

1880, No. 17.—*Local.*

AN ACT to grant certain Special Powers to the Governor to issue Crown Grants, and to enable him to carry out certain Contracts and Promises.

SPECIAL POWERS
AND CONTRACTS.

[1st September, 1880.]

WHEREAS it is expedient and necessary to give the Governor power to issue the Crown grants, and to do, execute, and perform the several acts and things set forth in the second column of the Schedule hereto, in fulfilment of the promises and for the several reasons and purposes set forth in the first column of such Schedule :

Preamble.

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 Special Powers and Contracts Act, 1880.”

Short Title.

2. The Governor may issue such Crown grants, and do, execute, and perform the several acts, deeds, matters, and things which are specified in the second column of the Schedule hereto.

Governor may perform the several acts specified in the second column of the Schedule.

All Crown grants, acts, deeds, matters, and things so issued, done, executed or performed shall be good, valid, and effectual to all intents and purposes whatsoever, subject to the exceptions, restrictions, and qualifications in the said Schedule specified.

3. For the purpose of evidencing the title to any land specified in the said second column of the Schedule, the Governor may, in any Crown grant issued under the authority hereof, antevest the legal estate in the grantee to such date as he thinks fit.

Legal estate may be antevested.

Provision in case of land inalienable for a longer period than twenty-one years, except with consent of Governor.

4. In respect to any land mentioned in the Schedule hereto which is to be inalienable by sale, lease, gift, or mortgage for a longer period than twenty-one years, except with the consent of the Governor, it is hereby declared that no lease of any such land for the period of twenty-one years or a less period shall be valid, unless such lease is sold at public auction after not less than thirty days' public notice of such auction has been given in some newspaper having general circulation in the district wherein the lands offered for lease are situate; and also that such lease is sold without any fine, premium, or foregift being paid or received in respect thereof.

Schedule.

SCHEDULE.

AUCKLAND.

FIRST COLUMN.

1. To fulfil a promise made by the late Native Minister, that a selection of 50 acres of land in Te Aroha Block should be made for Rawinia Manukau Johnson, in extinguishment of her claim to Te Aroha Block.

2. To rectify an error which occurred in granting to Rawinia Manukau Johnson Lots 108, 109, 110, 111, and 112, Parish of Komakorau, by mistake for Lots 108, 109, 110, and 112, Komakorau District, and which allotments were subsequently sold.

3. To fulfil a promise made by the late Provincial Government of Auckland to convey to the Harbour Board the residence-site for the pilot and boatmen of the Auckland Harbour, but which promise was not carried into effect.

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1. To issue a Crown grant in fee-simple to Rawinia Manukau Johnson and her children for Lot No. 6 of Block XI., Te Aroha District, containing 50 acres, in full settlement of their claim to Te Aroha Block. Land to be absolutely inalienable by sale, gift, or mortgage, or by lease for longer than twenty-one years in possession, except with the consent of the Governor. The grant to be subject to the provisions of "The Crown Grants Act, 1866," and Acts amending the same.

2. To issue a Crown grant in fee-simple to Rawinia Manukau Johnson and her children for portions of Lots 5 and 7 of Block XI., Te Aroha District, containing 250 acres, upon the execution of a deed of conveyance and release to Her Majesty of Lots 108, 109, 110, 111, and 112, in the Parish of Komakorau, containing 250 acres, granted in error to the said Rawinia Manukau. Land to be absolutely inalienable by sale, gift, or mortgage, or by lease for longer than twenty-one years in possession, except with the consent of the Governor. The grant to be subject to the provisions of "The Crown Grants Act, 1866," and Acts amending the same.

3. To convey to the Auckland Harbour Board, as a site for a pilot station, all that piece or portion of land containing by admeasurement 2 acres, more or less, being southern portion of Lot 12A, Section 2, Parish of Takapuna, Provincial District of Auckland. Bounded towards the North by other portion of Lot No. 12A, 541 links; towards the East by Lot No. 12, 231 links; towards the

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4. To fulfil a promise made in June, 1877, that 250 acres of land at Awhitu be given to Ahipene Kaihau, in extinguishment of the claims of the Kaihau family to the Akaaka Reserve at Waiuku.

5. It being desirable to change the purpose of the cemetery reserve at Ormond to a site for a school, which cannot now be carried into effect owing to the provisions of "The Public Reserves Act, 1878."

6. To rectify an omission under "The Mangapiko Road Act, 1874" (Auckland).

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South by a road-line, 537 links; and towards the West by a road-line, 339 links: be all the aforesaid linkages more or less.

4. To issue a Crown grant to Ahipene Kaihau for all that piece of land, being Lot 141, Parish of Awhitu, in the Awhitu Survey District, Provincial District of Auckland, containing by admeasurement 250 acres, more or less. Bounded towards the North-west by a road-line, 3350 links; towards the East by Lot 137, 6525 links; towards the South-east by Lots 97 and 98, 4073 links; and towards the West by a line, 6400 links: be all the aforesaid linkages more or less. The land to be inalienable by sale or mortgage, or by lease for longer than twenty-one years in possession, except with the consent of the Governor. The grant to be subject to the provisions of "The Crown Grants Act, 1866," and Acts amending the same.

5. To vest the following land in the Education Board of the District of Hawke's Bay, as a site for a school: All that parcel of land in the Provincial District of Auckland, containing by admeasurement 10 acres, more or less, being part of Rural Section No. 71 of the Ormond Military Settlement Block.

6. The land described hereunder is hereby declared to be a closed road-line, in pursuance of the provisions of "The Mangapiko Road Act, 1874" (Auckland); and it shall be lawful for the Governor to issue a Crown grant for the same to Richard Bosanko, and to antevest the date upon which the legal estate in the said land became vested in the grantee to such date as the Governor may think fit. The grant to be subject to the provisions of "The Crown Grants Act, 1866," and Acts amending the same: All that parcel of land, being Allotment No. 345, Parish of Mangapiko, Provincial District of Auckland, containing 9 acres and 21 perches. Bounded towards the North by a road-line, 104 links; towards the South-east by Allotments numbered

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7. To provide a public recreation-ground at Devonport, North Shore, Auckland, upon the application of the Committee of the District School and the Devonport Highway Board.

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225, 224, 223, 222, 221, and 324, 9179 links; towards the South by the Puniu River, 140 links; and towards the North-west by Allotments numbered 324, 219, and 220, 9161 links; save and excepting a road 100 links wide which intersects the said area: be all the aforesaid linkages more or less.

7. To vest in the School Commissioners for the Auckland District, as an endowment, all that parcel of land, containing by admeasurement 1 rood and 20 perches, more or less, being Lot No. 1, of Section 8, City of Auckland. Bounded towards the North by Customhouse Street, 160 links; towards the East by Jermyn Street, 150 links; towards the South by Lot No. 2, 294 links; and towards the West by Emily Place, 218 links: be all the aforesaid linkages more or less. To be given in exchange for the undermentioned land, which was granted to the Superintendent of the Province of Auckland on the 27th March, 1872, and is now vested in the School Commissioners for the Auckland District aforesaid; the said land to be dealt with under the provisions of "The Public Domains Act, 1860." All that parcel of land in the Parish of Takapuna, Provincial District of Auckland, being Allotment No. 39 of Section No. 2, containing 17 acres 2 roods and 26 perches. Bounded towards the North by the southern boundary of Allotment No. 10, 710 links; towards the North-east by the margin of the swamp which forms the south-western boundary of Allotment No. 11; towards the East by a road, 185 links and 165 links; towards the South-east by the north-western boundary of Allotment No. 37, 700 links, and by the north-western boundary of Allotment No. 36, 372 links; towards the South-west by the margin of the aforesaid swamp, which forms portion of the north-eastern boundary of Allotment No. 15A, and the north-eastern boundary of Allotment No. 14; again towards the South-east by the margin

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8. To carry out a recommendation of the Waste Lands Committee of the House of Representatives, dated 22nd July, 1880.

9. To give effect to an arrangement made with the Mayor of Wanganui, that the purpose of Reserves E and K (Queen's Park), Town of Wanganui, should be changed from municipal purposes to a recreation-ground. Owing to the provisions of "The Public Reserves Act, 1878," special legislation is necessary.

10. It being desirable to change the purpose of a portion of Reserve E (Queen's Park), Town of Wanganui, from municipal purposes to a site for a Girls' High School. Owing to the provisions of "The Public Reserves Act, 1878," special legislation is necessary.

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of the aforesaid swamp, which forms portion of the north-west boundary of Allotment No. 14 aforesaid, and by a line 100 links, which forms the remainder of the north-western boundary of Allotment No. 14 aforesaid; and towards the West by a road, 477 links and 446 links.

8. To authorize the Governor to issue Crown grants to members of the Here-taunga Small Farm Association in cases where the required improvements have been effected, but where the rule as to the actual residence of the member of such association (or his family) has not been carried out.

9. To change from municipal purposes to recreation all that parcel of land situate in the Town of Wanganui, Provincial District of Wellington, being portions of Reserves E and K (the Queen's Park), estimated to contain 16 acres 24 perches, more or less. Bounded towards the North-west by Cameron Terrace and the extension of the same, 850 links; towards the North by the site for the Girls' High School, 404 links and 500 links; towards the North-east by Harrison Place and a site for a police station, 394 links, 200 links, 500 links, 200 links, and 106 links; towards the East by the site for the Odd Fellows Hall 165 links and 38 links, and by the site for the Library and Museum 125 links and 200 links; towards the South-east by Ridgway Street 650 links, and by Reserve A 100 links and 250 links; and towards the South-west by Sections Nos. 171, 170, 169, 168, 167, 166, and 165, 700 links, by the site for a drill-shed 250 links and 200 links, by the extension of Maria Place 100 links and 150 links, and by a public road 500 links.

10. To vest the following land in the Education Board of the Wanganui District, as a site for a Girls' High School: All that parcel of land, situate in the Town of Wanganui, in the Provincial District of Wellington, being a portion of Reserve E, and containing by ad-measurement 2 acres, more or less.

HAWKE'S BAY.

WELLINGTON.

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11. The lands mentioned in the second column were selected under "The Immigrants Land Act, 1873," and are vested in the Minister for Immigration. Owing to the immigrant for whom the land was selected having failed to comply with the provisions of the Act, the land has become forfeited, and it is now desired to make the area a site for a school and teacher's residence.

12. To give effect to a promise or contract made by the Provincial Government of Wellington, in November, 1875, with Mr. George Mathew Snelson, of Palmerston North, whereby they agreed to sell to him, on behalf of the body of Foresters then established at Palmerston, the Court Manawatu, Ancient Order of Foresters, the Town Section No. 258 in the Township of Palmerston, and agreed to issue a grant of such land for the benefit of the said Foresters; and to set at rest doubts which have arisen as to the terms of the provisions of section 9 of "The Wellington Reserves Act 1876 Amendment Act, 1877 (Local)."

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Bounded towards the North by Harrison Place, 375 links and 26 links; towards the East by other portion of Reserve E aforesaid and Reserve K, 490 links; towards the South by other portion of Reserve E aforesaid, 400 links; and towards the West by Cameron Terrace, 500 links: be all the aforesaid linkages more or less.

11. To vest the following land in the Education Board of the Wanganui District, as a site for a school and teacher's residence: All that parcel of land in the Township of Palmerston, Provincial District of Wellington, being Sections 5 and 6, of Block 167, in the said township.

12. To issue a Crown grant to George Mathew Snelson, of Palmerston North, auctioneer, of Town Section No. 258, on the plan of the Township of Palmerston North, Manawatu, containing one-quarter of an acre: Provided always that, before such Crown grant shall issue, the said George Mathew Snelson shall duly execute a declaration of trust, to be deposited in the Land Registry Office at Wellington, declaring that he, his heirs and assigns and successors, as such trustee, hold such land upon trust for the Court Manawatu, Ancient Order of Foresters, upon such trusts, and with, under, and subject to such powers, provisions, declarations, and agreements relating to the leasing, selling, occupying, or mortgaging of such lands, and to the resignation, appointment, or removal of trustees thereof, and otherwise howsoever, as shall be approved by a majority of the members of the said court present at a meeting called for the purpose of approving such declaration of trust; the certificate of the person purporting to be chairman of which as to such approval having been given shall be conclusive evidence of such meeting having been duly convened and held, and of such approval having been given,

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13. For services rendered as a Volunteer Militiaman during 1846-47 at the Hutt, Pahautanui, and Horokiwi Valley, against rebel Natives under Rangiahaeta.

14. By a deed of mortgage dated the 5th May, 1873, registered at Wellington, No. 16346, Robert Douglas Wallace mortgaged certain lands to John Howard Wallace and Edward Swartz Maunsell to secure certain moneys and interest. This mortgage was, by deed dated the 24th April, 1879, assigned to Manihera te Rangitakaiwaho, who again by deed, dated the 26th November, 1879, assigned it to Her Majesty the Queen. It is necessary to give the Governor power to release or assign this mortgage.

15. To complete an arrangement made between the late Superintendent of Marlborough and Dr. Renwick, which was, that certain lands should be granted to Dr. Renwick in consideration of his allowing the Provincial Government to make roads through his property. All the covenants have now been carried out except the conveyance to Dr. Renwick of the piece of road-line between Sections 31 and 32, Block I., Waihopai District, and Section 45, Block I., Omaka District, Provincial District of Marlborough.

16. It being desirable to change the purpose of Sections 3, 5, 7, and 9, Town of Kaikoura (which were vested in the late Superintendent of Marlborough, as a site for Government buildings), to a site for a school, which cannot now be

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13. To issue a Crown grant to George Robertson, in fee-simple, for an area not exceeding 60 acres of land, to be selected by him from any rural land open for sale in the Land District of Wellington. Grant to be subject to "The Crown Grants Act, 1866," and Acts amending the same. The Governor may reserve in the grant a right of road not exceeding 100 links wide. The selections to be made within six months of the passing of this Act.

14. To authorize the Governor to execute a release or assignment of a certain deed of mortgage dated the 5th May, 1873, registered at Wellington, No. 16346, and made between Robert Douglas Wallace therein described of the one part, and John Howard Wallace and Edward Swartz Maunsell therein described of the other part, and to reconvey or convey by assignment the lands described in the said deed, and either to discharge the said lands from all principal moneys and interest secured by the said deed, or to assign such principal moneys and interest, and the benefit of all powers, covenants, and provisos in the said deed expressed or implied.

15. To issue a Crown grant to Dr. Renwick for all that piece or parcel of land situate in the Waihopai District, Provincial District of Marlborough, containing by admeasurement 6 acres 1 rood 8 perches, being a public road 75 links wide. Bounded Northerly by Section No. 45 of Block I., Omaka District, and Section No. 32 of Block I., Waihopai District, 8400 links; Easterly by public road, 89 links; Southerly by Section No. 31, Block I., Waihopai District, 8400 links; and Westerly by Crown land, 75 links.

16. To vest the following land in the Education Board of the North Canterbury District, as a site for a school: All that parcel of land, being Sections 3, 5, 7, and 9, Town of Kaikoura, Provincial District of Marlborough, con-

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carried into effect, owing to the provisions of "The Public Reserves Act, 1878."

CANTERBURY.

17. It being desirable to change the purpose of Sections 5 to 10 and 15 to 20 inclusive, Block III., Township of Hinds, included in the Schedule to "The Public Reserves Sale Act, 1878," to a site for a school, which cannot now be carried into effect.

18. It being desirable to change Reserve No. 743 from a gravel-pit to a recreation-ground, which cannot now be carried into effect owing to the provisions of "The Public Reserves Act, 1878."

19. Mr. Andrew David Mason Allan conveyed to the late Superintendent of Canterbury 1 acre, part of Rural Section No. 4259 as a school site, which has been found inconvenient for the purpose. He has now promised to give to the Education Board of North Canterbury 1 acre and 25 perches, part of Rural Section 2242, for a like purpose, on the original site being reconveyed to him.

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taining 1 acre 3 roods and 24 perches. Bounded on the North-west by Killarney Road; on the North-east by Beach Road; on the South-east by Section No. 11; and on the South-west by Sections 8, 6, 4, and 2.

17. To vest the following land in the Education Board of the North Canterbury District as a site for a school: All that parcel of land in the Township of Hinds, Provincial District of Canterbury, containing 3 acres, more or less, being Sections 5 to 10 inclusive, and 15 to 20 inclusive, Block III., and numbered 2473 (in red) on the official map of the said township, in the Survey Office, Christchurch.

18. To change from gravel-pit to recreation-ground all that area in the Mairaki Survey District, Provincial District of Canterbury, containing 5 acres 1 rood 8 perches, more or less, being Section No. 743 (in red). Bounded Northward by a road-line, 530 links; Eastward by Reserve 743 (in red), 1000 links; Southward by Reserve 2422 (in red), 530 links; and Westward by the same Reserve, 1000 links: and numbered 2423 (in red) on the official map in the Survey Office, Christchurch.

19. To reconvey to Andrew David Mason Allan all that parcel of land containing by admeasurement 1 acre, more or less, being part of the Rural Section No. 4259, situate at Little River, commencing at a point on the northern boundary of the said section 1 chain west of the north-eastern corner thereof; thence Westerly following the said northern boundary, 2 chains 50 links; thence South-westerly at an angle of 122° , a distance of 4 chains 20 links; thence South-easterly at a right angle, 3 chains 10 links to the proposed road to Akaroa, and from thence returning along the said road to the commencing point: subject nevertheless to the road 1 chain wide passing through the above-described land for which road allowance has been made in the acreage, which was vested in the late Superintendent

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20. A site for police station at Lyttelton being required, there being no Government land available for the purpose within the Borough of Lyttelton.

21. Reserve 1080, 310 acres, "for tramway and other purposes," is not

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of Canterbury for public purposes: On the said Andrew David Mason Allan conveying to the Education Board of the North Canterbury District all that parcel of land containing by admeasurement 1 acre and 25 perches, more or less, being part of Rural Section No. 2242 on the map of the Chief Surveyor setting out and describing the rural land in the Little River District of the Provincial District of Canterbury, commencing at a point on the south-eastern boundary of the said section, distant 4 chains 16 links north-easterly from the southernmost corner of the said section (measured along the said boundary); thence North-easterly along the said boundary, 3 chains 21 links and $\frac{1}{2}$ of a link, and extending back northerly for a distance on the western boundary of 3 chains 83 links, and on the eastern boundary of 2 chains 70 links by lines bearing respectively $357^{\circ} 40'$ (true) and $2^{\circ} 15'$ (true), being bounded on the North by the centre of the stream running through the said section. The said land to vest in the said Education Board, as a site for a school.

20. To authorize the Mayor, Councilors, and Burgesses of the Borough of Lyttelton to convey to the Crown, as a site for a police station, all that area situate in the Town of Lyttelton, containing by admeasurement 1 rood and 32 perches, more or less. Bounded towards the North-east by part of Reserves Nos. 35 and 36 (in red) and St. David Street, a distance altogether of 266.4 links; towards the South-east by St. David Street, 272 links; towards the South-west by the Christchurch Road and London Street, a distance altogether of 347.6 links; and towards the North-west by part Reserve No. 35 (in red): as the same is delineated on the official map in the Provincial District Survey Office, Christchurch.

21. To authorize the sale of Reserve 1080 as village settlement land, or land

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required for those purposes, and it is deemed desirable to offer it for sale.

22. It being deemed desirable that Reserve 1840, 115 acres, made for planting purposes should be sold as village settlement land.

OTAGO.

23. To give effect to the reports of the Assistant Land Claims Commissioner at Invercargill upon the claims of certain half-caste families to land within the Ngaitahu and Murihiku Blocks, which were referred to him for investigation.

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of special value, in such lots and upon such conditions as may be prescribed by the Governor in Council.

22. To authorize the sale of Reserve 1840 as village settlement lands, in such lots and upon such conditions as may be prescribed by the Governor in Council.

23. To issue a Crown grant to Ann Newton and Joseph Newton, the half-caste children of John Newton, as tenants in common, for 60 acres of land, to be selected for them by the person appointed by the Governor to make selections of land in pursuance of the provisions of "The Middle Island Half-caste Crown Grants Act, 1877," such grant to be subject to the provisions of the said Act.

To issue a Crown grant to the half-caste children of Thomas Leach, as tenants in common, for 15 acres of land; the selection to be made in the same manner as required in the above case of Ann and Joseph Newton; and the grant also to be subject to the provisions of "The Middle Island Half-caste Crown Grants Act, 1877."

To issue a Crown grant to Betsy Manuel (Mrs. McLeod), for 20 acres of land, in addition to the 8 acres mentioned in "The Middle Island Half-caste Crown Grants Act, 1877," the land to be selected by the person appointed by the Governor to make selections of land in pursuance of the provisions of the Act aforesaid. The grant to be subject to the same provisions as other grants issued in pursuance of the said Act.