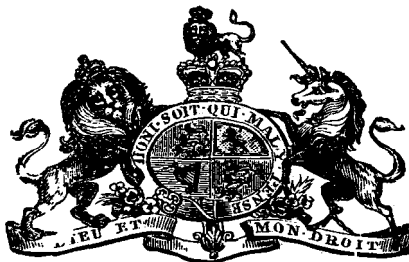


New Zealand,



ANALYSIS.

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| <p>Title.
Preamble.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Interpretation. 3. Cheviot Estate to be Crown lands, and dealt with under this Act. 4. Sites for towns and village settlements may be set apart, and reserves made for public purposes. 5. Residue of the estate to be rural land. Proportions, and mode of disposal of land. 6. Classification of rural land. Proviso. 7. Notification of land open for sale or lease. 8. Mode of determining capital value, and how upset price fixed. 9. (1.) Terms of payment for lands sold for cash. (2.) Power of sale in case of default in payment of balance of purchase-money. 10. Town lands to be sold for cash; if not sold, may be leased. 11. Rural lands offered for cash, and not sold, open for selection at upset price. 12. Rental of lands leased in perpetuity, and terms of leases. 13. (1.) Term of lease of grazing-farms. (2.) Upset rental and date when open for application. (3.) Land notified as open and not | <p>selected to remain open. (4.) If two or more applicants for same land, right to be decided by ballot. (5.) Rate of rental and terms of lease.</p> <ol style="list-style-type: none"> 14. Conditions of lease of grazing-farm. 15. (1.) Temporary licenses for grazing purposes may be issued in certain cases. (2.) Licenses to be surrendered in certain cases. 16. No "thirds" or "fourths" payable to any local authority. 17. Applicant to make required declaration. 18. Power to lay off and construct public roads, &c. 19. (1.) Power to sell the Mansion House and land adjacent. (2.) Upset price to be fixed by Minister. 20. Boundary-fences. 21. Moneys received under Act to be paid into a separate account. 22. Payments may be made out of this account without further appropriation. 23. (1.) Powers under Land Act may be exercised by the Minister, who may delegate same to Land Board. (2.) Saving of powers of Commissioner of Crown Lands. (3.) General provisions of Land Act to apply to this Act. <p style="text-align: center;">Schedule.</p> |
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1893, No. 23.

Title.

AN ACT to provide for the Administration and Disposition of certain Land in the County of Cheviot, in New Zealand, lately purchased by the Crown. [19th September, 1893.]

Preamble.

WHEREAS under the provisions of "The Land and Income Assessment Act, 1891," the trustees of the estate of the late Honourable William Robinson, of Christchurch, in New Zealand, deceased, as owners of the lands lying within the County of Cheviot, in New Zealand, known as the "Cheviot Hills Estate," on or about the twenty-first day of December, one thousand eight hundred and ninety-one, furnished a return to the Commissioner of Taxes wherein the value of the said lands, for the purposes of the said Act, was stated to be two hundred and sixty thousand two hundred and twenty pounds : And whereas in virtue of the powers vested in him under the said Act the said Commissioner assessed the value of the said lands at the sum of three hundred and four thousand eight hundred and twenty-six pounds : And whereas, on or about the tenth day of October, one thousand

eight hundred and ninety-two, the said trustees gave notice in writing to the said Commissioner to the effect that they were dissatisfied with the amount at which the said lands were assessed, and called upon him to reduce such assessment to the sum at which such lands had been valued in the return so made by the said trustees, or else to purchase such lands at such sum : And whereas the said Commissioner decided not to reduce the assessment so made by him, but to purchase the said lands subject to the approval of the Governor in Council, as required by the said Act : And whereas on or about the twenty-ninth day of December, one thousand eight hundred and ninety-two, the Governor of New Zealand, in pursuance and exercise of the powers and authorities enabling him under " The Land and Income Assessment Act, 1891," and " The Land and Income Assessment Act Amendment Act, 1892," and by and with the advice and consent of the Executive Council of the said colony, consented to and approved of the purchase or acquisition from the said trustees by the said Commissioner, on behalf of Her Majesty the Queen, of the said lands hereinbefore mentioned at or for the sum of two hundred and sixty thousand two hundred and twenty pounds, being the value of such lands as specified in the return furnished by the said trustees as aforesaid : And whereas notice of the approval and consent of the Governor in Council as aforesaid was duly given to the said trustees, and by deed bearing date on or about the nineteenth day of April, one thousand eight hundred and ninety-three, made between Joseph Palmer, Francis Henry Dillon Bell, Elizabeth Eliza Robinson, Emily Campbell, Charles Ralph Campbell, and Eleanor Lance, all therein respectively described of the one part and being the trustees of the estate of the said William Robinson, and Her Majesty the Queen of the other part, the said trustees, in accordance with the provisions of the hereinbefore-mentioned Acts, conveyed and assured to Her said Majesty the lands therein described, comprising the Cheviot Hills Estate, for the sum of two hundred and sixty thousand two hundred and twenty pounds : And whereas the said lands so conveyed, together with certain other lands, are particularly described in the Schedule to this Act, and it is expedient that the effectual administration and disposition of all the said lands should be provided for by law in the manner hereinafter set forth :

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 Cheviot Estate Dis- Short Title.
position Act, 1893."

2. In this Act, unless inconsistent with the context,- Interpretation.

" Cheviot Estate " means the land acquired by Her Majesty the Queen as hereinbefore mentioned, and includes all the land described in the Schedule to this Act:

" Minister " means the Minister of Lands for the time being appointed under " The Land Act, 1892 " :

" The Land Act " means " The Land Act, 1892," and includes any Act passed in amendment thereof.

3. The Cheviot Estate so acquired by and conveyed to Her Majesty the Queen as hereinbefore mentioned is hereby declared to be

Cheviot Estate to be
Crown land, and

dealt with under this Act.

Crown lands within the meaning of the Land Act, vested in Her said Majesty and her successors, freed and discharged from all limitations, powers, and provisions contained in the last will and testament of the late Honourable William Robinson, and from all estates, interests, claims, and demand of what nature soever heretofore subsisting under or by virtue of such last will and testament or which could in any manner arise thereunder or in any other manner whatsoever ; and all such lands shall be administered, sold, leased, or otherwise disposed of on behalf of Her said Majesty under and subject to the provisions of this Act.

Sites for towns and village settlements may be set apart, and reserves made for public purposes.

4. Out of the Cheviot Estate such part or parts thereof as shall be thought suitable shall be set apart from time to time for town, and also one or more village settlements, which shall respectively be so set apart in accordance with the provisions of the Land Act; reserves for public purposes may also be made in any part of the Cheviot Estate from time to time in the manner provided by the Land Act.

Residue of the estate to be rural land.

5. Subject as aforesaid the residue of the Cheviot Estate shall be deemed to be rural land, and shall be sold or leased under this Act in the following proportions :-

One-third part thereof shall be sold for cash by public auction ;
One-third part thereof shall be disposed of upon lease in perpetuity ; and

One-third part thereof shall be disposed of upon lease for grazing-farms.

Proportions, and mode of disposal of land.

The proportions of land before mentioned may be varied or altered by the Minister from time to time if he is satisfied that the public needs so require, and any such variation or alteration may be in diminution or increase of such proportions.

Classification of rural land.

6. The Minister shall cause such rural land to be classed into first- and second-class agricultural land, and first- and second-class grazing-land, but so that no area of agricultural land shall exceed six hundred and forty acres in any one section, and no area of grazing-land shall exceed five thousand acres in any one block :

Proviso.

Provided that if at any time any sections of agricultural land of a less area than six hundred and forty acres, or any blocks of grazing-land of a less area than five thousand acres, are first offered for sale or lease and not sold or leased, such sections or blocks (according to the respective classes of land) may be grouped together and sold or leased as one section or block, as the case may be, but not exceeding in either case the area hereinbefore provided.

Notification of land open for sale or lease.

7. Notice shall from time to time be given in the *Gazette*, by or under the direction of the Minister, of all land open for sale, lease, or other disposition under this Act, and of any variation in or addition thereto, and in and by any such notice the time, mode, and terms of sale, lease, or other disposition shall be set forth ; and every such sale, lease, or other disposition shall, subject to this Act, be made in accordance with and subject to the provisions of the Land Act.

All such lands shall be applied for, sold, or leased at the principal land office in the Canterbury Land District, or at any local land office in the said district established under the Land Act.

(5.) The amount of the valuation for such improvements, in case of the land being relet, when paid by the new lessee, shall be paid by the Receiver of Land Revenue to the original lessee or other person entitled, and, in case of forfeiture, less any rent which may be due to the Crown at the date of such forfeiture and the costs of recovering possession of the land and also the charges and expenses of reletting such land, and making, issuing, and completing any fresh lease.

(6.) In any case where it is determined that any lands included in any lease shall not again be offered for further lease, then the amount of the valuation so ascertained as aforesaid shall be paid to the outgoing lessee or occupier, less any arrears of money due to the Crown by him in respect of such lands, and such amount shall be paid out of the Cheviot Estate Fund hereinafter mentioned.

15. (1.) The Minister may from time to time grant temporary licenses for grazing purposes over any lands not open for application or not taken up under this Act, such licenses to be for a period not exceeding three years, at such rental, and subject to such terms and conditions, as he shall think equitable. Temporary licenses for grazing purposes may be issued in certain cases.

(2.) Every such license shall be surrendered on demand, to be cancelled in respect of so much of the land comprised therein as shall be opened for sale or lease under this Act, without any right of compensation to the licensee on any account whatsoever, who may, however, remove any fencing or other improvements he may have erected, on the land. Licenses to be surrendered in certain cases.

16. Notwithstanding anything contained in any provision of the Land Act, no "thirds" or "fourths" for road-making purposes shall be payable to any local authority in respect of any land sold or leased under this Act. No "thirds" or "fourths" payable to any local authority.

17. Every applicant for the purchase or lease of land under this Act shall make a statutory declaration in such one of the forms in the Schedule to the Land Act, with such modification as may be necessary for the purposes of this Act, as the Minister shall require, and such form shall be indicated in the notification opening such land for sale or lease. Applicant to make required declaration.

Any declaration made under this Act shall for all purposes be deemed to have been made under the Land Act.

18. (1.) The Minister may from time to time lay off, construct, and maintain all such public roads, streets, bridges, culverts, drains, fences, and other works as may be necessary to afford access to the Cheviot Estate or any part thereof. Power to lay off and construct public roads, &c.

(2.) The cost of surveying and subdividing the land, and of laying out, constructing, or maintaining such public roads, streets, bridges, culverts, drains, fences, and other works shall be borne and paid out of the "Cheviot Estate Account," hereinafter provided for, or out of any funds provided by the General Assembly for such purposes :

(3.) After the constitution of any local authority in whose district any such works are situated, all liability in respect of the construction or maintenance of such public roads, streets, bridges, culverts, drains, fences, and other works as aforesaid shall be borne

New Zealand.

ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Slip, boats, and appliances at Port Robinson vested in Cheviot County.</p> <p>3. Collection of revenue and maintenance of slip.</p> <p>4. Council may have powers of a Harbour Board.</p> <p>5. Power to construct wharves and levy special rate.</p> | <p>6. Annual statement to be sent to Minister of Lands. Statement to be laid on the table of the House of Representatives.</p> <p>7. Power to resume possession if conditions not complied with.</p> <p>8. Revenue collected since 1st April, 1896, payable to Council.</p> <p>9. Certain moneys to be paid to Council.</p> <p>10. Roads and other works to be constructed thereout.</p> |
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1897, No. 22.

AN ACT to amend "The Cheviot Estate Disposition Act, 1893." Title.
[22nd December, 1897.]

BE IT 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 Cheviot Estate Disposition Act Amendment Act, 1897." Short Title.

2. Notwithstanding anything to the contrary contained in "The Cheviot Estate Disposition Act, 1893," the Governor, by Order in Council gazetted, may vest in the Corporation of the Chairman, Councillors, and Inhabitants of the Cheviot County, as from the first day of April, one thousand eight hundred and ninety-six, the following property, that is to say, the slip, boats, sheds, engine, machinery, protective works, and all other appliances or things used in connection with the landing-service now in existence at Port Robinson, together with such area of land in the vicinity required for such landing-service, either above or below high-water mark, as may be considered desirable. Slip, boats, and appliances at Port Robinson vested in Cheviot County.

3. The property so vested in the said Corporation shall be held by the Cheviot County Council (hereinafter called "the Council") subject to such conditions as to the collection of revenue derivable therefrom, and the application of the same by the Council to the management and maintenance thereof and of all other works hereafter erected or constructed in connection therewith, and also to the maintenance of the road commonly known as the "Bluff Road", as the Governor from time to time by Order in Council prescribes. Collection of revenue and maintenance of slip.

Council may have powers of a Harbour Board.

4. The Governor may, by Order in Council gazetted, declare that the Council may exercise all the powers of a Harbour Board within the limits of Port Robinson, as such limits are defined by the same or any subsequent Order in Council.

Power to construct wharves and levy special rate.

5. From and after the date of the gazetting of such Order in Council the Council shall be deemed to be a Harbour Board as if it had been so constituted by special Act, and the provisions of sections two hundred and forty-three and two hundred and forty-four of "The Counties Act, 1886," shall apply to the Council accordingly as if it had been duly appointed a Harbour Board under the provisions of that Act.

Annual statement to be sent to Minister of Lands.

6. The Council shall forward to the Minister of Lands, not later than the thirtieth day of April in each year, a full and correct statement of the quantity of goods received and shipped from Port Robinson during the twelve months ending on the thirty-first day of March previously, and of the revenue derived therefrom and of the expenditure connected therewith.

Statement to be laid on the table of the House of Representatives.

Such statement shall be laid upon the table of the House of Representatives within ten days after the opening of the next-succeeding session of Parliament.

Power to resume possession if conditions not complied with.

7. If at any time the Governor in Council is of opinion -

- (1.) That any portion of the revenue derived from the property and other works vested in the said Corporation or held by the Council as aforesaid is not being applied by the Council to the proper maintenance of the same ; or
- (2.) That the Council does not impose fees and dues to such an extent as in his opinion is necessary in order to allow of such proper maintenance ; or
- (3.) That the Council does not comply with the conditions of this Act or of any Order in Council made under this

Act,-

then, and in any such case, he may, by Order in Council gazetted, resume, either absolutely or for a time, the possession of the property vested in the said Corporation as aforesaid, and during such resumption the rights of the Council therein and to any revenue derivable therefrom shall absolutely cease and determine, and the Governor may during such resumption exercise all the powers in respect thereof theretofore exercisable by the Council.

Revenue collected since 1st April, 1896, payable to Council.

8. The net surplus of the revenue collected by the Government at Port Robinson in respect of the said slip and landing-service, between the first day of April, one thousand eight hundred and ninety-six, and the gazetting of the Order in Council under section two hereof shall, after deducting all expenses incurred by the Government in and about the collection of such revenue and the construction and maintenance of all works connected with such slip and landing-service, be paid to the Council without further appropriation than this Act.

Certain moneys to be paid to Council.

9. Notwithstanding anything to the contrary contained in " The Cheviot Estate Disposition Act, 1893," the Minister of Lands may from time to time agree to pay and may without further appropriation than this Act pay over to the Council such sum or sums from the

moneys received under that Act not exceeding three thousand five hundred pounds as may be necessary.

10. All sums so paid shall be applied by the Council in laying off, Roads and other works to be constructing, or maintaining roads, streets, bridges, culverts, drains, fences, and other works of a like nature within the county, upon such terms and conditions as may be agreed upon between the Minister and the Council; and any agreement for such payment and any payment so made prior to the coming into operation of this Act shall be deemed to have been made under this Act.

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