

This PUBLIC BILL originatea in the HOUSE OF REPRESENTATIVES and having this day passed as now printed is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

*House of Representatives,
6th November, 1877.*

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

Major Atkinson.

Patea Harbour Board Amendment.

ANALYSIS.

<p>Title. Preamble. 1. Short Title. 2. Board reconstituted. 3. Election of members. Tenure of office, &c. 4. Error corrected. 5. Confirmation of Board's title to certain lands.</p>	<p>6. Governor may grant land in Second Schedule of "The Patea Harbour Board Act, 1876," to Board. Declaration of trust to be indorsed. 7. Grant may be registered, and District Land Registrar to enter caveat. 8. Additional endowments. Schedule.</p>
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A BILL INTITULED

AN ACT to supplement and amend "The Patea Harbour Board Act, 1876," Title.

WHEREAS among the blocks of land of the Crown enumerated in the First Schedule annexed to "The Patea Harbour Board Act, 1876" (hereinafter called "the said Act"), as to be set aside as an endowment for the purposes of the said Act, there is included section number five hundred and sixty-eight (568) of the Patea District, containing three hundred acres, and the said section is not the property of the Crown, and it was inserted in the aforesaid Schedule in error, and it is necessary to rectify the aforesaid error: And whereas it has been found that the areas of lots three hundred and twenty (320) and five hundred and sixty-five (565), and of block eleven (XI.), as set forth in the Second Schedule to the said Act, differ from the actual areas thereof, and it is expedient to declare that the said three pieces of land, as now delineated on the Surveyor-General's map, became vested in the Board, as by the thirty-sixth section of the said Act is provided: And whereas it is expedient that the several parcels of land hereinafter particularly described, being river and beach frontages on the Patea River and the sea at the mouth of the said river, should also be set aside as additional endowments for the purposes 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 shall be the Patea Harbour Board Amendment Act, 1877. Short Title.

Board reconstituted.

2. Section three of the said Act is hereby repealed, and in lieu thereof it is enacted as follows:—

There is hereby constituted for the Port a Board, to consist of the following seven persons,—

- (1.) One person to be from time to time appointed by the Governor, and whose name shall be notified in the *Gazette*: 5
- (2.) Two persons to be elected by the governing body, as the same is defined in the said Act:
- (3.) One person to be elected by the Council of the County of Patea: 10
- (4.) One person to be elected by the ratepayers of each of the ridings of the County of Patea:

Provided that the Board in office at the time of the coming into operation of this Act shall continue in office until their successors are appointed under this Act. 15

Election of members.
Tenure of office, &c.

3. Section four of the said Act is hereby repealed, and the following substituted in lieu thereof:—

The elective members shall hold office for one year from the date of the annual election, and on the second Monday in the month of February in each year there shall be an election of the elective members of the Board, and, subject to this Act, all persons who were previously members of the Board shall be eligible for re-election. 20

Where an elective member is required to be elected by the ratepayers entitled to elect members of a local governing body, then the election of such member shall be held and conducted in the same manner, and the proceedings shall be the like as to the number of votes to be given, as are now or shall from time to time hereafter be required and provided with respect to the election of members of such local governing body. 25

All elections of members of the Board who are required to be elected by the ratepayers as aforesaid shall be held in the manner provided by "The Regulation of Local Elections Act, 1876," which Act is hereby incorporated with this Act. 30

All other elections shall be held in such manner as the respective governing body electing shall determine. 35

Error corrected.

4. The figures and word occurring in the last line of the aforesaid First Schedule annexed to the said Act, that is to say,—

No. of Section.	District.	Area.
568	Patea	A. R. P. 300 0 0

shall be omitted from the said Schedule, and the said Act and Schedule shall be read as if the said figures and words had never been inserted in such Schedule, and the following words and figures shall be inserted in lieu of the word and figures hereby omitted, that is to say,— 40

No. of Section.	District.	Area.
353	Okotuku, Wellington	A. R. P. 140 2 28
401	" "	112 0 0
403	" "	48 0 0

And the said Act and Schedule shall be read as if the last-named words and figures had originally been inserted therein, instead of the first-named figures and words so erroneously inserted as aforesaid.

Confirmation of Board's title to certain lands.

5 and the lots three hundred and twenty (320) and five hundred and sixty-five (565) of the Patea District respectively, as delineated on the maps of the Surveyor-General at the time of this Act coming into operation, shall be and be deemed to have been vested in the Board from the constitution thereof, as by the thirty-sixth section of the said Act is provided.

6. For the purpose of enabling the Board to deal with the land described in the Second Schedule to the said Act, as by the said Act is provided, the Governor may grant to the Board such lands. Upon any grant issued in pursuance hereof, or of the thirty-seventh section of the said Act, there shall be indorsed a memorandum in the following words:—

Governor may grant land in Second Schedule of "The Patea Harbour Board Act, 1876," to Board.

20 "This grant is issued by the Governor under the authority of the thirty-sixth section [or thirty-seventh section, as the case may be] of 'The Patea Harbour Board Act, 1876,' and 'The Patea Harbour Board Amendment Act, 1877,' and the within-described land is held by the within-named Board for the purposes of the said 'Patea Harbour Board Act, 1876.'"

25 Such memorandum shall be signed by the Secretary for Crown Lands, and when so signed shall operate and take effect as and be a deed declaring the trusts under and subject to which the said land is held by the Board, but shall not be liable to stamp duty.

Declaration of trust to be indorsed.

30 7. Notwithstanding anything in "The Land Transfer Act, 1870," to the contrary, such grant so indorsed may be registered. The District Land Registrar, upon registering such grant, shall enter such caveats as he may deem necessary to prevent the alienation or other disposition of the land affected by such grant contrary to the provisions of the said Act. Any caveat so lodged shall be deemed a caveat lodged by the District Land Registrar within the meaning of section eighty-nine of "The Land Transfer Act, 1870."

Grant may be registered, and District Land Registrar to enter caveat.

35 8. The blocks sections of lands of the Crown described in the Schedule to this Act are hereby set aside as additional endowments for the purposes of the said Act, and shall be deemed to have been set aside from the date of the passing of the said Act as endowments for the purposes of the said Act, together with the other sections of lands of the Crown enumerated in the First Schedule annexed to the said Act, and may be sold, dealt with, and disposed of, and the proceeds and profits pledged or given security over, as by the thirty-fourth and thirty-fifth sections of the said Act or by this Act is mentioned and provided.

Additional endowments.

SCHEDULE.

Schedule.

No. of Section.	District.	Area.		
		A.	R.	P.
26	Whenuakura, Wellington	27	3	0
Part of 23	" "	124	0	0
Part of 23	Taranaki	1	2	7
132	" "	11	1	12
131	" "	35	0	0
133	" "	9	1	20
134	" "	10	0	0
135	" "	4	3	20
76	Carlisle Suburban "	24	2	0
75	" "	17	0	0
74	" "	21	2	0