

[AS REPORTED FROM THE LOCAL BILLS COMMITTEE.]

House of Representatives, 1st September, 1908.

Mr. Lewis.

LINCOLN ROAD BOARD EMPOWERING.

[LOCAL BILL.]

ANALYSIS.

Title.	to be held subject to the same charges (if any) as land fronting thereon is subject.
Preamble.	
1. Short Title.	4. Question as to line to be followed in laying off and constructing portion of such new road to be submitted to ratepayers.
2. If and when a new road over land described in <i>Second</i> Schedule has been dedicated and opened to public use the parcels of land described in <i>First</i> Schedule to vest in Board, and the Board may sell and transfer such last-mentioned lands.	5. Power to Board to lay off and construct new road in accordance with the Act and result of the poll.
3. Any land described in <i>First</i> Schedule conveyed or transferred to any frontager thereon	6. Board empowered to do all things necessary for the purpose of giving effect to the provisions of the Act.

A BILL INTITLED

AN ACT to enable the Lincoln Road Board to close a Road and to make and open a New Road. Title.

WHEREAS the parcels of land described in the *First* Schedule hereto were originally reserved and laid off for the purposes of a public road along the northern bank of the River Halswell, but such road is not required and the convenience of the public would be consulted if the said road was closed and a new public road obtained and made over the parcels of land described in the *Second* Schedule hereto: And whereas it is doubtful whether in the absence of direct parliamentary authority the Lincoln Road Board, being the local authority having jurisdiction over the said road so reserved and laid off, has authority to close the said road and dispose of the land forming the same: And whereas it is desirable that power should be given to the Lincoln Road Board to close the said first-mentioned road and to construct a new road in place and stead thereof, and to do all things necessary for acquiring the land necessary for such new road and transferring the land forming the existing and first-mentioned road to the persons owning land fronting thereon: 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. This Act may be cited as the Lincoln Road Board Empowering Act, 1908. Short Title.

If and when a new road over land described in Second Schedule has been dedicated and opened to public use the parcels of land described in First Schedule to vest in Board, and the Board may sell and transfer such last-mentioned lands.

2. If and when a new road one chain wide over any of the lands described in the *Second* Schedule hereto, or in the vicinity thereof, ~~shall have~~ *has* been dedicated to the use of the public for the purposes of a public road, and ~~such new road shall have~~ *has* been opened to the public for use as a public road, then and immediately thereon the parcels of land described in the *First* Schedule hereto shall cease to be a public road and shall vest in the Lincoln Road Board for an estate of fee-simple and inheritance in possession free from encumbrances, and the said Board may sell and transfer the same to the owner or owners of land fronting thereon to each several such owner so much of the said land as has heretofore formed the road along and in front of his holding :

New proviso.

Provided that every such sale shall be subject to a right of way on foot for the public over and along the land sold.

Any land described in First Schedule conveyed or transferred to any frontager thereon to be held subject to the same charges (if any) as land fronting thereon is subject.

3. If and when any of the land described in the *First* Schedule hereto is conveyed or transferred by the Lincoln Road Board to any frontager thereon by virtue of this Act, then and in each case such land shall be held by the person to whom it is so conveyed or transferred for an estate of fee-simple and inheritance in possession, but subject to the same mortgages, leases, trusts, or other encumbrances (if any) as the land fronting thereon is subject to.

Question as to line to be followed in laying off and constructing portion of such new road to be submitted to ratepayers.

4. The question whether the said new road shall be laid off and constructed on the north-eastern or south-western side of the line forming the boundary between Rural Section Number 2968 and the Rural Sections 1882 and 2076 shall be submitted to the ratepayers of Number 2 Section of the Lincoln Road District in manner provided in the Local Elections and Polls Act, 19048, ~~sections forty-one to forty-four,~~ the provisions of which said Act shall, *mutatis mutandis*, apply thereto.

Power to Board to lay off and construct new road in accordance with the Act and result of the poll.

5. The Lincoln Road Board may lay off and construct such new road as a public work in accordance with the provisions of this Act, and the result of the said poll so to be taken as aforesaid.

Board empowered to do all things necessary for the purpose of giving effect to the provisions of the Act.

6. The said Board may enter into, make, and execute any contract, agreement, conveyance, transfer, assignment, or other assurance, and do all other things it may deem necessary for giving effect to the provisions of this Act.

SCHEDULES.

FIRST SCHEDULE.

ALL that road, 1 chain wide, in the Block V, Halswell Survey District, containing 7 acres 3 roods, more or less, bounded on the south and south-west by the River Halswell ; on the north-east by a line in continuation of the north-east boundary of Rural Section 1435 ; on the north and north-east by Rural Section 1435 ; and on the north-west by the creek forming the west boundary of Rural Section 1435 : All that road, 1 chain wide, in the Halswell Survey District, Block V, containing 2 acres 1 rood, more or less, bounded on the north-west by Rural Section 1882 ; on the south-west by a line in continuation of the south-west boundary of the said section ; on the south-east by the River Halswell ; and on the east by the creek forming the east boundary of the said section : the said pieces of land being coloured green on plan.

SECOND SCHEDULE.

ALL that piece of land in the Block V, Halswell Survey District, containing 2 acres 3 roods, more or less, forming a rectangular block 2 chains in width, being parts of Rural Sections 2968, ~~4360~~ *4360x*, 2076, and 1882, the centre-line of which said piece of land is the line now forming the boundary between Rural Section 2968 and Rural Sections 1882 and 2076, extending from the north corner of Rural Section 2076 to the creek forming the south-east boundary of Rural Section 1882. All that piece of land in the Halswell Survey District, Block V, containing 5 acres 2 roods, more or less, being part of Rural Sections 1435 and 5061: commencing at the south corner of Rural Section 5061; thence north-westerly about 4 chains to a point in Rural Section 1435 1 chain from the south-west boundary of Rural Section 5061; thence north-westerly by a line parallel to and 1 chain distant from the said south-west boundary a distance of about 22 chains; thence north-westerly by a straight line to the north-west boundary of Rural Section 1435; thence north-easterly along that boundary 2 chains (measured at right angles to the last-described line); thence south-easterly to a point on the south-west boundary of Rural Section 5061 about 28 chains from the south corner of that section; thence south-easterly along that boundary about 24 chains; thence south-easterly through Rural Section 5061 to a point on the south-east boundary of that section about 1 chain north-east of the south corner thereof; and thence south-westerly along the south-east boundary of Rural Section 5061 to the commencing-point. The said pieces of land being coloured red on plan, a copy of which is deposited in the Head Office, Department of Lands and Survey, at Wellington, numbered 1172.

By Authority: JOHN MACKAY, Government Printer, Wellington.—1908.