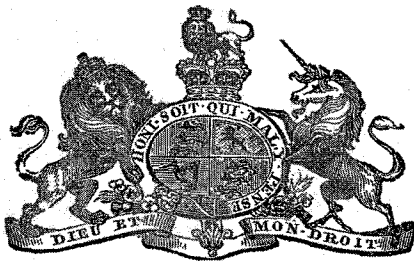


New Zealand.



ANALYSIS.

- | | |
|---|--|
| <p>Title.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Wanganui River Trust constituted. 3. Upper Wanganui River District constituted. 4. Trust to be a River Board with certain powers. 5. Trust to improve navigation of upper river, and may construct jetties and landing-places and establish ferries. 6. Lands in Waimarino Block to be set apart as an endowment for Trust. | <ol style="list-style-type: none"> 7. Occupiers to be liable for rates. 8. Lands within district may be placed under control of Trust. 9. Lands of natural scenery may be declared public domain subject to Trust. 10. Lands outside of district may be brought under jurisdiction of Trust. 11. Act not to apply to Native or private lands. 12. Governor may make regulations for administration of Act. |
|---|--|

1891, No. 19.—*Local.*

AN ACT for the Conservation of the Natural Scenery of the Upper Waters of the Wanganui River, and for the Protection of the Navigation of the said Waters. Title.
[24th September, 1891.]

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 Wanganui River Trust Act, 1891.” It shall come into operation on the first day of January, one thousand eight hundred and ninety-two. Short Title.

2. A Trust, to be called “The Wanganui River Trust,” is hereby constituted consisting of the persons following, for the time being:— Wanganui River Trust constituted.

The Mayor of the Borough of Wanganui;

The Chairman for the time being of the Wanganui Chamber of Commerce;

The Chairmen of the Wanganui and Waitotara Counties respectively;

The members of the House of Representatives respectively representing the electoral district within which the Borough of Wanganui is situate, and the present Electoral District of Waitotara, or the portions thereof within the Upper Wanganui River District hereinafter constituted; and

One person to be from time to time appointed by the Governor, who shall hold office for two years from the date of his appointment, and may be reappointed, but shall be subject to removal at any time by the Governor, who may appoint another in his place, or on his resignation, death, or incapacity to act.

Every official member of the Trust shall continue as member thereof, notwithstanding his vacating his office, until his successor thereto comes into office.

3. A river district under "The River Boards Act, 1884," is hereby constituted by the name of the "Upper Wanganui River District," and shall be deemed to have been so constituted under section six of the last-mentioned Act, and shall form the district over which the Trust shall have jurisdiction under such Act.

The boundaries of the said district shall comprise—

All that area included within a line commencing at the point where the southern boundary of the Raorikia Native Reserve strikes the right bank of the Wanganui River, and running thence across the said river in a direction S. 46° E. to a point one mile from the left bank of the said river, and continued from the aforesaid point parallel to and distant one mile from the said river to a point four miles from the source of the said river, thence by a line due north to a point one mile from the right bank, and thence continued parallel to and one mile distant from the right bank of the said river to a line bearing N. 46° W. from Raorikia, and thence by the said line to the commencing-point.

4. The Trust shall be deemed to be a River Board under "The River Boards Act, 1884," and may exercise all or any of the powers conferred upon River Boards by that Act, excepting the powers conferred by sections eighty-eight to one hundred and twenty, relating to the levying of rates and the borrowing of moneys respectively, which shall not be exercisable by the Trust.

5. In addition to the aforesaid authorities, the Trust shall have full power and authority—

- (1.) To do all things necessary for opening up or improving the navigation of that part of the Wanganui River which is within their jurisdiction, and for the removal of all obstructions impeding or preventing such navigation; and,
- (2.) With the sanction of the Governor in Council, to erect jetties and make landing-places in the banks thereof, and to maintain ferries; and
- (3.) To make, alter, or revoke from time to time regulations by special orders under "The River Boards Act, 1884," for regulating the use of such jetties, landing-places, or ferries respectively, and for imposing fees or tolls in respect of such use for shipping or landing any passengers, goods, merchandise, or animals.
- (4.) Nothing in this section shall charge with any fees or tolls—
 - (a.) Any person in the service of Her Majesty or the Government of the colony, travelling on public service, or his luggage;
 - (b.) Goods of or for the service of Her Majesty in the colony, including goods consigned to and the property of the Colonial Government;
 - (c.) Any of Her Majesty's military forces, or of the Militia or Volunteer forces, or any constables while travelling on duty, or their luggage.

Upper Wanganui
River District
constituted.

Trust to be a River
Board with certain
powers.

Trust to improve
navigation of upper
river, and may con-
struct jetties and
landing-places and
establish ferries.

If any person claims and takes, or endeavours to take, the benefit of any exemption under this subsection without being entitled thereto, he shall be liable for every such offence to a penalty not exceeding ten pounds.

6. The Governor may, by Order in Council, set apart not exceeding ten thousand acres of land within that part of the Waimarino Block which is situated within the Wellington Land District as an endowment for the Trust, subject to such lands being administered by the Land Board of the land district in which they are situated under any provisions of "The Land Act, 1885," except that none of the said lands shall be disposed of absolutely in freehold.

Lands in Waimarino Block set apart as an endowment for Trust.

After deducting all costs of administration of the said lands, and also the aliquot parts of the price or rental payable to local authorities for road-making under the last-mentioned Act, the Receiver of Land Revenue of the aforesaid district shall pay from time to time the proceeds of such land to the Trust, who shall apply the said proceeds to the purposes of this Act.

7. Notwithstanding the setting apart of such lands as aforesaid, they shall be deemed to be lands vested in Her Majesty within the meaning of "The Rating Act, 1882," but the lessee or licensee of any of the said lands shall be liable for all rates, taxes, or assessments of every nature or kind whatsoever imposed upon the occupier of the lands included in his lease or license during the term for which he is lessee or licensee.

Occupiers to be liable for rates.

8. The Governor from time to time, by Order in Council, may declare any Crown lands within the district under the jurisdiction of the Trust to be vested in such Trust for an estate in fee-simple, subject that they shall not be absolutely alienated at any time by the Trust, who shall have power to let any of such lands from time to time for any period not exceeding twenty-one years, or may lay out any of such lands into townships, for occupation on perpetual lease; and may make reserves for any purpose of public utility in the said townships, which shall be subject to the general law relating to public reserves.

Lands within district may be placed under control of Trust.

9. The Governor also may from time to time, by Proclamation, declare any lands within the district under the jurisdiction of the Trust to be a public domain; and in such case the Trust shall, in respect of such lands, be deemed to be a Public Domain Board under "The Public Domains Act, 1881," with all the powers conferred by that Act; and, further, may do all things necessary for the conservation of natural scenery and the prevention of the removal or injury to any trees or shrubs growing thereon, or of anything forming part of the landscape.

Lands of natural scenery may be declared public domain subject to Trust.

10. The Governor may from time to time, by Proclamation, declare any lands lying outside of the district under the jurisdiction of the Trust to come, from a date to be specified in such Proclamation, to be a public domain within the jurisdiction of the Trust, and from and after such date the Trust may exercise, in respect of the lands so proclaimed, all the powers and authorities conferred by this Act in the same manner as if such lands had been originally included in the Trust district constituted under this Act.

Lands outside of district may be brought under jurisdiction of Trust.

Act not to apply to
Native or private
lands.

11. Nothing in this Act contained shall affect any rights conferred upon the Natives by the Treaty of Waitangi, or shall be deemed to confer upon the Trust any jurisdiction over private lands, or over any Native lands the title to which has not been investigated by the Native Land Court; but as soon as the title to any Native lands has been ascertained as aforesaid, and the same are acquired by or on behalf of Her Majesty, the Governor may from time to time declare any such lands to be subject to the jurisdiction of the Trust, either for an estate in fee-simple subject to section eight, or as a public domain under section nine; and any lands so acquired by the Trust shall be subject to the provisions of this Act.

Governor may make
regulations for
administration of
Act.

12. The Governor in Council from time to time may make, alter, or revoke any regulations which he may think necessary for the better administration of this Act, and for the management, control, and use of any lands of beautiful natural scenery, or containing mineral springs, in addition to any powers he may possess under "The Public Domains Act, 1881."