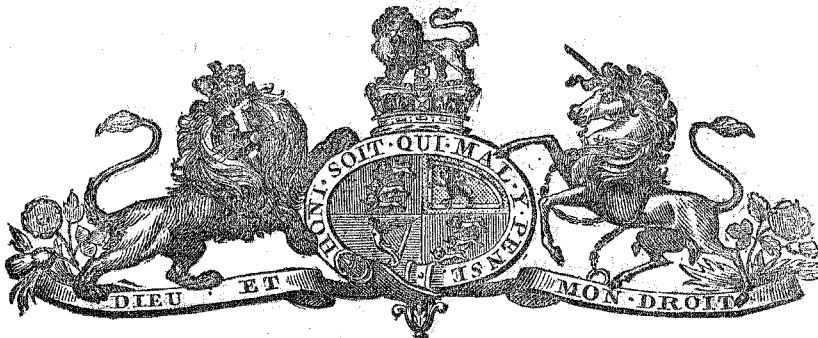


NEW ZEALAND.



QUADRAGESIMO

VICTORIÆ REGINÆ.

No. X.

ANALYSIS.

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| <p>Title.</p> <p>Preamble.</p> <p>1. Short Title.</p> <p>2. Superintendent may convey lands in First Schedule to Canterbury College.</p> <p>3. Governor may issue Crown grants for lands in Second Schedule.</p> <p>4. Reserves not to be affected by pre-emptive right.</p> <p>5. Said lands open for sale, subject to Canterbury Waste Lands Regulations.</p> <p>6. Applications for purchase to be entertained in order of priority. Proviso.</p> | <p>7. Board to give notice of former dealings in said lands.</p> <p>8. Purchase money to be received by Board and paid over to College.</p> <p>9. College shall invest moneys received.</p> <p>10. Conditions of leases to present lessees to be same as provided by Waste Lands Regulations.</p> <p>11. "Canterbury College Ordinance, 1873," incorporated.</p> <p>12. Sales to be subject to reserves for roads.</p> <p>13. Notice of sale to be given.</p> <p>14. When Act to come into operation. Schedules.</p> |
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AN ACT to provide for the Sale and Leasing of certain Educational Reserves in the Province of Canterbury. Title.

[2nd September, 1876.]

WHEREAS by five several Crown grants, each bearing date the thirteenth day of April, one thousand eight hundred and seventy-five, all those parcels of land described in the First Schedule hereto, with all the rights and appurtenances thereto belonging, were granted to the Superintendent of the Province of Canterbury and his successors in trust as an endowment for schools of technical science and agriculture, and for the promotion of superior education : And whereas it was resolved by the Provincial Council of Canterbury that the said lands should be leased to the present holders of depasturing licenses over the same upon the same terms and conditions as the same were held under the provisions of the Waste Lands Regulations of the Province of Canterbury : And whereas by an Ordinance of the Superintendent and Provincial Council of Canterbury, intituled "The Educational Reserves Leases Ordinance, No. 2, 1875," provision is Preamble.

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made for leasing the said lands to the present holders of depasturing licenses over the same land : And whereas the several parcels of land described in the Second Schedule hereto were, upon the recommendation of the Provincial Council of the Province of Canterbury, by Proclamation of the Superintendent of the said province, duly reserved as an endowment for a school of technical science and other educational purposes, and as an endowment for the promotion of superior education : And whereas it is expedient that further provision should be made by which the said lands shall be open for sale upon the same terms and conditions as those upon which the waste lands of the Province of Canterbury are now open for sale pursuant to the Waste Lands Regulations for the time being in force in the said province, and for the management and leasing of the said lands :

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, as follows :—

Short Title.

1. The Short Title of this Act shall be “The Canterbury Educational Reserves Sale and Leasing Act, 1876.”

Superintendent may convey lands in First Schedule to Canterbury College.

2. It shall be lawful for the Superintendent of the Province of Canterbury to convey and assure the said lands mentioned and described in the First Schedule to this Act unto the Canterbury College, the body incorporated under and by virtue of an Ordinance of the Superintendent and Provincial Council of the Province of Canterbury, intituled “The Canterbury College Ordinance, 1873,” to be held by the said College upon trust for the several purposes respectively declared of and concerning the same in the said Crown grants of the said lands.

Governor may issue Crown grants for lands in Second Schedule.

3. It shall be lawful for His Excellency the Governor to sign and issue or cause to be issued Crown grants, granting the several parcels of land mentioned and described in the Second Schedule to this Act unto the said Canterbury College, their successors and assigns, to hold the same upon trust for the several purposes respectively for which the same have been respectively reserved by the Superintendent and Provincial Council of the Province of Canterbury.

Reserves not to be affected by pre-emptive right.

4. No Crown grant of any of the lands described in the First and Second Schedules hereto, which may have been made or which may hereafter be made, shall be liable to be impeached set aside or corrected by reason of there being in force, at the time the lands included therein were reserved, any pre-emptive right over any part of the lands described in such Crown grants.

Said lands open for sale, subject to Canterbury Waste Lands Regulations.

5. The said lands shall at all times be open for sale and disposal in parcels at the same price and upon the same terms and conditions in all respects as those upon which the waste lands of the Crown in the Province of Canterbury are now or may hereafter be open for sale pursuant to any laws in force for the time being regulating the sale of the said waste lands ; and every application to purchase such lands, or any part or parts thereof, shall be made to the Commissioners of the Waste Lands Board of the Province of Canterbury in the same manner and form as applications to purchase waste lands of the Crown in the said province are now or hereafter may be made, and, upon payment of the purchase money for the land comprised in every such application, the Board may declare the applicant to be the purchaser thereof, and may sign and issue to such purchaser a receipt for such purchase money, and an authority to take possession of and hold the land comprised in such application.

Applications for purchase to be entertained in order of priority.
Proviso.

6. Every such application shall be entertained and determined in the manner provided by law in respect to waste lands of the Crown in the said province : Provided always that as to any portions of the said lands over which pre-emptive rights were in force at the time of the reserving thereof, the person or corporation entitled to a lease

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thereof or to whom such land may have been leased pursuant to the power herein contained shall have the prior option of purchasing such portion or portions in accordance with the law for the time being regulating such pre-emptive rights.

7. The Board shall forthwith, in case any part or parts of the said lands vested in the Superintendent aforesaid has or have been sold before the conveyance thereof to the said College pursuant to the power hereinbefore contained, give notice to the Superintendent of every such sale, and it shall be his duty to convey and assure the said lands so sold to the purchaser or purchasers thereof; and in case the said lands have been vested in the said College, the Board shall forthwith give notice to the said College of every such sale, and it shall be the duty of the said College to convey the lands which shall have been sold by the said Board to the purchaser or purchasers thereof.

Board to give notice of former dealings in said lands.

8. The purchase moneys realized by every such sale shall be received by the Board, and shall be forthwith paid over by the Board to the said College, to be held and applied by the said College upon and for the same purposes respectively as are declared in the Crown grants of the lands of which the portions respectively sold form part.

Purchase money to be received by Board and paid over to College.

9. The said College shall invest the moneys arising from the sale of the said lands or any part thereof, in the name of the College, in the purchase of freehold lands in New Zealand, or upon mortgage of freehold lands in New Zealand, or in Government stocks funds bonds bills or debentures of the Colony of New Zealand, or in any stocks funds or debentures of any Municipal or other Corporation authorized by special legislation to borrow upon the security of rates, with power, in the discretion of the College, to vary the investment from time to time for any other of the kinds specified.

College shall invest moneys received.

Provided always that the College may from time to time, with the consent of the Governor in Council, invest any part of the said moneys, not exceeding the sum of ten thousand pounds, in the purchase of sites and the erection of buildings for the purposes of the said College.

10. It shall be lawful for and obligatory upon the said College to lease to every person or corporation, who was under the said Waste Lands Regulations at the time of making the reserve the holder of a depasturing license or licenses for any portion or portions of the said lands, the portion or portions comprised in such license or licenses, to hold the same at the same rent payable to the College and upon the same terms and conditions in all respects as the same lands were held under the provisions of the said Waste Lands Regulations immediately antecedent to the reserving thereof, and also hereafter further to lease the same to such persons, and at such rent and upon such terms and conditions as may by law be fixed as the terms upon which depasturing licenses over waste lands of the Crown in the Province of Canterbury shall be held for the time being.

Conditions of leases to present lessees to be same as provided by Waste Lands Regulations.

11. The provisions of "The Canterbury College Ordinance, 1873," with respect to the management and leasing of lands which may be vested in the said College, shall, so far as the same are not inconsistent with the provisions of the Act, be incorporated herewith and be applicable to the said lands.

"Canterbury College Ordinance, 1873," incorporated.

12. Every sale under the authority of this Act shall be made subject to roads if required on survey, and the Superintendent or the said College shall not be bound to convey any lands sold under the authority of this Act until a survey thereof has been made and it has been ascertained what roads are required.

Sales to be subject to reserves for roads.

13. The Superintendent of the said province shall, not less than fourteen days before the said second day of October, give public notice, by advertisement in the Provincial Government *Gazette* and not less

Notice of sale to be given.

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than three newspapers circulating in the said province, that the said reserves will, on and after the said second day of October, be open for sale on the same terms and on the same conditions as the waste land of the Crown in the said province.

When Act to come
into operation.

14. This Act shall come into operation on and after the second day of October, one thousand eight hundred and seventy-six.

SCHEDULES.

First Schedule.

FIRST SCHEDULE.

ALL that parcel of land in the Province of Canterbury, in the Colony of New Zealand, containing by admeasurement sixty-four thousand six hundred and forty acres, more or less, situate in the Upper Waimakariri District, commencing at the confluence of Broken River with the Waimakariri River; thence North-easterly and North-westerly, following the latter river to its junction with the River Cass; thence following up that river a distance, measured in a straight line, of about three miles fifty-two chains; thence following a line bearing South 34° East (magnetic) a distance of about four miles seventy-six chains to Craigieburn; thence following the Craigieburn south-westerly a distance of one mile two chains; thence following a line bearing South $37^{\circ} 45'$ West (magnetic) a distance of about one and a quarter miles to the stream running through Run No. 248; thence North-westerly, following that stream a distance of about twenty chains; thence South $37^{\circ} 45'$ West (magnetic) a distance of about one mile thirty-six chains to Broken River above mentioned; and from thence returning along that river to the commencing point: and numbered 1577 (in red) on the map of the Chief Surveyor of the Province of Canterbury setting out and describing the rural land in the Upper Waimakariri District aforesaid: save and except land purchased and reserved to the 18th day of June, 1873, and also subject to existing roads, and to any other roads which may hereafter be required.

Also all that parcel of land in the said province, containing by admeasurement thirty-four thousand nine hundred and fifty acres, more or less, situate in the Timaru District, in the forks of the Rangitata; commencing at the junction of the Forest Creek with the Rangitata River; thence South-westerly following the said creek a distance measured in a straight line of about six miles sixty-four chains to a small stream; thence North-westerly following the said stream and its southern tributary a distance measured in a straight line of about one mile fifty-six chains; thence following a curved line (as marked on the map of the Chief Surveyor setting out and describing runs south of the Rangitata) a distance measured in a straight line of one mile forty-four chains; thence following a line bearing North $9^{\circ} 15'$ East (magnetic) to the southernmost corner of Runs Nos. 348 and 376; thence North-westerly following the south-western boundary of that run to the stream forming the north-western boundary thereof; thence following down that stream to the River Havelock; and from thence returning along that river and the Rangitata before mentioned to the commencing point: and numbered 1575 (in red) on the map of the Chief Surveyor of the Province of Canterbury setting out and describing the rural land in the Timaru District aforesaid: save and except land purchased and reserved to the 18th day of June, 1873, and also subject to existing roads, and to any other roads which may hereafter be required.

Also all that parcel of land in the said province, containing by admeasurement sixty-one thousand acres, more or less, situate in the Waitangi District; commencing at the junction of the Hakateramea River with the Waitangi River; thence Northerly following the former river a distance measured in a straight line of about sixteen and a-half miles: thence following a line bearing South 88° West (magnetic) a distance of about six miles four chains to the eastern boundary of Run No. 441; thence Southerly and South-westerly along Run No. 441 to the south-eastern boundary of Run No. 360; thence South-westerly along the latter run to the north-eastern corner of Run No. 334; thence Southerly following the eastern boundary thereof to the River Waitangi above mentioned; and from thence returning along the same to the commencing point: and numbered 1574 (in red) on the map of the Chief Surveyor of the Province of Canterbury setting out and describing the rural land in the Waitangi District aforesaid: save and except land purchased and reserved to the 18th day of June, 1873, and also subject to existing roads, and to any other roads which may hereafter be required.

Also all that parcel of land in the said province, containing by admeasurement fifty-three thousand acres more or less, situate in the Ashburton District; commencing at the confluence of the Rangitata with Pott's River, following up the latter river a distance of about two and a-half miles, thence following the south-western boundary of Runs Nos. 181 and 189 to the southern branch of the River Ashburton, following the said branch in a south-easterly direction to where it unites with a small stream forming part of the northern boundary of Run No. 553, following up the said stream a distance of about a mile and twelve chains; thence following a straight line bearing South $23^{\circ} \frac{1}{2}'$ West (magnetic) to a tributary of the first-mentioned river, following the said tributary to the Rangitata; and from thence returning along the same to the starting point: and numbered 1357

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(in red) on the map of the Chief Surveyor of the Province of Canterbury setting out and describing the rural land in the Ashburton District aforesaid: save and except land purchased to the 20th day of June, 1872, also subject to existing roads, and to any other roads which may hereafter be required.

Also, all that parcel of land in the said province, containing by admeasurement five thousand acres, more or less, situate in the Timaru District in the forks of the Rangitata; bounded on the South-east by Forest Creek; on the North-east by Runs Nos. 338 and 342; on the North-west by a line in continuation of the north-west boundary of Run No. 338; and on the South-west by a line at right angles to the north-west boundary, drawn from a point thereon three miles seventy-six chains south-west of the westernmost corner of Run No. 338 before mentioned: and numbered 1576 (in red) on the map of the Chief Surveyor of the Province of Canterbury setting out and describing the rural land in the Timaru District aforesaid: save and except land purchased to the 18th day of June, 1873, also subject to existing roads, and to any other roads which may hereafter be required.

SECOND SCHEDULE.

Second Schedule.

ALL that parcel of land in the Province of Canterbury in the Colony of New Zealand, containing by admeasurement twenty thousand acres, more or less, situate in the Waitangi District; commencing on the eastern bank of the Waitangi River, at a point situate about sixty-two chains south-east of the southernmost corner of Run No. 186; thence following a line bearing South 71° 30' East (magnetic) a distance of three miles fifty-four chains to a stream; thence South-easterly following the said stream a distance measured in a straight line of about three miles fourteen chains to the forks; thence Southerly following up the southern tributary of the said stream a distance measured in a direct line of three and three-quarters miles; thence North 86° West (magnetic) a distance of six miles thirty chains to the river above mentioned; and from thence returning along the same to the commencing point: and numbered 1358 (in red) on the map of the Chief Surveyor of the Province of Canterbury setting out and describing the rural land in the Waitangi District aforesaid:—for the purpose of an endowment for a School of Technical Science, and other educational purposes contemplated by "The Canterbury Museum and Library Ordinance, 1872."

Also all that parcel of land in the said province, containing by admeasurement thirty thousand acres, more or less, situate in the Waitangi District, situate East of the River Tekapo; commencing at the north-western corner of Run No. 225 on the eastern bank of the above-mentioned river; thence following along the northern boundary of that run and the northern tributary of the stream which forms part of the northern boundary thereof, a distance altogether of about seven miles twenty-six chains measured in a direct line; thence following a straight line a distance of five miles seventy-six chains to the south-west corner of Run No. 296; following the western boundary of that run to the stream, being the south boundary of Run No. 290; following the said stream to the aforesaid river; and from thence returning along the same to the commencing point: and numbered 1359 (in red) on the map of the Chief Surveyor of the Province of Canterbury setting out and describing the rural land in the Waitangi District aforesaid:—for the purpose of an endowment for a School of Technical Science, and other educational purposes contemplated by "The Canterbury Museum and Library Ordinance, 1872."

Also all that parcel of land in the said province, containing by admeasurement thirty-seven thousand acres, more or less, situate at Lake Coleridge; commencing at the junction of the Harper branch of the River Rakaia with a small stream flowing from the said lake, and forming part of the north-eastern boundary of Run 155, Class 3, following south-easterly along that stream and the north-eastern shore of the above-mentioned lake to the stream issuing therefrom and running into the Acheron; thence following down the said stream to its junction with the Acheron; thence North-easterly following up that river to Run No. 258; thence in a northerly direction following part of the south-western and north-western boundaries of Run No. 258 to the southernmost corner of Run No. 287; thence Northerly following the south-western boundary of the latter run to Coleridge Pass; thence following a curved line (as marked on the map of the Chief Surveyor setting out and describing the runs in the Upper Ashley, Upper Waimakariri, and Upper Rakaia Districts) a distance measured in a straight line of about two miles thirty-two chains; thence Northerly following a straight line to a point on the south-eastern side of the River Harper, situate about one hundred and twenty-five chains north-east of the junction of that river with the Avoca; and from thence returning along the River Harper to the commencing point: and numbered 1578 (in red) on the map of the Chief Surveyor of the Province of Canterbury setting out and describing the rural land at Lake Coleridge aforesaid:—for the purpose of an endowment for the promotion of superior education.