

Session XXXII 1869 (October to November 1869)

1. The Waiwera and Sefton Township Reserves Ordinance 1869

[November 2, 1869.]

Whereas by an Act of the General Assembly intituled "The Canterbury Waste Lands Act 1869 " it is amongst other things enacted that it should be lawful for the Superintendent and Provincial Council of the Province of Canterbury by Ordinance to be passed by it in that behalf to enact that any lands which had

already been or should thereafter be set apart and proclaimed as sites for Towns in the said Province and which might not have been sold for the purposes for which such Lands should have been set apart or which having been sold had been re-conveyed to the Crown or to the Superintendent of the said Province should be reserves for endowments for educational or other purposes) of public utility: And whereas by Proclamations in the Government Gazettes of the said province bearing date respectively the twenty-second day of December One thousand eight hundred and fifty-eight and the first day of February One thousand eight hundred and sixty-six Townships were constituted at Sefton and Wairewa in the said Province: And whereas it is desirable that the lands comprised in the said Townships should be made into Reserves for endowments for educational

Be it therefore enacted by the Superintendent of the said Province with the advice and consent of the Provincial Council thereof as follows:

1. Lands known as Sefton Township to cease to be Town Lands and to be a Reserve for the endowment for Ordinary Schools.

From and after the passing of this Ordinance the lands hitherto known as the Sefton Township as they are more particularly described in the Schedule A to this Ordinance shall cease to be Town Lands within the meaning of the Waste Lands Regulations of the Province of Canterbury and the said lands together with all Public Reserves thereon as now set forth on the authenticated maps of the Chief Surveyor and notified in the Government Gazettes of the said Province bearing dates the fifth day of September one thousand eight hundred and sixty-two and the twenty-first day of October One thousand eight hundred and sixty-three shall be a Reserve for an endowment for the maintenance of Ordinary Schools within the Province.

2. Lands known as Wairewa Township to cease to be Town Lands and to be a Reserve for the endowment for a High School.

From and after the passing of this Ordinance the lands hitherto known as the Wairewa Township as they are more particularly described in the Schedule B to this Ordinance shall cease to be Town Lands within the meaning of the Waste Lands Regulations of the Province of Canterbury and the said lands together with all Public Reserves thereon as now set forth on the authenticated maps of the Chief Surveyor and notified in the Government Gazettes of the Province bearing dates the fifteenth day of June One thousand eight hundred and sixty-five and the seventh day of January One thousand eight hundred and sixty-seven and together with the Sections thereon numbered 1 2 3 8 and 9 which were sold by the Crown and have been conveyed by the purchasers to the Superintendent by deeds bearing date the first day of March One thousand eight hundred and sixty-nine and the twenty-second day of March One thousand eight hundred and sixty-nine respectively shall be a Reserve for a site and for an endowment or as an endowment only for a School within the Province for the education, of youths in classics mathematics and the higher branches of literature.

3. Superintendent may demise and lease the Reserves.

It shall be lawful for the Superintendent as soon as the lands described in the schedules hereto or any parts of the said Lands have been granted or conveyed to him to demise and lease all or any parts of the said lands for any term or terms not exceeding twenty-one years in possession upon such terms and conditions and at such rent as to him may seem fit and the rent of the said Reserves shall be paid to the Provincial Treasurer and appropriated to the purposes for which the said Reserves are severally set apart.

4. Title.

This Ordinance shall be entitled and may be cited as the Wairewa and Sefton Township Reserves Ordinance, 1869.

Schedule A. Town of Sefton.

All that piece or parcel of land containing by admeasurement six hundred and forty acres more or less bounded on the Northward by Sections Nos. 2096 2112 2167 2305 2309 and Cemetery Reserve No 163 in red for a distance of eighty chains and extending Southerly a distance of eighty chains in a rectangular block being bounded on the Eastward by Sections Nos. 1418 and 1434 on the Westward by Sections Nos. 2137 2055 2009 1981 1039 and 1291 and on the Southward by Sections Nos. 1976 1969 1953 1958 1918 1896 and 1881.

Schedule B. Town of Waiwera.

All that piece or parcel of land containing six hundred and forty acres more or less situate at Little River bounded on the West by Section 4888 and a line in continuation of its eastern boundary on the Northward by the Native Reserve and a line in continuation of the Southern boundary thereof on the Southward by the Rivers Okaua and Okute and on the Eastward by a line at right angles to the Northern boundary so as to include the above quantity.

2. The Rangitata, Opihi and Temuka Bridges Tolls Ordinance 1869.

Whereas the Timaru and Gladstone Board of Works contemplate the making constructing and maintaining, of Bridges across the Rivers Rangitata Opihi and Temuka in the Province of Canterbury:

And whereas it is expedient that tolls may be levied and paid for the passage across the said Bridges of passengers animals vehicles articles and things:

Be it therefore enacted by the Superintendent of the Province of Canterbury by and with the advice and consent of the Provincial Council thereof as follows:

1. Superintendent may cause tolls to be levied.

It shall be lawful for the Superintendent when and as soon as the said Bridges or any of them shall be open for public traffic to cause tolls to be levied for the passage across each of the said Bridges or any of them of passengers animals vehicles articles and things at not exceeding the respective rates set forth in the Schedule to this Ordinance.

2. Tolls who to be paid to.

Such tolls shall be paid by the persons using the Bridges to the Toll Collector or one of the Toll Collectors hereinafter mentioned.

3. Chairman of the Timaru and Gladstone Board of Works may appoint Toll Collectors.

It shall be lawful for the Chairman of the Timaru and Gladstone Board of Works for the time being by warrant under his hand from time to time to appoint one or more person or persons as Toll Collectors to collect the tolls aforesaid and such person or persons at pleasure to remove and, others to appoint.

4. Penalty for evasion of tolls.

Any person who shall evade or attempt to evade the payment or who shall refuse or neglect to pay any toll payable under this Ordinance, shall forfeit and pay for every such offence any sum not exceeding Five Pounds and it shall be lawful for any Toll Collector or Collectors to prevent, the passage across the said Bridges of any passenger animal vehicle article or thing of what kind soever unless the tolls hereby made payable for the passage of the same shall have been, previously paid.

5. Tolls to be property of Timaru and Gladstone Board of Works.

All tolls payable under this Ordinance shall be the property of the Timaru and Gladstone Board of Works.

6. Superintendent may grant lease of tolls.

It shall be lawful, for the Superintendent at the request of the said Board of Works to grant a lease of the tolls payable under this Ordinance to any person or persons Company or Companies nominated by the said Board of Works for any term not exceeding ten years from the date of the lease.

7. Penalties recoverable in a summary way.

All penalties imposed by this Ordinance shall be recoverable in a summary way.

8. Title.

This Ordinance shall be entitled and may be cited as "The Rangitata, Opihi and Temuka Bridges Tolls Ordinance 1869."

The Schedule of Tolls Payable under the Ordinance.

	£	s.	d.
For every passenger including in such denomination every person who shall in any manner be carried across as well as foot passengers	00	02	00
For every vehicle including in such denomination any machine or engine or other thing on two wheels only	00	02	06
For any vehicle including in such denomination any machine or engine or other thing on more than two wheels	00	04	00
For every horse ass or mule whether drawing any vehicle or not	00	01	00
For all horned or neat cattle per head	00	00	06
For every sheep lamb goat or pig	00	00	01

All vehicles or persons carrying Her Majesty's mails, and the horses drawing such vehicles and the driver thereof and all police constables on duty and prisoners in their charge and Volunteers on duty shall be, exempt from toll.

3. The Mechanics Institute Timaru Reserve Ordinance 1869.

Whereas by a Grant from the Crown bearing date the first day of September 1869 the parcel of land described in the Schedule to this Ordinance annexed was conveyed and assured unto and to the use of William Rolleston Esq. Superintendent of the Province of Canterbury successors and assigns for ever subject to the provisions of "The Public Reserves Act 1858 " upon trust for the purposes of Government Offices Gaol and Public Pound: And Whereas it is expedient that the specific purposes for which said parcel of land was conveyed should be changed and that the same be vested in the Trustees of the Mechanics' Institute Timaru purposes of the said Institute:

Be it therefore enacted by the Superintendent of the said Province of Canterbury with the advice and consent of the Provincial Council thereof pursuant to Clause 8 of "The Public Reserves Act 1858" as follows:

1. Land described in Schedule to be reserved for Mechanics' Institute at Timaru.

That the the specific purposes for which the parcel of land described in the Schedule to this Ordinance annexed has been conveyed shall be and the same are hereby changed and that henceforth the said parcel of land shall be reserved for the purposes of the said Mechanics' Institute at Timaru.

2. Land to be vested in Trustees.

That the said parcel of land described in the said Schedule shall be and the same is hereby transferred to and vested in Belfield Woolcombe and Thomas Williamson Hall and their successors trustees for the time being of the Mechanics' Institute Timaru in trust for the purposes of the said Institute.

3. Superintendent may grant and convey land to Trustees.

That it shall be lawful for the Superintendent in Council to grant and convey to the said Belfield Woolcombe and Thomas Williamson Hall the said parcel of land hereinbefore declared to be vested in them and their successors Trustees for the time being of the said Institute upon trust for the purposes of the said Institute and for no other purpose whatsoever.

Schedule referred to in the foregoing Ordinance.

All that piece or parcel of land containing one rood more or less situate in the Town of Timaru being the eastern part of Reserve No. 203 in red and numbered 131 on the Map of the Chief Surveyor setting out and describing the Town of Timaru being bounded on the north by North street a distance of one hundred links on the east by Section No. 130 a distance of two hundred and fifty links on the South by Section No. 143 a distance of one hundred links and on the West by Section 132 being also part of the beore-mentioned Reserve No. 203 a distance of two hundred and fifty links.

4. The Diversion of Roads, Special Ordinance 1869

[2nd November 1869.]

Whereas by an Ordinance of the Superintendent and Provincial Council of Canterbury entitled " The Diversion of Roads Ordinance Session XI. No. 3 " it is enacted that except as therein provided no Public Road shall be closed up except. under the authority of Special Ordinance of the Superintendent and Provincial Council in that behalf. And whereas it is expedient that certain Public Roads should be closed up:

Be it therefore enacted by the Superintendent of the said Province with the advice and consent of the Provincial Council thereof as follows:

1. Roads described in Schedule to be closed up and cease to be Public Roads.

The Public Roads and parts of Public Roads described in the Schedule to this Ordinance and in the plans hereto annexed and therein coloured green shall be closed up and shall henceforth cease to be Public Roads.

2. Title.

This Ordinance shall be entitled and may be cited as "The Diversion of Roads Special Ordinance 1869."

Schedule

No. 1. on Plan

All that piece or parcel of land forty links wide situate in the Christchurch District being bounded on the northward by rural section No. 1733 for a distance of thirty-two chains seventy links on the eastward by the Hoon Hay road on the westward by the road under the hills and on the outward by the road on the north side of Section No. 338b.

Comprising 1 Acre 1 Rood 8 Perches.

No. 2. on Plan.

All that piece or parcel of land two chains wide bounded on the north-eastward by sections Nos. G181 and G183 on the south-westward by section No. 6182 on the north-westward by the south eastern side of the road forming the north-western boundary of those sections and on the southward by the northern side of the Oxford Tram road.

Comprising 10 acres 2 Roods and 17 Perches.

5. The Provincial Council Representation Ordinance 1869.

Whereas by an Act of the Imperial Parliament passed in the Fifteenth and Sixteenth Years of the Reign of Her Majesty Queen Victoria entitled "An Act to Grant a Representative Constitution to the Colony of New Zealand" it was enacted that it should be lawful for the Governor by proclamation to constitute within each of the Provinces by the said Act established convenient Electoral Districts for the Election of Members for the Provincial Council and of the Superintendent and to appoint and declare the number of Members to be elected for each such District for the Provincial Council and to make provisions for the registration and revision of lists of all persons qualified to vote at the elections to be holden within such districts: And whereas the then Governor of New Zealand did accordingly by a proclamation bearing date the fifth day of March One thousand eight hundred and fifty-three constitute certain Districts for the Election of the Superintendent and Members of the Provincial Council of the Province of Cnterbury and did appoint and declare the number of Members to be elected to serve in the Provincial Council for each of the said several Districts and did further make certain provisions for the registration and revision of the lists of persons qualified to vote as aforesaid: And whereas by an Ordinance of the Superintendent and Provincial Council of the said Province entitled " The Provincial Council Extension Ordinance Session III. No. 1 " certain provisions of the said proclamation were repealed and certain other provisions enacted in lieu thereof: And whereas by an Ordinance of the Superintendent and Provincial Council entitled "The Provincial Council Extension Ordinance Session VIII. No. 8" the said last recited Ordinance was repealed and certain other provisions were enacted in lieu thereof: And whereas by an Ordinance of the Superintendent and Provincial Council entitled "The Provincial Council Extension Ordinance Session XVII. No. 4" the above recited Ordinances were repealed and certain other proisions were enacted in lieu thereof: And whereas by an Ordinance of the Superintendent and Provincial Council entitled "The Provincial Council Extension Ordinance 1866" the above recited Ordinances were repealed and certain other provisions were enacted in lieu thereof: And whereas by an Act of the General Assembly of New Zealand entitled "The County of Westland Act 1867" so much of the last-mentioned Ordinance as provides for the election of Members for the Westland District the Town of Hokitika and the Town of Greymouth was thereby repealed: And whereas it is expedient that the said recited Ordinance of the Superintendent and the Provincial Council entitled "The Provincial Council Extension Ordinance 1866" should be amended:

1. Repealing Clause.

Section 4 of the said "Provincial Council Extension Ordinance 1866" shall be and the same is hereby repealed.

2. Number of Members to be elected for each District.

The number of Members to be elected for each District in the Provincial Council of the said Province of Canterbury shall be from and after the date of the carrying into operation of this Act:

1. For the Waipara District one Member
2. For the Sefton District two Members
3. For the Oxford District one Member
4. For the Rangiora District one Member
5. For the Town of Kaiapoi one Member
6. For the Mandeville District two Members
7. For the City of Christchurch three Members
8. For the Papanui District two Members
9. For the Riccarton District two Members
10. For the Town of Lyttleton two Members
11. For the Heathcote District three Members
12. For the Lincoln District two Members
13. For the Port Victoria District one Member
14. For the Town of Akaroa one Member
15. For the Wainui District one Member
16. For the Bays District one Member
17. For the Rakaia District two Members
18. For the Selwyn District two Members
19. For the Ashburton District one Member
20. For the Geraldine District two Members
21. For the Town of Timaru one Member
22. For the Waitangi District one Member
23. For the Mount Cook District one Member
24. For the Waimate District one Member
25. For the Seadown District two Members

3. This Ordinance when to come into force.

This Ordinance shall come into operation upon the day of the next dissolution of the Provincial Council.

4. Title.

This Ordinance shall be entitled and may be cited as "The Provincial Council Representation Ordinance 1869."

6. The Appropriation No 2 Ordinance 1869.

Be it enacted by the Superintendent of the Province of Canterbury with the advice and consent of the Provincial Council thereof as follows:

1. Repealing Clause.

"The Appropriation Ordinance " Session XXX. No. 13 and "The Appropriation Ordinance " Session XXXI. No. 8 shall be and the same are hereby repealed as and from the 30th September 1869.

2. Sums set forth in Schedules A. B. and C. to this Ordinance may be issued and applied for the Public Service of the Province.

Out of the public revenues of the said Province there may be issued and applied for the public service of the Province and for defraying the charge of the Government thereof for the period commencing on the first day of October One thousand eight hundred and sixty-nine and ending on the thirtieth day of September One thousand eight hundred and seventy in manner set forth in Schedules A B and C to this Ordinance any sum or sums of money not exceeding the sums in such Schedules specified amounting in the whole to the sum of Two hundred and forty thousand nine hundred and thirty-four pound seventeen shillings and tenpence and all payments made under the aforesaid Appropriation Ordinances from the first of October last until the passing of this Ordinance shall be deemed to have been paid under the authority hereof and to be part of the sums set forth in the said Schedules.

3. Title.

This Ordinance shall be entitled and may be cited as "The Appropriation Ordinance, No 2, 1869."

Schedule A.

Schedule B.

Schedule C.