

Mr. Hamlin, for Sir G. M. O'Rorke

ONEHUNGA WATER RESERVES.

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A BILL INTITULED

AN ACT to apply certain Water Reserves in the Borough of Onehunga to the Purpose of Supplying the Inhabitants of the said Borough with Water. Title.

5 WHEREAS under authority of "The Onehunga Reserves Act, 1875," Allotment number ten of Section fourteen in the Borough of Onehunga, containing one acre, and whereon are the sources or heads of the natural springs of water known as Bycroft's Springs, was, by Crown grant dated the sixth day of July, one thousand eight hundred and
 10 seventy-six, granted to the governing body of the Town of Onehunga in trust as a water reserve: And whereas the said allotment is bounded on one side by part of a street called Spring Street, and on another side by part of another street called Princes Street: And whereas such part of Princes Street has not been formed and not used by reason of
 15 the water from the aforesaid springs flowing over the said part of the street, and the lower part of Spring Street which runs into the aforesaid part of Princes Street is not used for the same reason and has not been formed; and no injury to the public would be caused by the closing of the said parts of streets and the providing a way of road elsewhere:
 20 And whereas under the provisions of "The Onehunga Water Reserves Act, 1879," Allotments numbers six and eight of Section number fourteen in the same borough, each containing one acre, and adjoining to the aforesaid Allotment number ten, have been vested in the Corporation of the Borough of Onehunga, to be held upon trust
 25 as a general public reserve for water purposes, to be laid out, managed, improved, and ornamented as the said Corporation shall think fit, with a proviso that no portion of the said two acres shall be alienated by sale, mortgage, lease, or otherwise, and upon the condition that it shall be lawful for any person, either with or without cattle of any
 30 description, to pass and repass over the said Allotments numbers six and eight to the springs known as Bycroft's Springs on Allotment number ten, and there to water such cattle or to take water therefrom free of charge:

And whereas the Borough Council of Onehunga are desirous of
 35 utilizing the aforesaid springs for the benefit of the inhabitants generally of the said borough, and of constructing waterworks for the distribution of the said water; and it is necessary for such object to enclose the spring heads aforesaid to prevent the water from being polluted to the injury of the public at large:

40 And whereas the existence of the condition hereinbefore recited is incompatible with the aforesaid object, and it is necessary and for the benefit of the public at large that the said condition should be revoked:

And whereas the said Borough Council have, since the commencement of the present year, entered into contracts for the construction of works to enclose the Allotment number ten and the water thereon, under the impression they were duly authorized in that behalf, and it is expedient to validate the making of such contracts : 5

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 Onehunga Water Reserves Act, 1887." 10

Commencement.

This Act shall have retrospective effect, and be deemed to have come into operation on the first day of January, in the year one thousand eight hundred and eighty-seven; which is herein called the commencement of this Act.

Reserve to vest in Corporation for water works.

2. It is hereby declared that Allotments numbers six, eight, and ten of Section fourteen of the Town of Onehunga shall vest and be deemed to have vested from the date of the commencement of this Act in the Corporation of the Borough of Onehunga, as a reserve for the purpose of providing a water-supply for the inhabitants of the said borough, and the construction of all necessary waterworks for such purpose. 15 20

Powers of Borough Council as to reserve.

3. The Borough Council of Onehunga shall, in respect of the reserve and the springs of water thereon vested as in the *last-preceding* section mentioned, have and may exercise all the powers and authorities granted under "The Municipal Corporations Act, 1886," in respect to waterworks, as if the lands in the said reserve and the water thereon had been taken for waterworks under "The Public Works Act, 1882;" and also— 25

May enclose springs.

(1.) May erect on any portion of the said Allotments eight and ten a wall or other structure for enclosing the springs of water on the said Allotment ten, and also any other structures or buildings for the purpose of waterworks they may think necessary : 30

May close parts of streets and adjoining springs.

(2.) May absolutely close any part of Princes Street or Spring Street they may require for the purpose of preventing the pollution of the water at the springs on the said Allotment ten, and may include the portion of the streets so closed within the enclosure round the springs aforesaid : 35

May open new street through reserve.

(3.) May, in consideration of closing the said parts of streets, open a new street through the said Allotments six, eight, and ten, to connect the unclosed portions of Spring Street and Princes Street; the course of such new street to be such as the said Council shall think best for the benefit of the public : 40

May ornament reserve.

(4.) May lay out, manage, improve, or ornament any part of the said Allotments six, eight, and ten as they think best : 45
Provided that no part of any of the said allotments shall be alienated by way of sale, mortgage, lease, or otherwise.

Repeal.

4. Section two of "The Onehunga Water Reserves Act, 1879," is hereby repealed. 50