

# Westland Waste Lands and Public Reserves.

## ANALYSIS.

Title.	recommendation of Provincial Council required by "The Public Reserves Acts 1862."
Preamble.	
1. Short Title.	5. Governor and his successors incorporated for the purposes of this Act.
2. Waste Lands Regulations in force in Westland to continue in force till altered.	6. Governor empowered to issue grants of reserves for churches chapels cemeteries &c. to religious bodies for whom reserved.
3. Reserves vested in the Governor.	7. Certain reserves validated.
4. Management of reserves to be regulated by Order in Council whenever Ordinance or	

## A BILL INTITULED

AN ACT to provide for the Management of Waste Lands of the Crown and Public Reserves in the County of Westland. Title.

WHEREAS by "The County of Westland Act 1868" it is enacted Preamble.  
that all Appointments Orders in Council Proclamations Rules and Regulations made under or by virtue of such part of "The County of Westland Act 1867" as is repealed thereby and in force at the time of the coming into operation of "The County of Westland Act 1868" shall continue in force as if made under the last-mentioned Act until revoked altered or repealed as the case may be under or by virtue of the said last-mentioned Act and that the seventeenth section of "The County of Westland Act 1867" and all Regulations made thereunder and in force at the time of the coming into operation of "The County of Westland Act 1868" shall extend and apply to the County of Westland and the Waste Lands within such County and that all appointments and other acts matters or things done or made under such Regulations and in operation at the time of the coming into operation of the last-mentioned Act shall continue in force with regard to the County of Westland until revoked cancelled altered or otherwise dealt with under such Regulations and it was by the said last-mentioned Act provided that all Regulations affecting the sale of the Waste Lands of the County should continue in force only until the end of the then next Session of the General Assembly And whereas after the end of the then next Session of the General Assembly certain Regulations were made by His Excellency the Governor in Council in pursuance of the powers vested in him by the said seventeenth section of "The County of Westland Act 1867" which Regulations were contained in two several Proclamations bearing date respectively the seventeenth day of November one thousand eight hundred and sixty-nine and the thirty-first day of January one thousand eight hundred and seventy and doubts are entertained as to the power of the Governor in Council to make the said Regulations and it is expedient that such doubts should be removed

And whereas it is expedient to continue the operation of the said last mentioned Regulations and also to make provision for the management of certain Public Reserves in the said County

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 shall be "The Westland Waste Lands and Public Reserves Act 1870."

Waste Lands' Regulations in force in Westland to continue in force till altered.

2. The said Regulations affecting the sale of the Waste Lands of the Crown in the County of Westland respectively made as herein-before recited on the seventeenth day of November one thousand eight hundred and sixty-nine and the thirty-first day of January one thousand eight hundred and seventy shall be deemed to have been duly made and shall continue in force until altered revoked cancelled or annulled by the Governor in Council in exercise of the powers conferred upon him by the said Acts or either of them which powers are hereby declared to extend to the alteration revocation cancelling and annulling of the said Regulations. 5 10

Reserves vested in the Governor.

3. All the estate and interest in any Public Reserves or Lands within the said County which by the sixteenth section of "The County of Westland Act 1867" were vested in the Governor and all the estate and interest of Her Majesty the Queen her heirs and successors in every Public Reserve already made in that portion of the Colony included within the said County which under "The Public Reserves Act 1854" the Governor might have granted to the Superintendent of a Province had such portion continued to be within a Province but which have not been granted to the Superintendent of Canterbury or to any other person and all the estate and interest of Her Majesty the Queen her heirs and successors in every Public Reserve made within the said County after the passing of "The County of Westland Act 1867" or hereafter to be made shall on the passing of this Act or on the making of such reserve as the case may be vest in the Governor for the time being of the Colony and his successors Governors of the Colony who shall thereupon have with respect to every such reserve all the powers which by "The Public Reserves Act 1854" and "The Public Reserves Act Amendment Act 1862" or either of them are given to the Superintendent or to the Superintendent and Provincial Council of a Province with respect to Public Reserves granted to the Superintendent under "The Public Reserves Act 1854." 15 20 25 30

Management of reserves to be regulated by Order in Council whenever Ordinance or recommendation of Provincial Council required by "The Public Reserves Act 1862."

4. Wherever in "The Public Reserves Act 1854" or "The Public Reserves Act Amendment Act 1862" it is provided that any disposition or dealing of or with any Public Reserve or of or with the rents issues profits or proceeds thereof shall be made done or authorized by an Act or Ordinance of or on the recommendation of the Superintendent and Provincial Council of a Province then every such disposition or dealing of or with any Public Reserve vested in the Governor under this Act or of or with the rents issues profits and proceeds thereof shall be made done or authorized by the Governor by Order in Council and all rents issues profits and proceeds arising from any such lands shall be paid to the Public Account to the credit of the Public Trust Fund and be disposed of in such manner as shall from time to time be prescribed by the Governor in Council. 35 40 45

Governor and his successors incorporated for the purposes of this Act.

5. The Governor of the Colony and his successors Governors for the time being of the Colony in which term the person for the time being lawfully administering the Government of the Colony is included shall for the purposes of this Act be deemed and taken to be a Body Corporate by the name of the Governor of New Zealand and shall have perpetual succession and shall be capable in law to do and suffer in respect of the land vested and to be vested in him by virtue of this Act whatever may be lawfully done and suffered by a Body Corporate subject nevertheless to the provisions of "The Public Reserves Act 1854" and of this Act and of any Act passed or to be passed altering any of such provisions. 50 55

Governor empowered to issue grants of reserves for churches chapels cemeteries

6. As to all such lands within the County of Westland as have been or shall be reserved under any law for the time being in force for churches or chapels schools or cemeteries and whether a Crown Grant 60

for such lands shall have been issued to the Superintendent of the Province of Canterbury or not it shall be lawful for the Governor to execute and issue a Crown Grant of such lands to the respective trustees for the time being of the several religious denominations  
 5 bodies or societies in whose favour such respective reserves may have been originally made and the term "trustees" shall with reference to any such denomination body or society be deemed to mean the person or persons or body ecclesiastical or secular to whom or which in the opinion of the Governor such conveyance will according to the usages  
 10 or practices of such denomination body or society be most fittingly made having regard to the due preservation and observance of the trusts and fulfilment of the object for which such lands were reserved.

7. The several sections of land described in the first column of the Schedule hereto shall be deemed to have been set aside and  
 15 appropriated as reserves within the meaning of "The Public Reserves Act 1854" for the purposes mentioned in the second column of the said Schedule and respectively set forth therein opposite to the description of such lands from the dates respectively mentioned in the third column of the said Schedule.

&c. to religious bodies for whom reserved.

Certain reserves validated.

SCHEDULE.

Description of Reserves.	Purpose for which Reserved.	Date of Reservation.
	*	

\* Municipal Endowment.