



DISTRICT ROADS COMPULSORY LAND TAKING ORDINANCE 1870.

IN THE THIRTY-THIRD YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA.

SESSION XXVII.—No. 309.

ANALYSIS :

Title.

Preamble.

1. Short Title.

2. Power to take land described in First Schedule.

3. Power to take land described in Second Schedule.

4. Power to take land described in Third Schedule.

5. Power to take land described in Fourth Schedule.

6. Owners to be compensated.

7. Provisions of "The Lands Clauses Consolidation Act 1863" to apply to this Ordinance.

8. Power to take lands to cease unless exercised within three years from time of Governor's assent.

Schedules.

AN ORDINANCE to authorise the compulsory taking of certain Lands in the Title. *Goodwood Mornington Kurimoto and Pine Hill Road Districts of the Province of Otago for the purpose of completing certain Roads in the said Districts respectively.*

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON 13TH JUNE 1870.]

WHEREAS by "The Provincial Compulsory Land Taking Act 1866" ^{Preamble.} it was enacted (*inter alia*) that it should be lawful for the Superintendent and Provincial Council of every Province then or thereafter to be established in New Zealand from time to time to make or ordain any Law or Ordinance authorising the compulsory purchase of any land granted by the Crown within such Province for any work or undertaking of a public nature Provided that no land should be taken compulsorily under any Act or Ordinance of any Provincial Legislature except in conformity with the provisions of an Act of the General Assembly of New Zealand intituled "The Lands Clauses Consolidation Act 1863" And whereas the public interests require that the lands specified and described in the Schedules hereto should be taken compulsorily for the several purposes in this Ordinance particularly mentioned with relation thereto respectively :

BE IT THEREFORE ENACTED by the Superintendent of the Province of Otago by and with the advice and consent of the Provincial Council thereof as follows :—

I. This Ordinance may be cited and referred to as the "District Roads ^{Short Title} Compulsory Land Taking Ordinance 1870."

Power to take land described in First Schedule. II. It shall be lawful for the Superintendent of the Province of Otago to take and hold the land specified and described in the First Schedule hereto for the purpose of opening and constructing a public road in the Goodwood Road District of the Province of Otago aforesaid.

Power to take land described in Second Schedule. III. It shall be lawful for the said Superintendent to take and hold the land specified and described in the Second Schedule hereto for the purpose of opening and constructing a public road in the Mornington Road District of the Province of Otago aforesaid.

Power to take land described in Third Schedule. IV. It shall be lawful for the said Superintendent to take and hold the land specified and described in the Third Schedule hereto for the purpose of opening and constructing a public road in the Kurimoto Road District of the Province of Otago aforesaid.

Power to take land described in Fourth Schedule. V. It shall be lawful for the said Superintendent to take and hold the lands specified and described in the Fourth Schedule hereto for the purpose of opening and constructing certain public Roads in the Pine Hill Road District of the Province of Otago aforesaid.

Owners to be compensated. VI. All persons being owners of or having any less estate or interest in the said lands specified or described in the said Schedules hereto or any part or parts thereof respectively shall be entitled to receive compensation for the same the amount of which compensation shall be ascertained in the manner set forth in the Act of the General Assembly of New Zealand intituled "The Lands Clauses Consolidation Act 1863."

Provisions of "The Lands Clauses Consolidation Act 1863" to apply to this Ordinance. VII. "The Lands Clauses Consolidation Act 1863" and all the clauses and provisions thereof shall apply to this Ordinance and the lands compulsorily taken in pursuance hereof and so far as the same shall be applicable shall form part of this Ordinance and be construed herewith.

Power to take lands to cease unless exercised within 3 years from time of Governor's assent. VIII. The powers hereby conferred on the Superintendent to take and purchase compulsorily the lands specified in the said Schedules hereto shall not be exercisable after the expiration of three years from the time of the Governor's assent hereto.

SCHEDULES.

The First Schedule above referred to.

All that area situate in the Province of Otago containing by admeasurement one (1) rood and twenty-four (24) poles more or less being part of section thirty (30) block one (1) Hawksbury Survey District bounded towards the north-north-east by the remainder of section thirty (30) eight hundred (800) links towards the east-south-east by a road line between sections nineteen (19) and twenty-five (25) of the said block fifty (50) links towards the south-south-west by the remainder of section thirty (30) eight hundred (800) links and towards the west-north west by a main district road line fifty (50) links.

The Second Schedule above referred to.

All that area in the Province of Otago containing by admeasurement thirty-five (35) poles more or less situate in the Town District being parts of sections numbered respectively thirteen (13) and fourteen (14) block seven (VII) on the map of the said district bounded towards the north-west by a road line sixty (60) links towards the north east by other part of the said section numbered thirteen (13) three hundred and seventy (370) links towards the south-east by the Southern Trunk Road sixty (60) links and towards the south-west by other part of the said section numbered fourteen (14) three hundred and sixty (360) links.

The Third Schedule above referred to.

All that area in the Province of Otago containing by admeasurement one (1) acre three (3) roods and twenty-five (25) poles more or less situate in the Waihola District being part of section numbered (4) block twenty-seven (XXVII) on the map of the said district bounded towards the north-west by the road line between sections numbered respectively fifteen (15) and two of sixteen (2 of 16) block five (V) Otokia District fifty (50) links towards the north-east by other part of the said section numbered four (4) three thousand eight hundred and twenty-two (3822) links towards the south-east by a road line fifty (50) links and towards the south-west by other part of the said section numbered four (4) three thousand eight hundred and twenty-two (3822) links.

The Fourth Schedule above referred to.

1. All that area in the Province of Otago containing by admeasurement one (1) acre and twenty-eight (28) poles more or less situate in North Harbor and Blueskin District being part of section numbered sixteen (16) block ten (X) on the map of the said district bounded towards the north-west by other part of the said section numbered sixteen (16) two thousand three hundred and fifty-six (2356) links towards the north-east by section numbered seventeen (17) fifty (50) links towards the south-east by other part of the said section numbered sixteen (16) two thousand three hundred and fifty-six (2356) links and towards the south-west by section numbered thirteen (13) fifty (50) links.

2. All that area in the Province of Otago containing by admeasurement one (1) acre and four (4) poles more or less situate in North Harbor and Blueskin District being part of section numbered seventeen (17) block ten (X) on the map of the said district bounded towards the north-east by section numbered seventy-five (75) fifty-six (56) links towards the east by other part of the said section numbered seventeen (17) two thousand and sixty (2060) links towards the south-west by section numbered sixteen (16) fifty (50) links and towards the west by other part of the said section numbered seventeen (17) two thousand and sixty (2060) links.

3. All that area in the Province of Otago containing by admeasurement two (2) roods and one (1) pole more or less situate in North Harbor and Blueskin District being part of section numbered fifty-three (53) block eleven (XI) on the map of the said district bounded towards the north-west by other part of the said section numbered fifty-three (53) one thousand and ten (1010) links towards the north-east by section numbered fifty-one (51) fifty (50) links towards the south-east by other part of the said section numbered fifty-three (53) one thousand and ten (1010) links and towards the south-west by section numbered fifty-five (55) fifty (50) links.

DUNEDIN, NEW ZEALAND :

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