

(Hon. Mr. O'Rorke.)

## Crown Grants Amendment.

### ANALYSIS.

- Title.
- 1. Short Title.
- 2. Interpretation.

- 3. Repeal of proviso to section 10 of "The Crown Grants Act, 1866."
- 4. Powers may be exercised in respect of all grants. Provisoos.

### A BILL INTITULED

AN ACT to amend "The Crown Grants Act, 1866." Title.

**B**E 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 shall be "The Crown Grants Acts Short Title.  
5 Amendment Act, 1873."

**2.** In this Act the words "the said Act" shall mean "The Interpretation.  
Crown Grants Act, 1866."

**3.** The proviso to section ten of the said Act is hereby repealed, Repeal of proviso to section 10 of "The Crown Grants Act, 1866." and the following proviso is enacted in lieu thereof:—Provided that where in any grant any allowance for roads shall have been made, or any remission of purchase money allowed in respect of roads, or a right or power to take roads, it shall be lawful for the Governor, by Proclamation in the *New Zealand Gazette*, to take or cause to be taken such part or parts of the land described or comprised in any such grant as 10 may be necessary or requisite for the construction or making of any public road or roads: Provided that the road or roads to be so taken shall in no case exceed the amount of land allowed, or the amount the purchase money whereof shall have been or shall be remitted as aforesaid: Provided also that the owner of the land comprised in any such 15 grant may require the Governor to define a road or roads through such land within years after application made to him to do so, and upon compliance by the Governor with any such request the land so taken shall vest in Her Majesty the Queen under the provisions contained in the eleventh section of the said Act, and shall be deemed 20 to have been taken in extinguishment of any right to take land for roads under any power or authority enabling the Crown so to do.

**4.** The powers hereby given to the Governor may be exercised by Powers may be exercised in respect of all grants. him in respect of all such grants as aforesaid, whether issued prior to the passing of the said Act or this Act, and notwithstanding the lapse 25 of either of the periods of five years or three years in the said proviso

mentioned: Provided that nothing herein contained shall be construed to permit or allow of the exercise of any such powers in any case where the same may have already been fully exercised in respect of any grants issued prior to the passing of the said Act or this Act: **5**  
**Provisoes.** Provided also that the powers hereby vested in the Governor shall not be exercised by him over or in respect of the land comprised in any such grant as aforesaid in either of the cases hereinafter mentioned, that is to say—

- (1.) Where land is fenced within blocks or parcels not exceeding two hundred acres in area in any one block or **10** parcel.
- (2.) Where the land is in cultivation either with cereal or root crops, or laid down in permanent pasture and sown with English grasses, or is laid out in orchard or garden:

And provided further, that where lands are fenced in larger blocks **15** than two hundred acres, the owner or occupier shall, on proof of damage sustained, be entitled to compensation, such compensation to be determined, in case of difference, by arbitration, but in no case to exceed a sum equal to the cost of fencing both sides of the proposed road. **20**