

New Zealand.



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1905, No. 19.

AN ACT to provide for the Vesting of certain Lands situate at Kaiapoi in the Church Property Trustees as a Site for a Church and other Purposes. Title.

| 23rd October, 1905.

WHEREAS by Crown grant dated the sixth day of November, one thousand eight hundred and sixty-five, the lands described in the First Schedule hereto were granted to the Bishop of Christchurch and his successors in trust for a Native industrial school for aboriginal natives of New Zealand in connection with the Church of England: And whereas by "The Kaiapoi Native Industrial School Grant Act, 1870," it was provided that the Bishop of Christchurch might surrender the said lands to Her Majesty free and discharged of all trusts; and that if the said lands should be so surrendered the Governor might cause a Crown grant to a portion of the said land not exceeding sixteen acres to be made to the said Bishop and his successors in trust for a site for a church in connection with the branch of the Church of England in New Zealand, and for the benefit of those aboriginal natives for whose benefit the said recited grant was made, and as and for a site for a school, and a house for the use of the clergyman appointed to perform services in the said church, and for glebe land to be used and occupied with such house; and that the residue of the said lands should be vested in two or more trustees, to be nominated by the Governor under section eight of "The Native Schools Act, 1867," as a site for a Native school: And whereas no surrender has ever been made by the Bishop of Christchurch in terms of "The Kaiapoi Native Industrial School Grant Act, 1870": And whereas by Proclamation made in exercise of the powers vested in the Governor by "The Native Schools Act, 1867," and published in the *Gazette* on the sixth day of January, one thousand eight hundred and seventy-one, Henry James Tancred and the Reverend James West

Stack were nominated and appointed to be trustees of the land described in the First Schedule hereto: And whereas the said Proclamation was *ultra vires* as to a parcel of land not exceeding sixteen acres, portion of the lands described in the First Schedule hereto, and being the whole of the lands described in the Second Schedule hereto: And whereas "The Kaiapoi Native Industrial School Grant Act, 1870," has since been repealed by "The Repeals Act, 1878": And whereas the Bishop of Christchurch for the time being is desirous that for the sake of convenience the lands set out and described in the Second Schedule hereto shall be vested in the Church Property Trustees instead of being vested in the Bishop of Christchurch and his successors, and it is expedient to give effect to such desire:

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 Kaiapoi Native Reserve Act, 1905."

Interpretation.

2. In this Act "the Church Property Trustees" means the trustees and their successors constituted a body politic and corporate by the name of "the Church Property Trustees" under Ordinance of the Superintendent and Provincial Council of the late Province of Canterbury intituled "The Church Property Trust Ordinance, Session 2, Number 3," and "The Church Property Trust Amendment Ordinance, 1867."

Recited Proclamation revoked.

3. The Proclamation of the thirtieth day of December, one thousand eight hundred and seventy-one, is hereby revoked.

Surrender and vesting of land described.

4. (1.) The Bishop of Christchurch may surrender the land comprised in the said Crown grant, and described in the First Schedule hereto, free and discharged of the trusts specified in the said Crown grant.

(2.) Upon such surrender the land described in the Second Schedule hereto shall vest in the Church Property Trustees as a site for a church, and as a site for a vicarage and for glebe land to be used and occupied therewith.

(3.) The District Land Registrar shall issue to the Church Property Trustees a certificate of title to the lands described in the said Second Schedule upon delivery to him of the said Crown grant duly surrendered.

(4.) The remainder of the land described in the First Schedule hereto shall vest in His Majesty in trust as a school-site.

Schedules.**SCHEDULES.****FIRST SCHEDULE.**

ALL that parcel of land in the Canterbury Land District, containing by admeasurement 20 acres, more or less, being original Allotment No. 91 of the Kaiapoi Native Reserve, situated in Block XI., Rangiora Survey District. Bounded towards the north by Allotment No. 88 of the said Kaiapoi Native Reserve; towards the east by the said Allotment No. 88 and Allotment No. 89; towards the south by Allotment No. 92; and towards the west and north-west by School Road.

SECOND SCHEDULE.

ALL that parcel of land in the Canterbury Land District, containing by admeasurement 16 acres, more or less, being Allotment No. 91 (the northern part of original Allotment No. 91) of the Kaiapoi Native Reserve, situated in Block XI., Rangiora Survey District. Bounded towards the north by Allotment No. 88 of the said Kaiapoi Native Reserve, 1180 links; towards the east by the said Allotment No. 88 and Allotment No. 89, 1200 links; thence towards the south by a right line at a right angle to the last-mentioned boundary-line to School Road; and thence towards the west and north-west by the said School Road.

WELLINGTON. Printed under authority of the New Zealand Government,
by JOHN MACRAE, Government Printer.—1905.