

NEW ZEALAND.

ANNO VICESIMO, OCTAVO

VICTORIÆ REGINÆ.

ANALYSIS:

- | | |
|--|--|
| Title. | 4. Lands given vested in Land-owners of lands taken. |
| Preamble. | 5. Persons injured to be compensated. |
| 1. Short Title. | 6. Memorial of Act to be entered in Register. |
| 2. Lands exchanged. | 7. Act to be published. |
| 3. Lands taken vested in Superintendent or Educational Reserves. | |

A BILL INTITULED—

AN ACT to confirm the Titles to Certain Lands in the Town of New Plymouth given in exchange for other Lands. Title.

WHEREAS under the authority of an Ordinance of the Legislature of the Province of Taranaki called "The Town of New Plymouth Constitution Ordinance 1859" the boundaries of the town of New Plymouth were altered and contracted in manner therein set forth and certain allotments of land situated within the old boundaries of the said town belonging to persons some of whom were locally diligent and others of whom were absentees or could not after diligent enquiry be found or ascertained were provisionally taken under the authority of that Ordinance and other allotments of land within the said new boundaries being Educational Reserves were in or about the year 1860 selected in lieu thereof on behalf of the owners respectively entitled to the allotments so taken as aforesaid by the said owners of such original allotments if resident or by their agents if any or by the Superintendent of the said Province and the Commissioner of Crown Lands in cases where such owners were absentees and had no legally appointed agents or could not after diligent enquiry be found or ascertained. And such re-selections were conducted according to the original order of choice of the original owners of the lands taken as aforesaid. And whereas notice of the said Ordinance and of such re-selection was published in several newspapers circulating in England and inserted for a long period of time intimating to such absentee and unknown owners the purport of the said Ordinance and notifying to them that all such provisional exchanges of land would be confirmed by legal enactment (subject to any special claim for loss or damage arising from such re-selection) unless the respective proprietors thereof should before a time therein specified notify their dissatisfaction with the re-selections made. Preamble.

AND WHEREAS no such owner has signified his dissatisfaction with any such re-selection and it is expedient to confirm the title of such owners to the parcels of land so allotted to them respectively in exchange as aforesaid and to vest the lands taken as aforesaid in the Superintendent of the said Province and his successors under "The Public Reserve Act 1864."

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.

I. The Short Title of this Act shall be "The New Plymouth Town Lands Exchange Confirmation Act 1864."

Lands exchanged.

II. The allotments of land described as referred to in the first column of the schedule to this Act hereinafter called "the lands taken" shall be deemed to have been lawfully exchanged for the allotments of land described or referred to in the 2nd column of the said schedule respectively hereinafter called "the lands given."

Lands taken vested in Superintendent or Educational Reserves.

III. The lands taken shall vest in the Superintendent of the said Province and his successors as fully and effectively as if they had been granted to him by the Crown under the authority of "The Public Reserve Act 1854" and shall be appropriated to the same purposes as the lands for which they were taken in exchange were respectively appropriated subject nevertheless to the provisions of the "Public Reserves Act 1854" freed and absolutely discharged from all former and existing titles estates interests and incumbrances whaever.

Lands given vested in Land-owners of lands taken.

IV. The lands given shall respectively vest in the former owners of the lands taken for the same estates and interests and subject to the same charges and incumbrances and in all respects with the same titles trusts and equities as at the date of the passing of this Act were subsisting with respect to the lands for which they were severally given in exchange.

Persons injured to be compensated.

V. Any person interested in any manner whatever in any of the lands taken who may at any time hereafter feel himself aggrieved by any such exchange shall be entitled to compensation to be paid out of the public revenues of the said province to such an amount as shall be determined by Surveyors Justices Arbitrators or a Jury in the manner provided by the "Lands Clauses Consolidation Act 1863" for which purpose the said "Lands Clauses Consolidation Act 1863" is incorporated in this Act Provided that no claim for such compensation shall be entertained or may be made after the expiration of three years from the passing of this Act.

Memorial of Act to be entered in Register.

VI. A memorial of this Act shall be registered against each of the lands taken and each of the lands given in the Register of Deeds at New Plymouth within three months from the passing hereof.

Act to be published.

VII. This Act shall be published once in the *New Zealand Government Gazette* and three times in the *London Gazette* at intervals of not less than two months.

SCHEDULE REFERRED TO.

No. of Town Section taken.	No. of Town Section given in exchange for the Land.	Name of Owner.