Duppa had received in such grants an allowance in land in respect of such reservation.

Plan to be made.

6. With all convenient speed after the laying off of such road as aforesaid the said Commissioner of Crown Lands shall cause a plan thereof to be made and a copy of such plan to be delivered to the owner or each of the owners of such lands or left at his last known place of abode in the said Province of Marlborough and shall forward the original of such plan to the Secretary for Crown Lands.

Compensation may be ordered to be paid.

7. In case the Governor in Council shall be of opinion that the compensation to be assessed as aforesaid (if any) or any part thereof ought to be paid to the owner or owners of the lands taken for the purposes of such road it shall be lawful for the Governor to authorize the payment thereof out of any Land Revenue of the said Province of Marlborough which may thereafter be received to the credit of the said Province and such Land Revenue shall thereupon be deemed to be charged with such payment accordingly.

Penalty for obstructing execution of Act.

8. Any person obstructing the said Commissioner of Crown Lands or any other person acting under the authority of this Act in the execution of the duties or powers hereby given shall be guilty of an offence and shall be liable for every such offence to a penalty not exceeding fifty pounds to be recovered in a summary way.

Wairau Valley Road.

SCHEDULE.

Schedule.

1. Crown Grant to George Duppa, Esquire, of Nelson, bearing date the 10th day of July, 1856, of a certain block of land therein described, containing 5,700 acres, lying on the south bank of the Wairau River, between the River Wye and the Branch River; reserving the right of "making a road sixty-six feet in width, in through or over the said piece of land."

2. Crown Grant to George Duppa, Esquire, of Nelson, bearing date the 10th day of July, 1856, of a certain block of land therein described, containing 1,416 acres, lying on the south bank of the Wairau River, between the Branch River and the Wash; reserving the right of "making a road sixty-six feet in width, in through or over the said piece or parcel of land."

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