

Hon. Mr. Macandrew.

Grey, Buller, and Westport Colliery Reserves.

ANALYSIS.

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| <p>Title.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Repeal Clause. 3. The pieces of land described in the Second Schedule shall, on the passing of this Act, become Crown lands. 4. The pieces of land described in the First Schedule and moneys arising therefrom to be security for the construction of the Brunner Coal Field Railway and interest thereon. 5. The pieces of land described in the Second and Third Schedules and moneys arising therefrom to be security for cost of construction of the Coal Field Railway from Mount Rochfort to Westport, and interest thereon. 6. How land in the First, Second, and Third Schedules to be dealt with. 7. Waste Lands Board of the district, in which said pieces of land are, not to sell the same without approval of Governor. | <ol style="list-style-type: none"> 8. All moneys arising from sale, &c., or rent, &c., under provisions of this Act, to be paid into Special fund, and applied in liquidating cost of railway. 9. Ultimate disposal of rents, &c. after cost of construction, and interest thereon. 10. Agricultural leases of land described in the Second Schedule, made under "The Gold Fields Act, 1866," to be deemed valid. 11. "The Gold Fields Act, 1868," or miners' right under "The Gold Fields Act, 1866," not to be affected hereby. 12. Governor in Council may ratify any lease, &c. heretofore made. 13. Governor in Council may define what lands required for railways and stations to be reserved for that purpose and no other. 14. Governor may demise lands described in the Third Schedule to person in occupation or possession for a term not exceeding twenty-one years. |
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A BILL INTITULED

AN ACT to render certain Land in the Provincial District of Westland, known as the Grey Coal Reserve, a Security for the Construction of the Greymouth and Brunner Coal Field Railway, and certain Land in the Provincial District of Nelson, known as the Buller and Westport Colliery Reserve, a Security for the Construction of the Coal Field Railway from Mount Rochfort to Westport, and to regulate the Sale, Leasing, Disposal, and Occupation of such Lands. Title.

BE IT 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 shall be "The Grey, Buller, and Westport Colliery Reserves Act, 1867."

Repeal Clause.

2. The Acts and Ordinances and the parts of Acts and Ordinances specified in the *Fourth* Schedule to this Act are hereby repealed: Provided that nothing in this Act contained, except where otherwise expressly provided, shall affect any contract, promise, or engagement made previously to the coming into operation hereof, and then incomplete or unfulfilled; and nothing in this Act shall be deemed to affect any licenses or leases for the occupation of the lands described in the *First*, *Second*, and *Third* Schedules hereto, granted or issued under any of the Acts or Ordinances or parts of Acts or Ordinances hereby repealed, and existing and being in force before the time of the coming into operation of this Act; but such licenses and leases, and the rights of the holders thereof thereunder, except as expressly altered or varied by the provisions hereinafter contained, shall be and continue to be, during the term or currency of such licenses and leases, regulated by and subject to the Acts, Ordinances, and regulations which the same were subject to at the time of the coming into operation of this Act, notwithstanding the repeal of such Acts, Ordinances, or regulations respectively. The Governor shall, with respect to such licenses and leases, and such unfulfilled contracts, promises, and engagements, have all the powers and authorities, and shall perform all the duties, vested in and conferred on the Superintendent, or any Waste Land Board jointly, or each of them severally, by any of the Acts, Ordinances, or regulations by virtue of which such licenses and leases were issued or granted, or such contracts and engagements entered into.

The pieces of land described in the *Second* Schedule shall, on the passing of this Act, become Crown lands.

3. The pieces of land described in the *Second* Schedule hereto shall on the passing of this Act cease to be subject to "The Public Reserves Act, 1854," and to the trusts and purposes under and subject to which the same were Crown-granted, and shall become and be Crown lands.

The pieces of land described in the *First* Schedule and moneys arising therefrom to be security for the construction of the Brunner Coal Field Railway and interest thereon.

4. The piece of land described in the *First* Schedule hereto, and the purchase and other moneys arising from the sale, lease, occupation, or disposal thereof, and the rents, royalties, fees, and other moneys arising therefrom, shall be and be deemed to have been as and from the _____ day of _____, one thousand eight hundred and seventy-_____, a security for the cost of the construction of the Greymouth and Brunner Coal Field Railway, together with interest thereon, from the _____ day of _____ one thousand eight hundred and seventy-_____, at the rate of _____ per centum per annum, chargeable half-yearly, until such cost of construction shall be paid and satisfied.

The pieces of land described in the *Second* and *Third* Schedules and moneys arising therefrom to be security for cost of construction of the Coal Field Railway, from Mount Rochfort to Westport, and interest thereon.

5. The pieces of land described in the *Second* and *Third* Schedules hereto, and the purchase and other moneys arising from the sale, lease, occupation, or disposal thereof, and the rents, royalties, fees, and other moneys arising therefrom, shall be and be deemed to have been as and from the _____ day of _____, one thousand eight hundred and seventy-_____, a security for the cost of the construction of the Coal Field Railway from Mount Rochfort to Westport, together with interest thereon from the _____ day of _____ one thousand eight hundred and seventy-_____, at the rate of _____ per centum per annum, chargeable half-yearly, until such cost of construction and interest shall be paid and satisfied.

How land in the *First*, *Second*, and *Third* Schedules to be dealt with.

6. The provisions of any Act of the General Assembly in force in the land district in which such pieces of land are respectively situated regulating the sale, letting, occupation, or disposal of the waste lands of the Crown in such land district, shall apply to the land specified in the said *First*, *Second*, and *Third* Schedules.

7. No sale, lease, reserve, occupation, or disposal of the said pieces of land, or any part thereof, shall be authorized, made, or effected by the Waste Land Board of the land district, unless with the approval of the Governor.

Waste Lands Board of the district in which said pieces of land are, not to sell the same without approval of the Governor.

8. All rents, royalties, fees, and other moneys arising from such lands, and the proceeds arising from any sale, lease, occupation, or disposal made under the provisions of this Act, shall be paid into the Public Account to the credit of the Special fund, and be there kept to separate accounts, and all moneys so paid shall from time to time be applied in or towards payment first of the interest after the rate aforesaid upon the cost of construction, and next in payment of the cost of the construction of the particular railway, for the cost of the construction of which the piece or pieces of land out of which such moneys shall arise are hereby made security, until by means thereof such interest and cost of construction shall be fully paid.

All moneys arising from sale &c., or rent &c., under provisions of this Act, to be paid into Special fund and applied in liquidating cost of railways.

9. When by such means such interest and cost of construction shall be fully paid, the said pieces of land shall be freed and discharged therefrom, and thereafter such rents, royalties, fees, moneys, and proceeds shall form portion of Her Majesty's land revenue of the colony, and shall be paid into the Public Account to the credit of the Land Fund.

Ultimate disposal of rents &c. after cost of construction and interest thereon.

10. All agricultural leases of any portion of the land described in the *Second* Schedule hereto, purporting to have been made under the authority of, and in accordance with, "The Gold Fields Act, 1866," shall be and be deemed to have been from the making thereof respectively valid and effectual.

Agricultural leases of land described in the Second Schedule, made under "The Gold Fields Act, 1866," to be deemed valid.

11. Nothing herein contained shall be deemed to affect "The Gold Fields Act, 1868," or any rights or interests acquired under any miners' rights, mining leases, or business licenses granted under the authority of "The Gold Fields Act, 1866."

"The Gold Fields Act, 1868," or miners' right under "The Gold Fields Act, 1866," not to be affected hereby.

12. Nothing herein contained shall be deemed in any way to affect any sale, lease, agreement, or other disposition of the said several pieces of land or any part thereof heretofore made or entered into; and the Governor in Council may, if he think fit, in the name and on behalf of Her Majesty, ratify and confirm any sale, lease, or agreements for leases, or other disposition of the said lands, or any part thereof heretofore made.

Governor in Council may ratify any lease &c. heretofore made.

13. Such portions of the said lands as are required for the said railways and for railway stations may be defined by an Order of the Governor in Council, and thereafter the same shall be reserved and held for the said purposes, and no other. The Governor may, if he think fit, grant to the persons in occupation or possession of the said land so defined and reserved, such compensation as he may deem reasonable, either in money, or by granting leases of other parts of the said lands for such terms not exceeding twenty-one years, at such rents and upon such conditions as the Governor may think fit.

Governor in Council may define what lands required for railways and stations to be reserved for that purpose and no other.

14. It shall also be lawful for the Governor, if he think fit, in the name and on behalf of Her Majesty, to demise and lease to the several persons in occupation or possession of portions of the land described in the *Third* Schedule hereto, the allotments of which they are respectively in occupation or possession, for such term not exceeding twenty-one years, for such rent, and upon such conditions as the Governor may think fit.

Governor may demise lands described in the Third Schedule to person in occupation or possession for a term not exceeding twenty-one years.

SCHEDULES.

Schedules.

FIRST SCHEDULE.

FIVE thousand acres, more or less, situate on the West Coast of the Middle Island. Commencing at a point on the South Bank of the River Grey, the same being the north-west corner of the Reserve for Native purposes, containing 250 acres, and numbered 34 of the General Government Reserves in the Grey district; thence southerly and easterly, following along the Western and Southern boundaries of

the said Reserves to the River Arnold; thence following the Western bank of that river in a southerly direction to a point on the same, being 194 chains measured in a straight line, from the confluence of the before-mentioned rivers Grey and Arnold; thence westerly, following a right line to a point being 15 chains distant from and in continuation of the Eastern boundary of the Reserves for Native purposes, containing 250 acres, and numbered 33 of the General Government Reserves; thence following a straight line to the south-eastern corner of that Reserve, and onwards in the same straight line along the Eastern boundary thereof to the River Grey aforesaid; and from thence returning along the Southern bank of that river to the commencing point.

SECOND SCHEDULE.

ALL that piece or parcel of land in the Provincial District of Nelson, containing by admeasurement 114,000 acres, be the same more or less, situate in the District of the Buller, the boundaries whereof are as follows:—Commencing at the point A. on the line drawn from the flag station at the mouth of the River Buller to the summit of Mount Rochfort, at a distance of 37,000 links from the said flag station; thence due North 12,000 links; thence North 45° East, 65,600 links; thence due North to high watermark on the West coast, 32,400 links; thence along high watermark on the West coast to Kongahu; thence East 45° South, 55,600 links; thence South 20° West, 154,000 links; thence South 45° West, 102,000 links, to the North Bank of the River Okari; thence down the North Bank of the River Okari, a distance of about seven miles; thence North 45° East to the South Bank of the River Buller; thence by the South Bank of the River Buller, and by the western, southern, and eastern boundaries of certain reserves made for the use of the natives, and again by the South Bank of the River Buller to the point marked E. on such bank of the said River; thence due North about 37,000 links, to the point marked A., being the point of commencement.

Excepting always out of the said land so much thereof as has heretofore been sold under the provisions of the several Acts of the Province of Nelson, specified in the Fourth Schedule to this Act.

THIRD SCHEDULE.

ALL that parcel of land containing seventy-three acres, more or less. Bounded towards the North by Gladstone Street; towards the East by Palmerston Street; towards the South by Bentham Street, and towards the West by the Buller River.

FOURTH SCHEDULE.

PORTIONS OF ACTS OF THE GENERAL ASSEMBLY REPEALED BY THIS ACT.

The whole of section 19 of "The Railways Act, 1873."

The whole of section 6 of "The Railways Act, 1874."

The whole of sections 23 to 28, both inclusive, of "The Immigration and Public Works Act, 1875."

ACTS OF THE PROVINCE OF NELSON REPEALED BY THIS ACT.

The whole of "The Buller Reserves Administration Act, 1863."

The whole of "The Buller Reserves Administration Amendment Act, 1866."

The whole of "The River Reserves Administration Amendment Act, 1874."