



TAIERI DISTRICTS ROADS LANDS ORDINANCE, 1864.

IN THE TWENTY-EIGHTH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA.

SESSION XIX., No. 180.

ANALYSIS :

<p>Title. Preamble. 1. Short Title. 2. Superintendent authorised to stop up certain portions of roads. 3. Superintendent to give notice of intention to stop up any portion. 4. After expiration of notice Superintendent to</p>	<p>determine whether portion is to be stopped up. 5. Superintendent authorised to sell or exchange lands. 6. Superintendent authorised to exchange lands. 7. Map of road to be deposited. 8. Interpretation clause. Schedule.</p>
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AN ORDINANCE *to authorise and empower the Superintendent of Otago to stop up certain Roads and portions of Roads in the Taieri Districts, and to sell exchange or otherwise dispose of the Lands over which such Roads and portions of Roads passed :*

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 12TH NOV., 1864.]

WHEREAS by an Act of the General Assembly of New Zealand intituled the "Highways and Watercourses Diversion Act 1858" it is enacted that it shall be lawful for the Superintendent of any Province with the advice and consent of the Provincial Council thereof by any law or Ordinance to be made or ordained for that purpose to authorise and empower the Superintendent to stop up any public street road highway or thoroughfare in any such Province and also to sell exchange or otherwise dispose of the land over which such public street road highway or thoroughfare so stopped up was laid out or passed : And whereas in making the permanent formation of The Roads in the said Taieri Districts it has been found that certain of the said Roads and certain portions of the Roads in the said Districts are either from their situation or other causes unsuitable for the proper construction of good roads : And whereas other roads on the plan hereinafter

mentioned delineated and therein colored brown have been surveyed laid out and opened to the public in lieu of such Roads and such portions of Roads : And whereas in consequence of the permanent roadway having been laid out over other lands The Roads and the portions of the Roads so found to be unsuitable for good roads as aforesaid have become disused as public roads or thoroughfares and it is expedient that such Roads and portions of Roads should be stopped up and should cease to be public roads and thoroughfares and it is also expedient that the Superintendent should be empowered to sell exchange or otherwise dispose of the lands over which such Roads and portions of Roads passed :—

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

Short Title.

I. This Ordinance may be cited and referred to as the “Taieri Districts Roads Lands Ordinance 1864.”

Superintendent authorised to stop up certain portions of Roads.

II. It shall be lawful for the Superintendent of Otago and he is hereby authorised and empowered to stop up all or any of those Roads and portions of Roads the situation courses boundaries and admeasurements of which are particularly described in the Schedule to this Ordinance annexed and are also delineated on the Map and are therein colored red.

Superintendent to give notice of intention to stop up any portion.

III. Before any of the Roads or any portions of the Roads are stopped up by the Superintendent he shall cause to be advertised a notice in the *Government Gazette* of the Province of Otago and in at least one newspaper published in Dunedin or elsewhere in the said Province referring to the plan and describing in general terms the situation length and course of that Road or that portion of any Road intended to be stopped up and calling upon all persons objecting to the stopping up of such Road or portion of Road to set forth a statement in writing of any well-grounded objection they may have to the stopping up of such Road or portion of Road and to leave such statement addressed to the Superintendent at his Office in Dunedin or at any Police Office in the District within sixty days from the first publication of such notice and on or before the publication of the said notice a copy of the plan shall be deposited at one or more of the Public Schools in the said Taieri Road Districts and there shall be printed written or lithographed on the said copy a notice intimating the last day for lodging such objections.

After expiration of notice Superintendent to determine whether portion is to be stopped up.

IV. After the expiration of the said sixty days' notice if no objections have been made or if the Superintendent upon consideration of the objections made shall determine nevertheless that such Road or such portion of Road ought to be stopped up the Superintendent shall declare by proclamation in the *Government Gazette* of the said Province that such Road or portion of Road shall thenceforth cease to be a Public Road or Thoroughfare and shall no longer form part of the Roads in the said Districts and the Superintendent

may thereupon take such proceedings as he may think fit for stopping up such Road or portion of Road.

V. It shall be lawful for the said Superintendent and he is hereby authorised and empowered to contract with any person or persons or body or bodies corporate for the sale exchange or disposal in any way he may think fit of the land over which any of the Roads or portions of the Roads stopped up under the provisions of this Ordinance passed. Superintendent authorised to sell or exchange lands.

VI. It shall be lawful for the Superintendent to exchange any of the said lands over which any of the Roads or any portions of the Roads stopped up under the provisions of this Ordinance passed for any other lands and to complete and perform any contracts heretofore entered into for the exchange of such lands for other lands over which new Roads have been made in lieu of the Roads or portions of Roads stopped up under the provisions of this Ordinance so soon as the lands over which such new Roads have been made shall have been conveyed to the Superintendent in exchange for any lands over which the stopped up Roads or portions of Roads passed and the lands so conveyed in exchange to the Superintendent shall be by the Superintendent dedicated to the public as public highways and thoroughfares and the fee simple shall be vested in Her Majesty her heirs and successors for ever subject to the rights of the public to use the surface thereof as public highways. Superintendent authorised to exchange lands.

VII. At all times after the passing of this Ordinance a map or maps of the Roads in the Taieri Districts shall be kept at the Office of the Superintendent of Otago for the time being in Dunedin and be at all convenient times open for public inspection and all persons may at all convenient times examine gratis at such office such map or maps. Map of Road to be deposited.

VIII. The terms hereunder mentioned shall for the purpose of construing this Ordinance have the force and signification hereby attached to them that is to say: The term "the map" shall mean the map or maps plan or plans bearing an inscription signed by the Speaker of the Provincial Council referring to this Ordinance and which map or maps are hereafter to be deposited in the Office of the Superintendent of the Province of Otago: The term "the roads" shall mean the Public Roads and Thoroughfares in the North Taieri and East Taieri Road Districts of the Province of Otago and which Roads are more particularly delineated in a map or maps certified by the Speaker of the Provincial Council and deposited at the Office of the Superintendent of Otago. Interpretation clause.

SCHEDULE.

The Roads and Portions of Roads in the Taieri Districts which the Superintendent is empowered to stop up.

Lineal Measurement.	Breadth.	From what Point.	To what Point.	Boundaries.
35 chains	60 links	North-east, Angle of Section 32, Irregular Block, Taieri.	District Road on the South Side of Blocks II and III, Taieri.	West, Section 24 ; East, Section 25, Irregular Block, Taieri.
28 chains	60 links	Saddle Hill and West Taieri Road.	Section 26, Irregular Block, Taieri.	North, Section 25, parts of 24 and 26, Irregular Block, Taieri ; South, part of Section 32, Irregular Block, Taieri, and Block VII., Dunedin and East Taieri.
6 chains 25 links	60 links	Boundary line between Sections 25 and 26, Irregular Block, Taieri.	New District Road. Block II, Taieri.	North, parts of Section 5, Block II ; South, Section 26, Irregular Block, Taieri.
13 chains 50 links	60 links	New District Road on Section 4, Block VI, Taieri.	New District Road on Section 3, Block VI, Taieri.	North, part of Sections 3 and 4, Block VI ; South, part of Sections 9 and 10, Block II, Taieri.
340 chains 80 links	60 links	District Road line between Block XV and Section 52, Irregular Block, Taieri.	Dunedin and West Taieri Road, on Section 13, Block XVIII, Taieri.	North, part of Section 60, Irregular Block, Taieri ; Application 1094, Sections 29 and 30, Block I, Dunedin and East Taieri ; Sections, 59, 58, 57, 56, 55, 54, 53, Irregular Block, Taieri ; and Section 34, Block II, Dunedin and East Taieri ; South, part of Section 13, Sections 12, 11, 10 and 9, Block XVIII, Blocks XVII, XVI and XV, Taieri.
34 chains	60 links	District Road at North-east angle of Section 16, Block XVIII, Taieri.	Dunedin and West Taieri Road.	North-west, Section 62, Irregular Block ; South-east, Sections 46, 47, Riverside, Taieri.
22 chains	60 links	Dunedin and West Taieri Road	River Bank Reserve, West Taieri Bridge.	North-east, Section 62, Irregular Block, Taieri ; South-west, Section 49, and part of 48, River Section, Taieri.
16 chains 50 links	60 links	Dunedin and West Taieri Road.	Section 58, Irregular Block, Taieri.	North-east, Section 12, Block XVI ; South-west, Section 7, Block XVII, Taieri.