

New Zealand.



ANALYSIS.

<p>Title. Preamble.</p> <p>1. Short Title.</p> <p>2. No claim to be made against Kiwitea County Council in respect of non-collection of</p>	<p>special rate, payment of interest, or application of "thirds."</p> <p>3. Acts of Council validated. Schedules.</p>
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1909, No. 34.—*Local.*

AN ACT to validate certain Acts of the Kiwitea County Council in respect of the Application of certain "Thirds," and the Non-collection of certain Special Rates, and the Payment of Interest on certain Special Loans. Title.
[24th December, 1909.]

WHEREAS the Kiwitea Road Board, in pursuance of the authority given to it by a poll of the ratepayers of the Ongo Ward of the Kiwitea Road District, taken under the Local Bodies' Loans Act, 1886, on the nineteenth day of November, eighteen hundred and ninety-one, raised from the Colonial Treasurer, under the Government Loans to Local Bodies Act, 1886, a special loan of five thousand pounds for the purpose of making roads of access to open up lands in the Ongo Ward of the said district, and for constructing certain works on or in connection with such roads, and in pursuance of the like authority struck a special rate of one penny and seven-eighths of a penny in the pound on the rateable value of all rateable property (Crown and Native lands excepted) within the said Ongo Ward: And whereas the Wellington Land Board granted certificates to the said Road Board authorising it to apply the "thirds" of recurring annual payments arising from the lands opened up by the said roads in lieu of or in reduction of the said special rate: And whereas on the second day of September, eighteen hundred and ninety-three, the Kiwitea County was constituted by the Kiwitea County Act, 1893, and the said road district was included within the boundaries of such county: And whereas the Kiwitea County Council, in pursuance of the authority given to it by a poll of the ratepayers of the lands within the Hautapu and Ongo Ridings of the said county, described in the Third and Fourth Schedules hereto, taken under the Local Bodies' Loans Act, 1886, on Preamble.

the nineteenth day of August, eighteen hundred and ninety-five, raised from the Colonial Treasurer, under the Government Loans to Local Bodies Act, 1886, a special loan of six thousand pounds for the purpose of making roads of access in the said Ongo Riding to open up the said lands, and for constructing certain works on or in connection with such roads, and in pursuance of the like authority struck a special rate of four-fifths of a penny in the pound on the said lands: And whereas the Wellington Land Board granted certificates to the said County Council authorising it to apply the "thirds" of recurring annual payments arising from the lands opened up by the said roads in lieu of or in reduction of the said special rate: And whereas for the period up to the thirty-first day of March, nineteen hundred and seven, no part of the said special rate of one penny and seven-eighths of a penny in the pound was collected by the Kiwitea County Council: And whereas for the period up to the thirty-first day of March, nineteen hundred and six, no part of the said special rate of four-fifths of a penny in the pound was collected by the said Council: And whereas the whole of the interest on the said special loan of five thousand pounds was, up to the said thirty-first day of March, nineteen hundred and seven, paid out of the "thirds" arising from those of the lands so opened up out of the proceeds of the said loan that are described in the First Schedule hereto: And whereas the whole of the interest on the said special loan of six thousand pounds was, up to the thirty-first day of March, nineteen hundred and six, paid out of the "thirds" arising from those of the lands so opened up out of the proceeds of the said loan that are described in the Third Schedule hereto: And whereas for the year commencing on the first day of April, nineteen hundred and seven, and ended on the thirty-first day of March, nineteen hundred and eight, and the year commencing on the first day of April, nineteen hundred and eight, and ended on the thirty-first day of March, nineteen hundred and nine, the whole of the interest on the said special loan of five thousand pounds was paid out of the proceeds of the said special rate of one penny and seven-eighths of a penny in the pound, such rate having, however, been levied only on the lands described in the Second Schedule hereto: And whereas for the years nineteen hundred and six-seven, nineteen hundred and seven-eight, and nineteen hundred and eight-nine the whole of the interest on the said special loan of six thousand pounds was paid out of the said special rate of four-fifths of a penny in the pound, such rate having, however, been levied only on the lands described in the Fourth Schedule hereto: And whereas the whole of the "thirds" arising from those of the lands so opened up out of the proceeds of the said respective loans that are described in the Second and Fourth Schedules hereto were applied in constructing roads to give access to and open up such lands respectively, and works on or in connection with such roads, being roads for the construction of which the said respective special loans were raised: And whereas by the means aforesaid an equitable adjustment has been made as between the respective lands described in the First and Third Schedules on the one hand and the respective lands described in the Second and Fourth Schedules on the other hand,

and as between the respective owners and occupiers of the same lands respectively: And whereas the said Council desires to have its action in the aforesaid matters validated:

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the *Kiwitea County Validation Act, 1909.* Short Title.

2. No action, proceeding, claim, or demand shall be brought or made against the *Kiwitea County Council* or any past or present member thereof in respect of any of the transactions described in the Preamble hereto, and in particular in respect of—

No claim to be made against *Kiwitea County Council* in respect of non-collection of special rate, payment of interest, or application of "thirds."

(a.) The non-collection of the said special rate of one penny and seven-eighths of a penny in the pound for any period prior to the thirty-first day of March, nineteen hundred and seven:

(b.) The non-collection of the said special rate of four-fifths of a penny in the pound for any period prior to the thirty-first day of March, nineteen hundred and six:

(c.) The payment of the interest on the said special loans of five thousand pounds and six thousand pounds out of the "thirds" arising from the lands described in the First and Third Schedules hereto up to the said thirty-first day of March, nineteen hundred and seven, and thirty-first day of March, nineteen hundred and six, respectively:

(d.) The payment of the interest on the said respective loans for the years hereinbefore in that behalf mentioned out of the said several special rates levied only on the said lands described in the said Second and Fourth Schedules hereto:

(e.) The application as aforesaid of the "thirds" arising from the said lands described in the Second and Fourth Schedules in opening up such lands respectively.

3. The acts of the said Council in respect of all and singular the matters aforesaid are hereby validated. Acts of Council validated.

Schedules.

SCHEDULES.

FIRST SCHEDULE.

ONGO FIRST LOAN.

Section.	Block.	Survey District.	Section.	Block.	Survey District.
4	XI ...	37 ...	...	XI ...
29	" ...	38 ...	...	" ...
59	" ...	43 ...	...	" ...
65	" ...	44 ...	...	" ...
72	" ...	47 ...	...	" ...
69	" ...	48 ...	...	" ...
2	XII ...	49 ...	...	" ...
4	" ...	51 ...	...	" ...
5	" ...	56 ...	...	" ...
6	" ...	64 ...	...	" ...
10	" ...	1, 3, 5	...	XV ...
11	" ...	7, 9, 11	...	" ...
12	" ...	15 ...	...	" ...
4	XV ...	16 ...	...	" ...
6	" ...	14 ...	...	XII ...
8	" ...	14 ...	...	XVI ...
10	" ...	15 ...	...	" ...
12	" ...	16 ...	...	" ...
14	" ...	17 ...	...	" ...
25	" ...	18 ...	...	" ...
26	" ...	3 ...	...	XII ...
7	XVI ...	8 ...	...	" ...
8	" ...	80, 81, 82	...	VII ...
9	" ...	84 ...	...	" ...
12	" ...	60 ...	...	XI ...
13	" ...	63 ...	...	" ...
19	" ...			

SECOND SCHEDULE.

ONGO FIRST LOAN.

Section.	Block.	Survey District.	Section.	Block.	Survey District.
3	XI ...	15, 21	...	VIII, XII
7	XII ...	18, 22, 23	...	XII ...
11	XVI ...	78, 79	...	VII ...
2	XV ...	16, 17	...	VIII ...
32, 34-36, 39,	...	" ...	1, 2, 4, 6, 8,	...	" ...
40	...	X ...	13	...	XIII, XIV
22	" ...	1, 1A, 1B, 3, 5,	...	" ...
5	XI ...	14	...	" ...
28, 23, 17	...	XV, XI,	19, 20, 21	...	XIV ...
		XIV ...	27 ...	...	XV ...
13	XV ...	29 ...	...	XII ...
16	IX ...	9 ...	...	VIII ...
18	" ...	6, 11	...	V, VIII ...
Pt. 8	...	V ...			Apiti,
9	" ...			Ongo.
10, 12	...	V, IX ...	17 ...	...	V ...
13, 14, 15	...	IX ...	14 ...	...	" ...
17, 19	...	IX, XII ...	Pt. 7	...	" ...
		Apiti,	20 ...	...	IX ...
		Ongo.	19 ..	...	" ...
20, 31, 14	...	XII, IX,	1, 21	...	XIII ...
		VIII ...	1, 3 ...	...	XVI ...
		Ongo,			
		Apiti,			
		Ongo.			

SECOND SCHEDULE—*continued.*ONGO FIRST LOAN—*continued.*

Section.	Block.	Survey District.	Section.	Block.	Survey District.
1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 21, 33, 29, 30, 31, 32, 34, 35, 36A, 36B, 9, 13, 22, 17, 7, 5, 1, 3, 4, 5, 6, 7, 8	...	XI	Lots 1 to 17, 19, 21 to 27, of Section 19 ...	XV	Ongo.
			40 ...	XI	"
			33 ...	X	"

THIRD SCHEDULE.

ONGO SECOND LOAN.

Section.	Block.	Survey District.	Section.	Block.	Survey District.
79 ...	VII	Ongo.	15 ...	VI	Apiti.
15, 21	VIII, XII	"	13, 14, 15, 16, 17, 18, 31	IX	"
16, 17	VIII	"	19 ...	XII	Ongo.
40 ...	X	"	22 ...	XIV	"
14 ...	VIII	"	22, 23, 20	XII	"
8, 9, 12, 15	V	Apiti.	28 ...	XV	"
10, 12	V, IX	"			

FOURTH SCHEDULE.

ONGO SECOND LOAN.

Section.	Block.	Survey District.	Section.	Block.	Survey District.
3, 4, 29, 59, 65, 72, 69, 5, 38, 43, 44, 47, 48, 49, 51, 56, 64, 60, 63, 37	XI	Ongo.	32, 34, 35, 36, 39	X	Ongo.
2, 4, 5, 6, 7, 10, 11, 12, 14, 3, 8, 18	XII	"	23 ...	XIV	"
2, 4, 6, 8, 10, 12, 14, 25, 26, 1, 3, 5, 7, 9, 11, 13, 15, 16	XV	"	14, 15, 16, 17, 18	XVI	"
			13 ...	V	Apiti.
			78, 80, 81, 82, 84	VII	Ongo.
			Pakihikura Re- serve	IX	"
			7, 8, 9, 11, 12, 13, 19	XVI	"