

(Hon. Dr. Pollen.)

Piako Land Exchange (No. 1).

ANALYSIS.

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| <p>Title.
Preamble.
1. Short Title.
2. The Governor may accept release from Frederick Whitaker, of land in Piako District.
3. In consideration thereof Frederick Whitaker</p> | <p>may select other land between Piako and Waitoa Rivers.
4. On selection being surveyed a Crown grant to be made in fee simple.
5. Governor may grant land released to Native owners of Piako district.</p> |
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A BILL INTITULED

AN ACT to authorize the Governor to exchange with Frederick Whitaker certain Lands in the Piako District. Title.

WHEREAS on the first day of May, one thousand eight hundred and forty-four, six Crown grants were issued to the several persons therein named, in satisfaction of their claims to certain lands situate on the Piako River, part of a tract of land therein described estimated to contain eighty thousand acres, purchased by one William Webster, from the aboriginal natives prior to the foundation of New Zealand as a British colony, and since known as Land Claim 305 K: And whereas in or about the year one thousand eight hundred and fifty-one, Frederick Whitaker and Theophilus Heale purchased the land comprised in the said grants from the grantees or their assigns, and the said land was conveyed to them accordingly: And whereas by virtue of "The Land Claims Settlement Act, 1856," the said Crown grants were called in and cancelled in consequence of the defective description of the boundaries of the land therein comprised, and the Commissioner appointed under the said Act, in pursuance of the provisions thereof, by an order dated the twenty-sixth day of September, one thousand eight hundred and sixty-one, directed that out of the land so purchased by the said William Webster as aforesaid, the said Frederick Whitaker and Theophilus Heale should, in respect of the said six Crown grants, select within the Piako block, containing nineteen thousand eight hundred acres, six several parcels of land containing in the aggregate twelve thousand eight hundred and fifty-five acres, and that Crown grants should be issued to them for the same: And whereas by virtue of the forty-fourth section of "The Land Claims Settlement Act, 1856," the said Frederick Whitaker and Theophilus Heale are entitled to an additional quantity of one thousand nine hundred and twenty-eight acres one rood, as an allowance for surveys required to be made under the said Act: And whereas the said Frederick Whitaker is now solely entitled to the said land so ordered to be granted to the said Frederick Whitaker and Theophilus Heale as aforesaid: And whereas a large portion of the Piako district has lately been purchased, and is in treaty for purchase, on behalf of the Government, from the aboriginal natives, subject to certain reserves

and exceptions for the use of the Native owners, and upon the treaty for the said purchase it has been made a condition by the Native Chief Terapipipi te Kopara, and other Native landowners resident in the Piako district, that the land to which the said Frederick Whitaker is entitled as aforesaid should be given up to the Natives for a site for residence, 5 and for their own use and occupation: And whereas the Honorable Daniel Pollen, the Colonial Secretary, made application to the said Frederick Whitaker to exchange the said land so required by the Natives aforesaid for other land adjacent thereto in the Piako district, which the said Frederick Whitaker having consented to do, it was 10 arranged between the said Colonial Secretary, on behalf of the Government, and the said Frederick Whitaker, that the said Frederick Whitaker should give up all his right title and interest to the land so directed to be granted to the said Frederick Whitaker and Theophilus Heale as aforesaid, and should receive in exchange 15 therefor an equal quantity of land situate between the Piako and Waitoa Rivers: And whereas it is expedient that power should be given to carry out the said arrangement with the Natives, and the said arrangements so made with the said Frederick Whitaker:

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 Piako Land Exchange Act, 1875 (No. 1)."

2. It shall be lawful for the Governor to accept from the said Frederick Whitaker a transfer or release to Her Majesty the Queen of all his right title and interest in and to the land which he is entitled to select as aforesaid out of the land comprised in the said Land Claim 305 K, in the Piako district.

3. In consideration thereof it shall be lawful for the said Frederick Whitaker to select an equal number of acres out of land situate between the Piako and Waitoa Rivers, if the same be available, and if not, then out of other Crown lands which may be agreed on by the Governor and the said Frederick Whitaker.

4. On such selection being made, and the land therein comprised surveyed by and at the expense of the said Frederick Whitaker, a Crown grant thereof shall be made, which shall thereby vest in him, his heirs and assigns, a good and valid title in fee simple.

5. Of the land so to be transferred or released as aforesaid, it shall be lawful for the Governor to give up to the said Native Chief Terapipipi te Kopara, and other Native landowners of the Piako district, such portions as the Governor may think fit, and in the name of Her Majesty, the Governor may, if he think fit, convey the same accordingly by Crown grant, subject or not to any conditions.

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