

New Zealand.



ANALYSIS.

<p>Title.</p> <p>Preamble.</p> <p>1. Short Title.</p> <p>2. Protective works may be constructed to secure lands from flood by lake or river.</p> <p>3. Lake Ellesmere lands not to be sold until included in a drainage district.</p> <p>4. River Halswell protective works not to be</p>	<p>made until lands affected included in a drainage district.</p> <p>5. Works to be constructed under Public Works Act.</p> <p>6. Governor may declare lands open for sale by auction for cash.</p> <p>7. Proceeds of sales to be paid into Public Works Fund.</p> <p>8. Repeal.</p>
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1888, No. 18.—*Local.*

Title.	AN ACT to make further Provision for the Sale of the Crown Lands around Lake Ellesmere, in Canterbury. [28th August, 1888.]
Preamble.	WHEREAS by section ten of "The Railways Construction Act, 1878" (hereinafter called "the said Act"), certain lands described in the Second Schedule to that Act were authorised to be sold as Crown lands of special value, and it is found that a part of the said lands are not of such value, and that of the remainder no such sale can with advantage be effected until protective works are made to secure such lands from overflow by the waters of Lake Ellesmere and the River Halswell respectively: And whereas the enhanced value of the said lands by the making of the said works would be such as to pay for the cost of the construction of such works:
	BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—
Short Title.	1. The Short Title of this Act is "The Ellesmere Lake Lands Act, 1888."
Protective works may be constructed to secure lands from flood by lake or river.	2. For promoting the sale of the above-mentioned lands the Minister for Public Works may construct such protective works as he shall think desirable to secure any of such lands from the overflow of the waters of Lake Ellesmere or of the rivers and streams contributing thereto, including the River Halswell, and may cut such channels as he shall think fit to divert the course of the said rivers and streams into a more direct course, and otherwise do all things requisite for draining the said lands and to render them more available for sale and settlement:
	Provided, however, that the lands first described in the Schedule to "The Taumutu Native Commonage Act, 1883," containing seven hundred acres, more or less, and the lands comprised within the

Native reserves eight hundred and seventy-eight, eight hundred and eighty-nine, and eight hundred and six shall be excepted from this Act and the operation of the above-mentioned section of "The Railways Construction Act, 1878," as if they had never been included in the Second Schedule aforesaid.

3. As regards the lands to be protected from the overflow of the waters of Lake Ellesmere, such lands shall not be sold until the lands so protected have been included within or constituted into a drainage district, at whose expense the drainage works after construction shall be maintained.

Lake Ellesmere lands not to be sold until included in a drainage district.

4. As regards the works to be constructed for the protection of lands liable to be flooded by the Halswell River, such works shall not be commenced until the lands that may be thereby beneficially affected have been included within or constituted into a drainage district liable for the maintenance of the works when once constructed.

River Halswell protective works not to be made until lands affected included in a drainage district.

5. All or any works to be done by the Minister for Public Works under the authority of section two of this Act shall be deemed to be public works within the meaning of "The Public Works Act, 1882," and shall be constructed under such Act, which is hereby incorporated with this Act for the purpose.

Works to be constructed under Public Works Act.

This Act shall be deemed to be a special Act within the meaning of "The Public Works Act, 1882," for authorising the construction of the aforesaid works.

6. The Governor from time to time, upon the report of the Minister for Public Works that any of the lands hereinabove mentioned (excepting as aforesaid) are ready for sale and settlement, may declare the same open for sale by auction for cash, at such upset price as he may, from time to time, in each case appoint in respect to the whole or any part of such lands.

Governor may declare lands open for sale by auction for cash.

Section ninety-two of "The Land Act, 1885," shall apply to any of the aforesaid lands which are not sold, after being offered at auction, with the exception that the Governor shall determine the price thereof, instead of the Board, as mentioned in the second subsection of the said section.

So much of section ten of the said Act as provides that the lands in the said section mentioned should be sold as lands of special value is hereby repealed.

7. All moneys received from the sale of any of the aforesaid lands shall be paid by the Receiver of Land Revenue into the Public Account to the credit of the Public Works Fund, and shall be applied in manner following, that is to say,—

Proceeds of sales to be paid into Public Works Fund.

Firstly, in payment of the cost of constructing the protective works authorised by this Act; secondly, in repayment to the Public Works Fund of all moneys heretofore paid out of such fund in or towards the construction of the railway from Lincoln to Little River; and

The balance shall be applied in manner as provided by section eleven of the said Act with respect to moneys received under section ten of that Act.

8. So much of any of the unrepealed provisions of "The Railways Construction Act, 1878," as is repugnant to this Act is hereby repealed.

Repeal.