

Reserves and Other Lands Disposal and Public Bodies Empowering Act 1912

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An Act to provide for the Exchange, Sale, Reservation, and other Disposition of certain Reserves, Crown Lands, other Lands, and Endowments, and to confer certain Powers on certain Public Bodies.

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

1 Short Title

This Act may be cited as the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1912.

2 Validating acts of Trustees and of One-Tree Hill Domain Board in respect of burial of the late Sir John Logan Campbell

(1) The executors or trustees of the will of the late Sir John Logan Campbell (hereinafter called the trustees) shall be deemed to have been duly empowered by law to bury his body in the land hereinafter described, being portion of the One-Tree Hill

Recreation Reserve, and the One-Tree Hill Domain Board (hereinafter called the Board) shall be deemed to have been duly empowered to permit such burial.

- (2) The trustees are hereby empowered at any time hereafter to erect on the land hereinafter described a monument in the form of an obelisk or other structure to the memory of the deceased, and also as a memorial to the Maori race: Provided that the nature, form, and details of such monument and the use to which it is intended to be put shall be first approved by the Board and the Minister of Internal Affairs and provided, further, that until such erection the public shall have the right of free access over the said piece of land as portion of the said reserve, except so much thereof containing the actual grave as is now enclosed with a fence, as delineated on the plan hereinafter mentioned; and after the erection of such monument the public shall have free access to such portion (if any) of the said monument as it shall be agreed between the Minister of Internal Affairs, the trustees, and the said Board shall be for the use of the public.
- (3) The said grave and the enclosure surrounding the same, and the said monument (when erected), shall be maintained and kept in good order and condition by the trustees.
- (4) The land to which this section relates is particularly described as follows:—

All that area in the North Auckland Land District, in the Borough of One Tree Hill, containing by admeasurement twenty-five perches and four-tenths of a perch, more or less, being Part Allotment 11, Section 12, Suburbs of Auckland, and being part of the public reserve constituted by the One Tree Hill Reserve Act 1886: bounded towards the north by a line bearing $93^{\circ} 11'$, distance 122.73 links; towards the east generally by lines bearing $183^{\circ} 11'$, distance 48.48 links, and $199^{\circ} 26'$, distance 113.69 links; towards the south by a line bearing $273^{\circ} 11'$, distance 59.09 links; and towards the west generally by lines bearing $346^{\circ} 56'$, distance 113.68 links, and $3^{\circ} 11'$, distance 48.48 links: as the same is more particularly delineated on the plan marked L and S 1/14, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

Subsection (4) was substituted, as from 31 October 1936, by section 3 Reserves and Other Lands Disposal Act 1936 (1936 No 49).

The word “Maori” in subsection (2) was substituted, as from 27 November 1947, for the word “Native” pursuant to section 2(2) Maori Purposes Act 1947 (1947 No 59).

**3 Schedule to Auckland Grammar School Site Act amended
[Repealed]**

Section 3 was repealed, as from 10 December 1918, by section 9(4) Reserves and Other Lands Disposal and Public Bodies Empowering Act 1918 (1918 No 23).

**4 Peria Maori School site vested in Auckland Education
Board**

(1) Whereas by deed, dated the twenty-first day of July, eighteen hundred and seventy-five, certain aboriginal Maori, for consideration received, transferred the land hereinafter described to certain trustees and their successors and assigns for ever upon trust as an endowment for the purposes of the Peria School, situate in the District of Mangonui, in the Land District of Auckland, subject nevertheless to the provisions of the Native Schools Act 1867 [Repealed], and the Native Schools Act Amendment Act 1871 [Repealed]: And whereas a Maori school was established and has since been maintained on the said land, but is no longer required, and it is desirable to transfer the said land to the Education Board of the District of Auckland as a site for a public school: Be it therefore enacted as follows:—

On the passing of this Act the said land shall vest in the Education Board of the District of Auckland for the purpose of a school-site.

(2) The land to which this section refers is particularly described as follows:—

All that area in the Auckland Land District situated in Block I, Maungataniwha Survey District, being part of Peria Block and known as Peria School site, containing by admeasurement eight acres two roods thirty-five perches, more or less: bounded towards the north by part of Peria Block known as Church land, 985 links; towards the east by the Kaitara-Mangonui Road, 621 links; towards the south by

Peria No 2 Block, 941.4 links; and towards the south-west and north-west generally by the Waiwhero Stream: be all the aforesaid linkages more or less: as the same is delineated on the plan marked L and S 1912/619, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

The word "Maori" was substituted, as from 27 November 1947, for the word "Native" pursuant to section 2(2) Maori Purposes Act 1947 (1947 No 59).

5 Exchange of certain Crown land for land vested in Tauranga Borough

Whereas Lot 296 of Section No 1 of the Town of Tauranga, containing an area of two roods twenty-four perches, was by warrant in the *Gazette* of the seventh day of March, eighteen hundred and ninety-five, permanently reserved for police purposes: And whereas the Crown has agreed to grant the said reserve to the Corporation of the Tauranga Borough for town-improvement and public-recreation purposes in exchange for Lots 339, 341, and 342 of Section No 1 of the said town, which are vested in the said Corporation: Be it therefore enacted as follows:—

- (a) The Governor may grant the said Lot 296 to the Corporation of the Borough of Tauranga in trust for town-improvement and public-recreation purposes in exchange for the said Lots 339, 341, and 342, and the Governor and the said Corporation are hereby empowered respectively to execute all such instruments as may be necessary to give effect to such exchange.
- (b) Upon the said Lots 339, 341, and 342 being transferred to His Majesty the King, the Governor may, by notice in the *Gazette*, set the same apart as a reserve for police purposes.

6 Validating the sale by Auckland Land Board of Lot 22, Section No 463, Taupiri Parish

Whereas on the seventeenth day of October, nineteen hundred and one, a lease in perpetuity of Lot 22 of Section No 463, Taupiri Parish, being portion of the Auckland University College Endowment, was granted to one Jonathan Valentine:

And whereas the said Jonathan Valentine made application to the Auckland Land Board on the twenty-second day of August, nineteen hundred and ten, to acquire the fee-simple of the said land in terms of section one hundred and seventy-seven of the Land Act 1908, and the Auckland Land Board, acting in good faith, approved the said application, and a certificate of title was duly issued to the said Jonathan Valentine for the said land: And whereas the Auckland Land Board was not legally empowered to approve the said application, and it is desirable to validate the said transaction: Be it therefore enacted as follows:—

- (a) The sale by the Auckland Land Board to Jonathan Valentine of the fee-simple of Lot 22 of Allotment No 463, Taupiri Parish, containing seventy-six acres, more or less, and the issue of the certificate of title (Volume 178, folio 5, Auckland Registry) for the same to the said Jonathan Valentine, are hereby validated.
- (b) The amount of the purchase-money received by the Auckland University College Council from the said Jonathan Valentine for the sale of the said land shall be expended by the said Auckland University College Council in the purchase of other land to be held in trust for the purposes of the said Auckland University College Endowment.

**7 Granting part of Mangawai No 3 Kauri-gum Reserve to
Alexander Stewart**

[Repealed]

Section 7 was repealed, as from 15 December 1913, by section 6(3) Reserves and Other Lands Disposal and Public Bodies Empowering Act 1913 (1913 No 67). Section 6 of that Act is in substitution for the repealed section 7.

**8 Granting Lot No 1 of Allotment No 67, Block VI,
Omapere Survey District, to Public Trustee on behalf of
estate of Michael Creem, deceased**

- (1) Whereas on the first day of June, eighteen hundred and eighty-three, Michael Creem, now deceased, applied under the provisions of Appendix A to the Land Act 1877, for fifty acres of land, and on behalf of Cornelius Creem for

a similar area: And whereas the said application was duly granted, and a certificate of title for Section 67, Okaihau Parish, containing one hundred acres, was issued on the fourteenth day of October, eighteen hundred and ninety-one, in favour of the said Michael Creem and Cornelius Creem as tenants in common: And whereas the said Cornelius Creem was a fictitious person, whose name was inserted in the said application by Michael Creem for the purpose of obtaining a larger area of land than that to which he was legally entitled: And whereas an action for the repeal of the title was heard before the High Court on the sixteenth day of May, nineteen hundred and twelve, and the title was ordered to be cancelled on the ground that the said Cornelius Creem was a fictitious person and that the grant was obtained by fraud on the part of the said Michael Creem: And whereas the Public Trustee has made application on behalf of the estate of the said Michael Creem for fifty acres of the area so obtained: And whereas it is expedient to grant the said application: Be it therefore enacted as follows:—

The District Land Registrar for the Land Registration District of Auckland is hereby directed and empowered to issue a certificate of title in favour of the Public Trustee in trust for the estate of the said Michael Creem, deceased, for the land hereinafter described.

(2) The land to which this section refers is particularly described as follows:—

All that area in the Auckland Land District, being Lot No 1 of Allotment No 67, Block IV, Omapere Survey District (Parish of Okaihau), containing by admeasurement fifty acres, more or less: bounded towards the north-west by Lot No 2 of the said Allotment No 67, 3294 links; towards the north-east by Allotments Nos 43 and 47A, 2435 links; towards the south by Allotment No 66, 3349 links; and towards the south-west by a public road, 231 links, 300 links, 116 links, 465 links, 95 links, 87 links, and 86 links: be all the aforesaid linkages more or less: as the same is more particularly delineated on the plan marked L and S 1910/278, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

The words “High Court” in subsection (1) were substituted, as from 1 April 1980, for the words the “Supreme Court” pursuant to section 12 Judicature Amendment Act 1979 (1979 No 124).

9 Settlers in Kinohaku Village Settlement may acquire more than one allotment

Whereas it is provided by paragraph (a) of section two hundred and three of the Land Act 1908, that village-homestead allotments shall not exceed one hundred acres each: And whereas the Kinohaku Village Settlement, in the Auckland Land District, comprises twenty-seven allotments, varying from ninety-six acres to one hundred acres in extent: And whereas it is found that, owing to the nature of the country, one hundred acres of land in the settlement is insufficient for the maintenance of a settler and his family: Be it therefore enacted as follows:—

Any person may, on the recommendation of the Land Board and with the approval of the Minister, acquire the lease of two or more allotments in the Kinohaku Village Settlement, provided that no lessee shall acquire or hold more than two hundred acres in the said settlement.

10 Land vested in Mangere Road Board for recreation purposes

(1) Whereas the land hereinafter described is part of the Manukau Harbour adjoining the foreshore at Mangere, and it is desirable that the said land should be vested in the Mangere Road Board for recreation purposes: Be it therefore enacted as follows:—

- (a) The Governor is hereby empowered to execute a warrant authorizing the issue of a Land Transfer certificate of title for the land hereinafter described in favour of the Mangere Road Board.
- (b) The said land shall be held in fee-simple in trust for public recreation purposes without power of sale.
- (c) Nothing in this section shall affect any existing right of water-frontage or any riparian rights (if any) which may belong to any owner of land.

(2) The land to which this section relates is particularly described as follows:—

All that area of tidal land situated in the Manukau Harbour, in Block V, Otahuhu Survey District, in the Auckland Land District, containing by admeasurement seventy-four acres two roods: starting at a point on the eastern side of the embankment of the Mangere Bridge at the intersection of the embankment and the high-water mark of ordinary spring tides, and bounded towards the west by the said embankment by a straight line, 1923 links; towards the north-east by the Manukau Harbour by a straight line, 3895 links; towards the south-east by the Manukau Harbour by a straight line, 2981 links, to a public road; and towards the south-west by a public road, 4500 links, along the high-water mark of ordinary spring tides to the point of commencement: be all the aforesaid linkages a little more or less: as the same is more particularly delineated on a plan deposited as No 16870 (green) in the office of the Chief Surveyor, at Auckland, and thereon edged purple.

11 Land vested in Borough of Otahuhu for recreation purposes

(1) Whereas the land hereinafter described is part of the Manukau Harbour, in the Auckland Land District, and it is desirable that the said land should be vested in the Corporation of the Borough of Otahuhu in trust for recreation purposes: Be it therefore enacted as follows:—

- (a) The Governor is hereby empowered to execute a warrant authorizing the issue of a Land Transfer certificate of title for the land hereinafter described in favour of the Corporation of the Borough of Otahuhu.
- (b) The said land shall be held in fee-simple in trust (without power of sale) for the purposes of public recreation.
- (c) Nothing in this section shall affect any existing right of water-frontage or any riparian rights (if any) which may belong to any owner of land.

(2) The land to which this section relates is particularly described as follows:—

All that area of tidal land in the Auckland Land District, situated in the Manukau Harbour, in Blocks V and VI, Otahuhu Survey District, containing by admeasurement

ninety-nine acres one rood twenty perches, more or less, bounded as follows: commencing at high-water mark on the western boundary of Old Land Claim 269A, at a point 5305 links from Mount Richmond, by a line bearing $230^{\circ} 26' 30''$; bounded towards the north-east by the Manukau Harbour by a straight line, 3378 links; towards the west by the Manukau Harbour by a straight line, 1984 links; towards the south-west by the Manukau Harbour by a straight line, 2410 links; again towards the south-west by part of Old Land Claim 269A, 2750 links; towards the south-east by Crown Land, 500 links; and towards the east generally by other part of Old Land Claim 269A, 5000 links, to the point of commencement: be all the aforesaid linkages more or less: as the same is more particularly delineated on a plan marked L and S 1912/1283, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red, and also on a plan marked 16913 (blue), deposited in the office of the Chief Surveyor, Auckland, and thereon edged red.

12 Reserving certain land reclaimed by Whakatane County Council as site for post and telegraph office

(1) Whereas the Whakatane County Council has, in pursuance of the authority conferred upon it by the Whakatane Foreshore Reclamation Act 1908 [*Repealed*], reclaimed certain land from the sea:

And whereas the land hereinafter described (being portion of the land so reclaimed) has, with the consent of the Whakatane County Council, been used as a site for a post and telegraph office, the cost of the reclamation of that land having been paid by the Crown to the said Council: And whereas it is desired that the said land should be reserved as a site for a post and telegraph office: Be it therefore enacted as follows:—

Section two of the Whakatane Foreshore Reclamation Act 1908 [*Repealed*] (authorizing the grant of reclaimed land to the Whakatane Country Council), shall not apply to the land hereinafter described, and the said land is hereby reserved as a site for a post and telegraph office.

(2) The land to which this section applies is particularly described as follows:—

All that area of land in the Auckland Land District, containing by admeasurement 29.4 perches, more or less, being Section No 2, Block II, Whakatane Survey District, and bounded as follows: commencing at a point 105748.5 links south and 232845.6 links east of F Maketu; towards the north-east by a line, bearing $97^{\circ} 35'$, 92 links; towards the south-east by a line, bearing $187^{\circ} 35'$, and Section No 1 of the same block, 200 links; towards the south-west by the Strand, bearing $277^{\circ} 35'$, 92 links; and towards the north-west by Section No 1 aforesaid and a line, bearing $7^{\circ} 35'$, 200 links, to the point of commencement: be all the aforesaid linkages more or less: as the same is delineated on the plan marked L 1911/1808, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red. Also a further area adjoining, containing 10.6 perches, completing the full area of 1 rood purchased from the said Council, the position of the said further area to be mutually agreed upon by the said Department and the said Council.

13 Authorizing sale of portion of Section No 165, Te Awamutu, to adjoining owner

(1) Whereas Sections Nos 155, 156, 165, and 166, Town of Te Awamutu, in the Auckland Land District, containing a total area of two roods and thirty-seven perches, have been permanently reserved for post and telegraph purposes: And whereas the adjoining landowner desires to obtain a small strip, not exceeding forty superficial feet, of the said reserve, to enable access to be provided to portion of his land: And whereas it is desired to dispose of portion of the said reserve accordingly: Be it therefore enacted as follows:—

The reservation over the part of the aforesaid reserve hereinafter described is hereby cancelled, and the said land is hereby declared to be Crown land, and the Auckland Land Board is hereby authorized to sell the same to John Middlebrook, of Te Awamutu, or to his successor in title to Section No 164, Town of Te Awamutu, at a price to be agreed on by the purchaser and the Auckland Land Board, being not less than the value to be ascertained by the Valuer-General on the request of the said Board.

(2) The area of land over which the reservation is cancelled as aforesaid is approximately described as follows:—

All that area of land, estimated to contain forty superficial feet, more or less, being part of Section No 165, Town of Te Awamutu, at its junction with Sections Nos 157, 158, and 164 in the said town.

14 Constituting Great Barrier Island a County

(1) The island known as the Great Barrier Island is hereby constituted a county under the name of the Great Barrier Island County.

(2) This section shall be deemed to be a special Act within the meaning of section ten of the Counties Act 1908, and the provisions of that Act relating to new counties shall extend and apply to the Great Barrier Island County.

**15 Authorizing the exchange of certain Crown land for
certain Maori land, being part of land known as Kopua Is**

(1) Whereas the land described in subsection six hereof is Maori freehold land, but the Auckland Land Board, in error, has purported to dispose of the same as if it were Crown land: And whereas it is desirable that the said Maori land should be acquired by the Crown, and that the leases and licenses in respect thereof heretofore issued by the Auckland Land Board should be validated, and that certain Crown land should be given to the Maori owners in exchange for the Maori land to be so acquired by the Crown: Be it therefore enacted as follows:—

Upon the execution by the Maori owners of the land described in subsection six hereof of all necessary instruments of alienation conveying to His Majesty the King the said land free from incumbrances, the Governor may, by Proclamation, declare that the Crown land described in subsection seven hereof shall be Maori land, and that the said land shall be vested as hereinafter provided in the Maori owners of the land transferred to the Crown in pursuance of this section.

- (2) Upon the issue of such Proclamation the Maori Land Court shall subdivide the said land among the said Maori owners or their successors in such manner as it thinks fit, having regard to the respective interests of the said Maori in the land conveyed to the Crown in pursuance of this section.
- (3) Upon such subdivision the Governor may issue his warrant under the Land Transfer Act 1908, for the issue of certificates of title in respect of each such subdivision, and the warrant shall set forth the fact that the land is granted in exchange for Maori land: and the District Land Registrar shall place on the certificate of title issued in pursuance of that warrant a memorial under his hand that the land has been so granted by way of exchange and is Maori land accordingly.
- (4) Every instrument of alienation or other assurance executed by a Maori in pursuance of this section shall be executed in the same manner as if it were an instrument of alienation of Maori land in favour of a private person, but no such instrument shall require confirmation by a Maori Land Board or the Maori Land Court.
- (5) All leases and licenses heretofore made in respect of the land conveyed to the Crown in pursuance of this section are hereby declared to be and to have been from the date of the execution thereof as valid and effectual as if the said land had been Crown land and available for disposal as such on that date.
- (6) The Maori land to be conveyed to His Majesty as aforesaid is particularly described as follows:—
All that parcel of land, containing two hundred and fifty acres, more or less, situated in Blocks VI, VII, and XI, Pirongia Survey District, and being portion of Kopua IS, Section No 2: bounded towards the north and west by Kopua IR; towards the east by a road; and towards the south by Kopua IS, Section No 2: as the same is delineated on the plan marked L and S 58332, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.
- (7) The Crown land hereby authorized to be given in exchange for the said Maori land is particularly described as follows:—
All those parcels of land, containing two hundred and forty-nine acres one rood thirty perches, more or less, part

being Section No 11, Block XII, Pirongia Survey District: bounded on the north by Kopua IB2, on the east by Kopua IA, on the south by the Parihoro Block, and on the west by a Maori reserve and the Moakuraru Stream, containing twenty-seven acres one rood ten perches. Part also being Section No 16, Block VII, Pirongia Survey District, containing two hundred and six acres two roods: bounded on the north by the Tetahi Road, on the east by Section No 17, on the south by Mangakahua Road, and on the west by Section No 15. Together with that portion of land, containing fifteen acres two roods twenty perches, in Block XI, Pirongia Survey District: bounded on the south by Kopua IS, Section No 2, and on the north and west by the Ngakoahia Stream: as the same are delineated on the plan marked L and S 58332, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

The words “Maori Land Court” were substituted, as from 27 November 1947, for the words “Native Land Court” pursuant to section 4(2) Maori Purposes Act 1947 (1947 No 59).

The word “Maori” was substituted, as from 27 November 1947, for the word “Native” pursuant to section 2(2) Maori Purposes Act 1947 (1947 No 59).

The Land Transfer Act 1908 was repealed, as from 1 October 1915, by section 2 Land Transfer Acts Compilation Act 1915 (1915 No 35). Appendix B of the repealing Act replaced the 1908 Act with a compiled Act enacted under the title of The Land Transfer Act 1915. That Act was in turn repealed, as from 1 January 1953, by section 245(1) Land Transfer Act 1952 (1952 No 52).

16 Providing for the disposition of proceeds from North Island Main Trunk Railway endowments
[Repealed]

Section 16 was repealed, as from 11 November 1913, by section 47(2) Land Laws Amendment Act 1913 (1913 No 24).

17 Mokau River Trust abolished and property vested in Mokau Harbour Board

- (1) The Mokau River Trust is hereby abolished as from the date of the passing of this Act, and the Mokau River Trust Act 1903 *[Repealed]*, is hereby repealed.
- (2) All real and personal property of every description vested in the said Trust shall, on the abolition thereof, vest in the Mokau Harbour Board, without conveyance or assignment,

for the estate and interest of the said Trust therein, subject to all liabilities, charges, obligations, or trusts affecting that property, and all the contracts, debts, and liabilities of the said Trust shall thereupon become the contracts, debts, and liabilities respectively of the said Mokau Harbour Board.

**18 Changing reservation over Section No 69, Frasertown,
 from police purposes to site for post and telegraph offices**
Whereas Section No 69, Town of Frasertown, in the Hawke's Bay Land District, containing one rood, was permanently reserved for police purposes by notice published on page 1308 of the New Zealand Gazette of the fourteenth day of October, eighteen hundred and eighty-six: And whereas the land is no longer required for such purposes, and it is desired to reserve the said land as a site for a post and telegraph office: Be it therefore enacted as follows:—

The reservation for police purposes over the said Section No 69, Town of Frasertown, is hereby cancelled, and the said land is hereby declared to be reserved as a site for a post and telegraph office.

**19 Cancelling reservation over Sections Nos 27 and 28, Block
 IX, Woodville Survey District**
Whereas Sections Nos 27 and 28, Block IX, Woodville Survey District, in the Hawke's Bay Land District, containing together an area of three hundred and fifty-two acres three roods twenty-four perches, were, by warrant published in the New Zealand Gazette of the thirtieth day of April, eighteen hundred and eighty-five, permanently reserved for forest purposes: And whereas there is very little milling-timber left on the said sections, and it is desirable that the reservation should be lifted and the area made available for settlement: Be it therefore enacted as follows:—

The reservation over Sections Nos 27 and 28, Block IX, Woodville Survey District, is hereby cancelled, and the said sections are hereby declared to be Crown land available for disposal under the Land Act 1908.

20 Lot 1, Section No 40, Weber Village Settlement, to be vested in Weber Library Committee

Whereas Section No 40, Weber Village Settlement, in the Hawke's Bay Land District, containing one acre, was permanently reserved as a site for a mechanics' institute by notice on page 1247 of the *Gazette* of the twenty-first day of September, eighteen hundred and eighty-seven: And whereas the north-western half of the said section, known as Lot No 1, containing two roods, was vested in the Weber Road Board (now merged in the Weber County Council) in trust for the above purpose by notice on page 13 of the *Gazette* of the seventh day of January, eighteen hundred and ninety-seven:

And whereas it is now desired to vest the said Lot No 1 in the Weber Library Committee, and the said Weber County Council has agreed thereto: Be it therefore enacted as follows:—

- (a) The vesting of the said Lot No 1 in the Weber County Council is hereby revoked, and the Governor is authorized to vest the said land in the Weber Library Committee, to be held by it in trust for library purposes when the said Committee has been duly constituted a body corporate under the Libraries and Mechanics' Institute Act 1908.
- (b) The Governor may, if he thinks fit, cancel the said vesting at any time in the event of the trust not being satisfactorily performed in the public interest, of which fact the Governor shall be deemed to be the sole judge.
- (c) Upon such cancellation the Governor may vest the control of the said land in any other person or body whom he thinks fit in trust for the said purposes.

21 Loan raised by Heretaunga Road Board to build bridge across the Ngaruroro River, at Pakowhai

Whereas, some twenty years since, the Heretaunga Road Board raised, under the Government Loans to Local Bodies Act 1886 [*Repealed*], a special loan of six thousand one hundred and seventy-three dollars and fifty-eight and one-third cents for the purpose of building a bridge across the Ngaruroro River, at Pakowhai, on the Hastings-Taradale Road, the said

loan to be secured by debentures having a currency of twenty-six years from the first day of February, eighteen hundred and ninety-three, and bearing interest at the rate of five per centum per annum; and in order to provide the said interest the said Board struck a special rate of twenty-five ninety-sixths of a cent in the dollar on all rateable property within a part of the Heretaunga Road District—that is to say, an area lying to the southward of the Ngaruroro River, containing two thousand four hundred and forty acres, more or less, and comprising portions of the Heretaunga Block and the Karamu Reserve; bounded on the north-east by the Ohiwia Stream and the old bed of the Ngaruroro River, on the south-east by the Karamu Road, on the south-west by the Borough of Hastings, and on the north-west by Subdivision C of the Heretaunga Block: And whereas at the time when the said loan was raised there were only two ratepayers within the said area, of whom one owned property on both banks of the Ngaruroro River: And whereas on or about the thirtieth day of March, eighteen hundred and ninety-four, the Heretaunga Road District was merged in the County of Hawke's Bay, the said loan remaining a charge upon all rateable property within the said area: And whereas by a special order of the Council of the said county made on the twenty-fifth day of January, nineteen hundred, in pursuance of the Government Loans to Local Bodies Act Amendment Act 1899 [*Repealed*], the said loan was readjusted, and the currency of the said debentures was extended to forty-one years from the said first day of February, eighteen hundred and ninety-three, and the rate of interest payable in respect of the said debentures was reduced to three and one-half per centum per annum: And whereas the said Council now levies a special rate of five forty-eighths of a cent in the dollar on all rateable property within the area above described in order to provide interest on the said debentures at the rate last aforesaid: And whereas at the present time there are about ninety ratepayers within the said area, who are all accustomed to transact their business in the Town of Hastings and seldom have occasion to cross the said bridge, and it is inequitable that they alone should be burdened with the said special rate, seeing that they derive no

greater benefit from the said bridge than is derived therefrom by the other inhabitants of the neighbourhood: And whereas the Hawke's Bay County Council is willing to defray out of its general account the yearly interest on the said debentures, and it is expedient that it should be empowered to defray the same accordingly: Be it therefore enacted as follows:—

From and after the thirty-first day of March, nineteen hundred and thirteen, the said special loan of six thousand one hundred and seventy-three dollars and fifty-eight and one-third cents, or so much thereof as may for the time being remain unpaid, shall no longer be a charge on all or any rateable property within the area above described, and from and after the last-mentioned day no special rate shall in any year be levied upon any rateable property within the said area in order to provide interest, on the debentures issued as security for the said loan, but the said interest shall in each and every year during the currency of the loan be defrayed by the Council of the County of Hawke's Bay out of its general account, anything in the Local Bodies Loans Act 1908, or in any other statute to the contrary notwithstanding.

The expressions "six thousand one hundred and seventy-three dollars and fifty-eight and one-third cents", "twenty-five ninety-sixths of a cent in the dollar" and "five forty-eighths of a cent in the dollar" were substituted, as from 10 July 1967, for the expressions "three thousand and eighty-six pounds fifteen shillings and tenpence", "five-eighths of a penny in the pound" and "one farthing in the pound" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

**22 Cancelling reservation over Section No 5, Block VII, and
Section No 5, Block VIII, Omona Survey District**

Whereas Section No 5, Block VII, Omona Survey District, containing two thousand seven hundred and sixty-one acres, and Section No 5, Block VIII, Omona Survey District, containing three thousand two hundred and seventy acres, both in the Taranaki Land District, were reserved for the growth and preservation of timber by notice on page 1143 of the *Gazette* of the fourth day of April, nineteen hundred and seven: And whereas it is desirable that the said land should be opened for settlement purposes: Be it therefore enacted as follows:—

The reservation over the said land is hereby cancelled, and the said land is hereby declared to be Crown land available for disposal under the Land Act 1908.

**23 Cancelling reservation over Section No 7, Block IV,
Totoro Survey District**

Whereas Section No 7, Block IV, Totoro Survey District, in the Taranaki Land District, containing six acres three roods thirty perches, was reserved as a public-school site by notice on page 2631 of the *Gazette* of the twenty-first day of October, nineteen hundred and nine, but is not now required for that purpose: Be it therefore enacted as follows:—

The reservation over the said Section No 7 is hereby cancelled, and the said land is hereby declared to be Crown land available for disposal under the Land Act 1908.

**24 Authorizing the sale or lease of part of Maori Reserve
No 1, Grey District, Block IV, Paritutu Survey District,
to Taranaki (New Zealand) Oil Wells (Limited) as a site
for a refinery**

Whereas the land hereinafter described is part of Maori Reserve No 1, Grey District, in Block IV, Paritutu Survey District, in the Taranaki Land District, and was purchased by the Crown in eighteen hundred and seventy-six for a central prison-site, but no trust was expressed in the deed of purchase, nor has there been any formal dedication of the said land for prison purposes: And whereas the Taranaki (New Zealand) Oil Wells (Limited) has applied to purchase the said land as a site for a refinery, and it is desirable to grant the said application: Be it therefore enacted as follows:—

- (1) The said land may be sold or leased to the Taranaki (New Zealand) Oil Wells (Limited), subject to such terms, conditions, reservations, and stipulations as the Governor may think fit to impose; and all such terms, conditions, reservations, and stipulations contained in any deed or instrument purporting to sell or lease the said land shall have the same force and effect as if they had been set out in this enactment.
- (2) The following is a description of the said land:—

All that area in the Taranaki Land District, containing by admeasurement five acres, more or less, situated in Block IV, Paritutu Survey District, bounded by a line commencing at a point on the south-western side of Breakwater Road, distant 585.15 links from its junction with the eastern side of Barrett Road; thence south-easterly along the south-western side of the said Break-water Road, 100 links; thence southerly, bearing $181^{\circ} 57'$, distance 508.1 links; thence easterly, bearing $91^{\circ} 57'$, distance 397.4 links; thence south-easterly, bearing $170^{\circ} 55' 33''$, distance 715.3 links; thence south-westerly, bearing $260^{\circ} 55' 35''$, distance 594.4 links; thence north-easterly, bearing $333^{\circ} 8' 30''$, distance 213.8 links; thence northerly, bearing $6^{\circ} 39'$, distance 811.3 links; and bearing $1^{\circ} 57'$, distance 379.6 links, to the place of commencement: as the same is delineated upon the plan marked L and S 37252, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged green.

The word "Maori" was substituted, as from 27 November 1947, for the word "Native" pursuant to section 2(2) Maori Purposes Act 1947 (1947 No 59).

25 Changing purpose of part of municipal reserve, Town of Hawera

Whereas Allotments 25, 26, and 27 of Section No 19 of Town of Hawera, in the Taranaki Land District, containing two roods and thirty-six perches, were reserved as a site for a telegraph-station or other purposes of the General Government by notice on page 182 of the *Gazette* of the twenty-sixth day of April, eighteen hundred and seventy-one, but are not suitable for such purposes: And whereas Allotment 9 of Section No 37 of the said town, containing five acres three roods thirty-five decimal three perches, forms part of an area reserved for town purposes by notice published on page 646 of the *Gazette* of the fourteenth day of September, eighteen hundred and seventy-six, and granted to the Hawera Town Board (now the Hawera Borough Council) in trust for such purposes: And whereas it is desired to exchange the two areas of land, but there is no legal power to do so: Be it therefore enacted as follows:—

- (a) The existing reservation of the said Allotments 25, 26, and 27 is hereby cancelled, and the said land is hereby reserved for municipal purposes.
- (b) The Governor may authorize the issue of a certificate of title over the said Allotments 25, 26, and 27 to the Corporation of the Borough of Hawera to hold the same upon trust for municipal purposes.
- (c) The reservation over the said Allotment 9 is hereby cancelled, and the said land is hereby declared to be reserved as a site for post and telegraph purposes.
- (d) The grant over the said Allotment 9 in favour of the Hawera Borough Council is hereby cancelled, and the District Land Registrar for the district is hereby empowered and directed to cancel the registration of the said grant so far as it relates to the said Allotment 9.

26 Cancelling reservation of Section No 16, Block VI, Pouatu Survey District

Whereas Section No 16, Block VI, Pouatu Survey District, in the Taranaki Land District, containing by admeasurement ten acres one rood and one decimal nine perches, more or less, was by notice on page 449 of the *Gazette* of the seventh day of February, nineteen hundred and seven, reserved as a resting-place for travelling stock: And whereas the said land is not now required for the purpose for which it was reserved, but is required for subdivision into building allotments as an addition to the Township of Tahora: Be it therefore enacted as follows:—

The reservation over Section No 16, Block VI, Pouatu Survey District, is hereby cancelled, and the said section is hereby declared Crown land available for disposal under the Land Act 1908.

27 Cancelling reservation of part of Section No 13, Block IX, Opaku Survey District

- (1) Whereas Section No 13, Block IX, Opaku Survey District, in the Taranaki Land District, containing five hundred and forty acres, more or less, was permanently reserved for the growth and preservation of timber by notice on page 1375

of the *Gazette* of the twenty-first day of December, eighteen hundred and ninety-three: And whereas part of the said Section No 13 is no longer required for the purpose for which it was reserved: Be it therefore enacted as follows:—

The reservation of the area of land hereinafter described is hereby cancelled, and the said land is hereby declared to be Crown land available for disposal under the Land Act 1908.

(2) The land to which this section relates is particularly described as follows:—

All that area of land in the Taranaki Land District, containing by admeasurement one hundred and sixteen acres three roods and thirty perches, more or less, being part of Section No 13, Block IX, Opaku Survey District: bounded towards the north generally by the Poroporo and Katoke Streams; towards the south-east by other part of Section No 13, Block IX, Opaku, 3021.3 links; thence towards the south and south-west generally by Section No 12, Block IX, Opaku Survey District, 3160.5 links, and a public road, 3140.9 links; and towards the west by Section No 23, Block XII, Hawera Survey District, 2218 links: be all the aforesaid linkages more or less: as the same is more particularly delineated and described on plan L 19985/7, deposited in the Head Office of the Department of Lands, Wellington, and thereon bordered red.

**28 Sections Nos 330, 354, and part of 385, Inglewood,
included in Inglewood Domain**

Whereas Sections Nos 330 and 354, Town of Inglewood, each containing one rood, and the western part of Section No 385, Town of Inglewood, containing three acres three roods, all in the Taranaki Land District, were reserved by notice on page 363 of the *Gazette* of the fifth day of April, eighteen hundred and seventy-seven, for town-improvement purposes, and titles for the same have subsequently been issued to the Inglewood Town Board, now the Inglewood Borough Council: And whereas the said Inglewood Borough Council now desires that the said land be added to the Inglewood Domain: And whereas by section twenty-one of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1911, Sections Nos 122, 231, and 345 of the said Town

of Inglewood were included in the said Inglewood Domain, and it is desired to restore the said sections to the Corporation of the Borough of Inglewood in trust for town-improvement purposes: Be it therefore enacted as follows:—

- (a) The said Sections Nos 330 and 354, and the western part of Section No 385, Town of Inglewood, are hereby vested in the Crown in trust as a public domain, and the control thereof is hereby vested in the Inglewood Domain Board.
- (b) The certificates of title to the said land registered in the Land Registry Office at New Plymouth (Volume 17, folio 198; and Volume 18, folio 115) are hereby cancelled, and shall, at the request of the said Domain Board, be given up to the District Land Registrar.
- (c) The reservation for domain purposes over the said Sections Nos 122, 231, and 345, and the vesting of the control of the said sections in the Inglewood Domain Board, are hereby cancelled, and the said land is hereby vested in the Corporation of the Borough of Inglewood in trust for town-improvement purposes.
- (d) The District Land Registrar at New Plymouth is hereby empowered and directed to issue a certificate of title over the said Sections Nos 122, 231, and 345 in favour of the said Corporation, to be held by it in trust for town-improvement purposes.

29 Cancelling reservation over Block XII, Ohura Survey District

Whereas Section No 9, Block XII, Ohura Survey District, in the Taranaki Land District, containing three hundred and seventy acres, more or less, was by notice in the *Gazette* of the twenty-eighth day of April, nineteen hundred and nine, reserved for the growth and preservation of timber: And whereas it is desired to cancel the said reservation: Be it therefore enacted as follows:—

The reservation over Section No 9, Block XII, Ohura Survey District, is hereby cancelled, and the said land is hereby declared to be Crown land available for disposal under the Land Act 1908.

30 St Aubyn Town District merged in Borough of New Plymouth

- (1) The Town District of St Aubyn is hereby abolished and the Corporation of the St Aubyn Town Board dissolved.
- (2) The area comprised in the said town district on the passing of this Act is hereby included in the Borough of New Plymouth and shall form part of such ward of that borough as the Governor by Order in Council directs.
- (3) On the issue of such Order in Council the property, liabilities, contracts, and engagements of the St Aubyn Town Board shall become those of the New Plymouth Borough Council.

31 Validating certain special rate levied by New Plymouth Borough Council

Whereas the New Plymouth Borough Council levied a special rate of one and one-quarter cents in dollar to provide for interest and other charges on a loan of twenty-four thousand dollars authorized to be raised by the said Council under the Local Bodies Loans Act 1908, on the annual rateable value of all rateable property within the borough: And whereas a special order was duly passed on the ninth day of November, nineteen hundred and eleven, and confirmed on the eleventh day of December, nineteen hundred and eleven, for the above purposes, and was afterwards duly gazetted: And whereas on the first day of December, nineteen hundred and eleven, the boundaries of the borough were enlarged by the addition of lands afterwards called the Fitzroy Ward: And whereas doubts have arisen as to whether the validity of the rate is affected by such addition: Be it therefore enacted as follows:—

The special rate of one and one-quarter cents in dollar on all rateable property within the Borough of New Plymouth levied by special order bearing date the eleventh day of December, nineteen hundred and eleven, shall be and be deemed to have been levied on the area included within the limits of the Borough of New Plymouth as existing on the thirtieth day of November, nineteen hundred and eleven, and shall be valid as affecting such area.

The expressions “one and one-quarter cents in dollar” and “twenty-four thousand dollars” were substituted, as from 10 July 1967, for the expressions

“threepence in the pound” and “twelve thousand pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

32 Section No 148, Palmerston North, transferred to Crown

(1) The land described in subsection two hereof (being land vested in the Wanganui Education Board) is hereby transferred to His Majesty the King, subject, however, to all incumbrances, liens, and interests that may at the passing of this Act affect the same.

(2) The land to which this section relates is all that area in the Provincial District of Wellington, containing two acres, more or less, being Section No 148 on the plan of the Township of Palmerston North, being part of the land comprised in certificate of title, Volume 56, folio 196.

33 Sandon Public Park Trustees authorized to expend funds in maintenance of Sandon Cemetery

The Board of Trustees of the Sandon Public Park are hereby authorized to apply such part of their funds as they think fit in and towards the improvement, repair, and maintenance of the Sandon Public Cemetery, and the fences and buildings around and upon the said cemetery.

34 Cancelling reservation over part of forest reserve in Blocks III and V, Gorge Survey District, and other lands

(1) Whereas the land hereinafter described was reserved for the growth and preservation of timber by notice on page 1484 of the *Gazette* of the tenth day of November, eighteen hundred and eighty-one: And whereas it is desirable that part of the said land should remain under its existing reservation, and that the remainder should be made available for settlement, but the respective parts have not been defined by survey: Be it therefore enacted as follows:—

The Governor may, by Proclamation, at any time hereafter revoke the aforesaid reservation over so much of the said area, to be defined in the said Proclamation, as he thinks fit, provided that there shall remain an area of at least one thousand acres under reservation. Upon the issue of such Proclamation the land therein defined shall become Crown land available for disposal under the Land Act 1908.

(2) The land reserved for the growth and preservation of timber as aforesaid is particularly described as follows:—

All that area in the Wellington Land District, containing four thousand three hundred and twenty-five acres, more or less, situated in Blocks III and V, Gorge Survey District, and Blocks I and II, Mangahao Survey District: bounded towards the north-west by Section No 363, Block V, Gorge Survey District, by the abutment of Forest Hill Road, by Sections Nos 367 and 368, Block V aforesaid, by the abutment of a road, by Section No 373, Blocks V and III aforesaid, by Section No 374, Block III aforesaid, a forest reserve, and by a road reserve to a public road running along the southern bank of the Manawatu River; towards the north-east by that public road; towards the south-east by a forest reserve, by Section No 1 of the Hall Farm Homestead Settlement, Block I, Mangahao Survey District, by the abutment of Cross Road, by Sections Nos 5, 6, 7, 8, and 9 of the Hall Farm Homestead aforesaid, by Section Nos 15, 14, 13, 12, and 11 of the Hall Farm Homestead Settlement, Block II, Mangahao Survey District, by Section No 100, Block III, Mangahao Survey District, and by the abutment of a road, and by Section No 99, Block III aforesaid; and towards the south-west by Section No 2 of the Palmerston North Forest Reserve Farm Homestead Special Settlement, by the abutment of Range Road North, and by that road and by Section No 8 of the special settlement aforesaid: as the same is delineated on plan marked L 52845, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

35 Setting aside part of Langdale Domain as public-hall site, and closing certain road

(1) Whereas by notice in the *Gazette* of the second day of September, nineteen hundred and nine, Suburban Section No 12, Town of Langdale, in the Wellington Land District, containing by admeasurement five acres and eighteen perches, more or less, was permanently reserved as part of a public recreation-ground, and was vested in the Langdale Domain Board by notice in the *Gazette* of the twenty-first day of October, nineteen hundred and nine: And whereas part of

the said land is now required for public-hall purposes, and is not needed for the purposes for which it was reserved: And whereas the road-line adjoining the western boundary of Suburban Section No 11, Town of Langdale, and the western and southern boundaries of the aforesaid Section No 12, as more particularly described hereafter, is not now required for road purposes: And whereas it is now desired to close this road and to vest part of it, together with a portion of the aforesaid Section No 12, in Trustees in trust for public-hall purposes: Be it therefore enacted as follows:—

- (a) The road hereinafter described is hereby closed, and shall be deemed to be ordinary Crown land subject to the provisions of the Land Act 1948.
- (b) The reservation of that portion of Suburban Section No 12, Town of Langdale, hereinafter described is hereby cancelled, and, together with the road-area hereinafter described, is hereby declared to be reserved as a site for a public hall.
- (c) The Governor is hereby authorized and empowered to vest the said public-hall site in Trustees subject to such terms and conditions as he thinks fit.

(2) The public-hall site to which this section relates is particularly described as follows:—

All that area of land in the Wellington Land District, containing by admeasurement one acre, more or less, being formerly portion of Suburban Section No 12, Town of Langdale, and of the road-line adjoining, and being now called or known as Suburban Section No 17, Town of Langdale: commencing at the original south-eastern corner of Suburban Section No 12, Town of Langdale, and proceeding thence in a north-easterly direction along the western side of the Langdale Road for a distance of 158 links; thence in a westerly direction, for a distance of 384.8 links, by a line bearing 299° ; thence in a southerly direction, for a distance of 324.2 links, by a line bearing 209° ; thence in an easterly direction, for a distance of 270.5 links, by a line bearing $108^\circ 1'$; thence in a north-easterly direction, for a distance of 145.67 links, by a line bearing $64^\circ 41'$, to the place of commencement: as the same is more particularly delineated

on a plan marked L and S 1126/42, deposited in the Head Office of the Lands and Survey Department, at Wellington, and thereon edged red.

(3) The additional area of road-line closed under this section and made Crown land is particularly described as follows:—

All that area in the Wellington Land District, containing by admeasurement two acres and sixteen decimal eight perches, more or less, being portion of a public road situated in the Town of Langdale, Block III, Rewa Survey District: bounded towards the north-east by a line commencing at the easternmost corner of Suburban Section No 15, Town of Langdale, and proceeding thence on a bearing of $131^{\circ} 31'$, for a distance of 100 links, to the northernmost corner of Suburban Section No 11; thence towards the south-east generally by the north-western boundary-line of Suburban Section No 11 and the north-western and south-western boundary-lines of Suburban Section No 12, for a distance of 1962.1 links, to a point 733.4 links distant from the westernmost corner of the last-mentioned section; again towards the south-east by a line bearing 209° , for a distance of 101.86 links, to the north-eastern boundary-line of Section No 3, Block III, Rewa Survey District; thence towards the south-west by the north-eastern boundary-line of Section No 3 aforesaid, for a distance of 866.5 links, to the southernmost corner of Suburban Section No 16; and thence towards the north-west by the south-eastern boundary-lines of Suburban Sections Nos 16 and 15, for a distance of 1381.2 links, to the easternmost corner of the last-mentioned section, the place of commencement: be all the aforesaid linkages a little more or less: as the same is more particularly delineated on a plan marked L and S 1126/43, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured green.

The Land Act 1908 (1908 No 94) was repealed, as from 1 January 1925, by section 390 Land Act 1924 (1924 No 31). That Act was in turn repealed, as from 1 April 1949, by section 185(1) Land Act 1948 (1948 No 64).

36 Authorizing the exchange of certain Crown leasehold areas and other Crown lands for purpose of improving North Range Road, Mount Cerberus Survey District

(1) Whereas under certain agreements with the lessee and licensee respectively of Sections Nos 4, 6, and 7 of Block I, and Sections Nos 35 and 36 of Block IV, Mount Cerberus Survey District, in the Wellington Land District, a deviation of the North Range Road has been made: And whereas the said deviation has rendered necessary the closing of a portion of the said road, being a boundary of the said several sections, and it is now deemed desirable that straight boundary-lines shall replace the present boundary: And whereas in order to facilitate this the lessee and licensee respectively of the said sections desire to convey certain portions of their holdings to the Crown in exchange for certain Crown lands, but there is no statutory provision by which such exchange can be made: Be it therefore enacted as follows:—

The lessee and licensee respectively of Sections Nos 4, 6, and 7 of Block I, and of Sections 35 and 36 of Block IV, Mount Cerberus Survey District, may transfer to the Crown, without further authority than this Act, the several portions held by them of the land specified in subsection three hereof in exchange for portions of the Crown land described in subsection two hereof.

(2) The areas of Crown land it is desired to add to the aforesaid sections are more particularly described as follows:—

All that area in the Wellington Land District, containing one acre two roods sixteen perches, more or less, bounded on the north-west by Section No 58 to the intersection of the closed road; thence on the east and south by the closed road to the point at which the road-deviation commences; and on the west by the North Range Road to the point of commencement. Also all that area, containing twenty acres three roods, more or less, bounded on the north-west by Section No 54 to the closed road; thence on the east, south, and east by the closed road; and on the west by Section No 54 to the point of commencement: as shown on plan 130/18 in the office of the Chief Surveyor, at Wellington.

(3) The area of leasehold land it is desired to exchange for the aforesaid Crown land is more particularly described as follows:—

All that area in the Wellington Land District, containing seventy-four acres three roods thirty-two perches, more or less, bounded on the north by closed road, and on the east by straight line forming the new boundary of Section No 7 to closed road at the intersection of closed road with the North Range Road; thence running easterly by North Range Road, closed road, and North Range Road; thence on the east and south-east by straight lines forming a new boundary of Sections Nos 6, 4, and 36; and on the west by closed road, by a straight line intersecting peg LII in the closed road, and bearing $359^{\circ} 23' 13''$ to peg XCII; thence crossing the closed road and by the closed road: as the whole area is shown on plan 130/18 in the office of the Chief Surveyor, at Wellington: Provided that the lands transferred by the Crown under the authority herein conferred shall be held by the lessee and licensee upon the same terms and conditions as the lands given by them in exchange therefor, and shall be deemed for all purposes of the titles thereto to have been so held as from the dates of the original leases and licenses; and, further, the Commissioner of Crown Lands shall have power to call in and the lessee and licensee to surrender the present leases and licenses, and to have new leases and licenses issued to incorporate the aforesaid exchange, and to antevest the said leases and licenses to the dates of the aforesaid present leases and licenses respectively.

**37 Term of leases of West Coast Settlement Reserve extended
[Repealed]**

Section 37 was repealed, as from 1 January 1956, by section 93(1) Maori Reserved Land Act 1955 (1955 No 38).

38 Cancelling reservation for ferry purposes of Allotments 2 and 6, Section No 101, Block XVI, Tiffen Survey District
Whereas the Chairman, Councillors, and Inhabitants of the County of Wairarapa South (hereinafter called the Corporation) are seised of an estate in fee-simple under the

provisions of the Public Reserves and Domains Act 1908, in trust for a ferry reserve, of all that piece of land, containing fifty-three acres, being section numbered 101, Block XVI, Tiffen Survey District, and being all the land in certificate of title, Volume 36, folio 211: And whereas part of the said land—to wit, Allotments Nos 2 and 6 on a plan of subdivision of the said section, deposited in the office of the District Land Registrar, at Wellington, as No 512, containing twenty-seven acres three roods nine perches—has been leased to one George Goodall by memorandum of lease No 5842, and is now held under assignment of the said lease by one William Butler: And whereas the said allotments contain certain premises licensed under the Licensing Act 1908: And whereas a considerable portion of the said leased land has been washed away by floods and converted into shingle-bed: And whereas the land contained in the said allotments is no longer required for the purposes of a ferry reserve, and it is expedient that the Council should have power to dispose of the said lands by sale: Be it therefore enacted that the aforesaid reservation in trust for a ferry reserve regarding the aforesaid Allotments Nos 2 and 6 is cancelled, and the Council is hereby empowered to dispose of the said allotments by sale at such price as the Council thinks fit; and the District Land Registrar at Wellington is hereby authorized and directed to validly register a memorandum of transfer of the unincumbered fee-simple of the said allotments, and to issue a certificate of title to such purchaser as may be named in the said memorandum of transfer:

[Repealed]

The proviso was repealed, as from 15 December 1913, by section 52 Reserves and Other Lands Disposal and Public Bodies Empowering Act 1913 (1913 No 67).

39 Authorizing Wellington City Council to erect lifts, &c, for purposes of passenger traffic between streets

(1) The Wellington City Council shall have power, for the purpose of providing access from one street to another, or from one part of a street to another part of the same street, by tunnel or shaft, or partly by tunnel and partly by shaft, on any street or land adjacent to any street to construct elevators, lifts, platforms,

and machinery for passenger traffic, and all subways, tunnels, shafts, and approaches necessary or convenient for the use of such means of transport.

- (2) The Wellington City Council may by by-law fix tolls and charges for the use of any means of transport constructed under this section, and for such purpose may do all or any of the following things:—
 - (a) Issue tickets to persons using any such means of transport;
 - (b) Erect turnstiles or gates at the entrance to any elevator or passage, subway, tunnel, or shaft leading to such elevator, and do all things necessary for the working of such elevator and the collection of the prescribed charges;
 - (c) Appoint and discharge collectors of tolls and elevator attendants; and
 - (d) Provide for the lighting of any such elevator, tunnel, subway, shaft, or approach.
- (3) Every work constructed under this section shall be a public work within the meaning of the Public Works Act 1908, and all statutory provisions applicable to public works shall apply to every such work.

40 Authorizing continuation of Cuba Street, Palmerston North, through Education Reserve No 310

Whereas it is expedient in the public interests that Cuba Street, in the Town of Palmerston North, in the Wellington Land District, should be continued through Education Reserve Section No 310: Be it therefore enacted as follows:—

- (a) The Governor, by notice in the *Gazette*, may at any time hereafter, with the consent of the Manawatu and West Coast Agricultural and Pastoral Association (being the lessee of the land hereinbefore referred to) and of the Palmerston North Borough Council, proclaim as a road such portion of Education Reserve Section No 310, Palmerston North, as may be required for the continuation of the above-mentioned street, and the portion of the reserve so proclaimed shall from the date of that notice be and be deemed to be vested in the Corporation

of the Borough of Palmerston North as a public street accordingly.

- (b) Such notice shall operate as a surrender of the existing memorandum of lease registered as No 3703 in the office of the District Land Registrar, Wellington, so far only as it affects the land described in the said notice, and all the covenants contained or implied in the said memorandum of lease shall remain in full force and effect in respect of the other land included therein.
- (c) All expenses of proclaiming the said street and giving effect to the provisions of this section shall be borne and paid by the above-mentioned association.
- (d) The lessee of the said Education Reserve Section No 310 shall not be entitled to any compensation or abatement of rental on account of the taking of the said street.

41 Authorizing Public Trustee to lease portion of Maori Reserve to Palmerston North Borough Council

With respect to the Maori reserve situate in the Borough of Palmerston North and vested in the Public Trustee, the following provisions shall apply:

- (a) Any portion (not exceeding eleven acres of the reserve) may be leased by the Public Trustee to the Council of the said borough for a recreation-ground for three terms of twenty-one years each (making sixty-three years in all) at an annual rent, payable half-yearly in advance, of five per centum on the unimproved value of the land at the commencement of each of the said terms.
- (b) The lease shall make due provision for the land being planted and maintained by the lessee as a recreation-ground.
- (c) Subject as aforesaid, the lease shall be in such form and shall contain such covenants and provisions as are agreed on between the parties.
- (d) The said Council may accept and execute the lease.

The word "Maori" was substituted, as from 27 November 1947, for the word "Native" pursuant to section 2(2) Maori Purposes Act 1947 (1947 No 59).

**42 Extension of time for carrying out certain reclamation
works by Wellington City Council**

Subsection one of section seven of the Wellington City Reclamation and Empowering Act 1906, is hereby amended by omitting the word "seven," and substituting the word "twelve."

**43 Vesting Sections Nos 38 and 43 in Hunterville Town Board
as municipal endowments**

Whereas by notice on page 304 of the *Gazette* of the fifth day of March, eighteen hundred and eighty-eight, Section No 38, Town of Hunterville, in the Wellington Land District, containing one acre and thirty-two perches, was permanently reserved as a resting-place for stock; and Section No 43 of the said town, containing five acres and seven perches, was permanently reserved as a cemetery-site: And whereas it is desired to vest the said Sections Nos 38 and 43 in the Hunterville Town Board: Be it therefore enacted as follows:—
The reservation of the said lands is hereby revoked, and the said lands are hereby declared to be municipal endowments vested in the Hunterville Town Board for an estate in fee-simple without power of sale.

44 Granting Section No 1039, Picton to Ida Southey Carthew

Whereas satisfactory evidence has been adduced that, by virtue of a certain land order issued by the New Zealand Company, one Thomas Kelly became entitled to Section No 1039, Town of Picton, containing one rood; and that, the said Thomas Kelly having died in the year eighteen hundred and fifty-five, George Croft and William Clowes, as executors of his will, lodged a claim (numbered 624), under the New Zealand Company's Land Claimants Ordinance, 1851, and its amendments, for the issue of a Crown grant to them for the said section; and that the said executors sold the said section to one Edward Carthew (now deceased), and conveyed it to him on the sixth day of March, eighteen hundred and sixty-two; and that the will of the said Edward Carthew was duly proved in the District Court of Taranaki on the twenty-third day of March, eighteen hundred and seventy-six; and that Ida

Southey Carthew is the sole trustee and administratrix of the will and estate of the said Edward Carthew: And whereas no record of the issue of a Crown grant for the said section is available, and the statutory time within which such a grant might have been issued has expired, and the said Ida Southey Carthew as such trustee and administratrix is unable to obtain a valid title to the said section owing to the absence of such grant although the said section has been in the possession of her and her predecessors in title for upwards of fifty years: And whereas the said Ida Southey Carthew has applied for the issue of a certificate of title for the said section, and it is expedient that such application be granted: Be it therefore enacted as follows:—

The Governor is hereby authorized and empowered to execute a warrant for the issue of a Land Transfer certificate of title for the said section in favour of the said Ida Southey Carthew or her successors in title.

45 Cancelling reservation over timber reserve in Orieri and Gore Survey Districts

(1) Whereas the area hereinafter described is part of a reserve for the growth and preservation of timber set apart by notice on page 667 of the *Gazette* of the ninth day of March, nineteen hundred and five: And whereas the forest on a portion of the said land was partially destroyed by fire some years ago, and it is desired to revoke the said reservation in order that the land may be made available for settlement purposes: Be it therefore enacted as follows:—

The reservation over the land hereinafter described is hereby cancelled, and the said land is hereby declared to be Crown land available for disposal under the Land Act 1908.

(2) The land to which this section applies is particularly described as follows:—

All that area in the Marlborough Land District, containing eleven hundred and fifty acres, more or less, being part of Block I, Orieri Survey District, and part of Blocks I and II, Gore Survey District, bounded as follows: commencing at the south-west corner of Section No 20, Block I, Gore Survey District; thence towards the south by Section No 14, Block

I, Orieri Survey District, 1400 links; thence towards the west by Sections Nos 14 and 19, Block I, Orieri Survey District, 4885.8 links and 3055.1 links; thence towards the north-west by the said Section No 19, Block I, and Sections Nos 15 and 2, Block V, Orieri Survey District, 3463.4 links and 836.2 links; thence towards the north-east by a public road 730 links and 250 links; thence towards the north-west by Section No 3, Block II, Gore Survey District, 5000 links; thence towards the north-east by Section No 2, Block II, Gore Survey District, 2500 links; thence towards the north-west by Sections Nos 2 and 15, Block II, Gore Survey District, 3500 links and 5062.3 links; thence towards the south-west by the said Section No 15, Block II, Gore Survey District, 1735 links: thence towards the north-east, along the ridge leading to the main range, 6200 links; thence towards the south-east by the said main range, 3100 links; thence towards the south-east by a leading spur to the north-east corner of Section No 21, Block I, Gore Survey District; thence towards the south-west and south generally by Sections Nos 21 and 20, Block I, Gore Survey District, 12966.4 links and 4485.1 links; thence towards the east by the said Section No 20, 1996.4 links, to the commencing-point: be all the aforesaid linkages a little more or less: the said parcel of land being more particularly shown on plan marked L and S 1910/1756, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

**46 Authorizing the sale of part of Section No 64, Block V,
Mount Fyffe Survey District, to Hapuku Co-operative
Dairying Company (Limited)**

(1) Whereas Section No 226, Kaikoura, situated in Block V, Mount Fyffe Survey District, was by notice in the Marlborough Gazette of the twenty-third day of December, eighteen hundred and sixty-three, reserved as a resting-place for stock: And whereas part of the reserve is not now required for the purpose for which it has been reserved, and it is desired to dispose of one acre of the same to the Hapuku Co-operative Dairying Company (Limited): Be it therefore enacted as follows:—

The reservation over the land hereinafter described is hereby cancelled, and the land is hereby declared to be Crown land which the Marlborough Land Board is hereby authorized to sell to the Hapuku Co-operative Dairying Company (Limited) at a price to be mutually agreed upon, not being less than the value of the land to be ascertained by the Valuer-General on the request of the said Board.

(2) The area over which the reservation is cancelled as aforesaid is particularly described as follows:—

All that area in the Marlborough Land District, containing by admeasurement eight acres three roods and twenty-five perches, more or less, being Section No 64 (originally part of Section No 226, Kaikoura), Block V, Mount Fyffe Survey District.

**47 Cancelling reservation over Section No 1, Block II,
Waitahu Survey District**

Whereas Section No 1, Block II, Waitahu Survey District, in the Nelson Land District, containing three acres three roods thirty-nine perches, was permanently reserved for recreation purposes by notice on page 1536 of the *Gazette* of the nineteenth day of May, nineteen hundred and ten, and is now known as the Globe Hill Domain: And whereas the said land is found to be unsuitable for domain purposes, and Section No 2 of the same block, containing five acres and ten perches, has been permanently reserved for recreation purposes in its stead, and is now set apart as the Globe Hill No 2 Domain, and is used for domain purposes: Be it therefore enacted as follows:—

The existing reservation over the said Section No 1 is hereby cancelled, and the said land is hereby declared to be Crown land available for disposal under the Land Act 1908.

**48 Section No 7, Block III, Kawatiri Survey District, in
Nelson Land District, declared to be Crown land**

Whereas Section 7, Block III, Kawatiri Survey District, in the Nelson Land District, containing five acres and twenty-seven perches, more or less, is part of an area set apart as a municipal reserve by notice in the Nelson Provincial Gazette

on the seventeenth day of February, eighteen hundred and seventy-two, in pursuance of the Nelson Waste Lands Act 1863: And whereas the said land is not now required for the purpose for which it has been set apart: Be it therefore enacted as follows:—

The reservation over the said land is hereby cancelled, and the said land is hereby declared to be Crown land available for disposal under the Land Act 1908, or the Workers' Dwellings Act 1910 [*Repealed*].

49 Cancelling reservation over Wai-iti forest reserves

Whereas Sections Nos 3, 14, and 15 of Block III, Sections Nos 6 and 7 of Block VII, and Sections Nos 4, 5, and 6 of Block X, all in the Wai-iti Survey District, in the Land District of Nelson, containing by admeasurement fourteen hundred and ninety-seven acres and thirty-eight perches, were by notice in the *Gazette* of the eighteenth day of February, eighteen hundred and eighty-six, reserved for the growth and preservation of timber: And whereas Sections Nos 16 to 20, and Sections Nos 26 and 27 of Block VI, Sections Nos 14, 15, 16, 20, 22, 30, 31, and 34 of Block X, all in the Wai-iti Survey District, in the Land District of Nelson, containing by admeasurement two thousand six hundred and twenty-three acres one rood and nineteen perches, were by notice in the *Gazette* of the eighth day of March, eighteen hundred and ninety-four, proclaimed as forest reserves: And whereas most of the milling-timber on such land has been destroyed by fires, and the lands are no longer suitable for the purposes for which they were reserved, but are well adapted for settlement, and it is desirable to cancel the said reservation over the said areas to enable the lands to be opened for settlement: Be it therefore enacted as follows:—

The reservation over Sections Nos 3, 14, and 15, Block III; Sections Nos 16, 17, 18, 19, 20, 26, and 27, Block VI; Sections Nos 6 and 7, Block VII; and Sections Nos 4, 5, 6, 14, 15, 16, 20, 22, 30, 31, and 34, Block X, Wai-iti Survey District, is hereby cancelled, and the said lands are hereby declared to be Crown lands available for disposal under the Land Act 1908.

**50 Cancelling reservation over Section No 3, Block XI,
Tadmor Survey District**

Whereas Section No 3, Block XI, Tadmor Survey District, in the Nelson Land District, containing three hundred and ten acres, more or less, was permanently reserved for water and forest-conservation purposes by notice on page 1934 of the *Gazette* of the twenty-seventh day of June, nineteen hundred and seven: And whereas the greater part of the forest on the said section has been destroyed by fire, and the land is now useless for the purpose for which it was set apart: Be it therefore enacted as follows:—

The reservation over the said section is hereby cancelled, and the said land is hereby declared to be Crown land available for sale or disposal under the Land Act 1948.

**51 Cancelling reservation over Section No 69, Block II,
Kawatiri Survey District, and certain other reserves**

Whereas Section No 69, Block II, Kawatiri Survey District, in the Nelson Land District, containing one hundred and ten acres, more or less, was permanently reserved for a railway ballast-pit by notice on page 161 of the *Gazette* of the seventeenth day of January, nineteen hundred and one: And whereas by Proclamation on page 1551 of the *Gazette* of the twenty-fourth day of July, nineteen hundred and two, certain other Crown lands were taken for the purposes of the Westport-Ngakawau Railway: And whereas the said lands are not now required for the purposes for which they have been respectively reserved: Be it therefore enacted as follows:—

The reservation over the said lands is hereby cancelled, and the said lands are hereby declared to be Crown lands available for disposal under the Land Act 1908.

**52 Vesting certain lands in Buller Hospital and Charitable
Aid Board in trust as endowment for inhabitants of
Charleston**

(1) Whereas the management of the lands hereinafter described was, pursuant to the provisions of clause thirty of Schedule 1 to the Special Powers and Contracts Act 1885 [*Repealed*], vested in Trustees for the benefit of the Charleston Hospital:

And whereas the Charleston Hospital was, by Order in Council dated the first day of May, nineteen hundred and twelve, transferred to the Buller Hospital and Charitable Aid Board, and it is expedient to vest the said lands in the said Board as an endowment for the benefit of the people of Charleston: Be it therefore enacted as follows:—

The lands hereinafter described are hereby vested without further conveyance or assurance in the Buller Hospital and Charitable Aid Board as an endowment for the benefit of the people of Charleston for the time being.

(2) The lands to which this section relates are particularly described as follows:—

All that piece or parcel of land, containing by admeasurement seventy-nine acres two roods eleven perches, be the same more or less, situate in the District of Totara, being Section No 28, Square 137, on the plan of the Land District of Nelson.

Also all that piece or parcel of land, containing by admeasurement fifty-one acres and twenty-eight perches, be the same more or less, situate in the District of Buller (Waitakere), being Section No 37, Block IV, on the plan of the Land District of Nelson.

53 Vesting certain land in the Buller Hospital and Charitable Aid Board in trust for hospital purposes

(1) Whereas the land hereinafter described was by notice published on page 87 of the *Gazette* of the eighteenth day of January, nineteen hundred and six, appropriated as a site for a public hospital: And whereas the Buller Hospital and Charitable Aid Board has, pursuant to such appropriation, erected buildings on the said land and affected other improvements thereon, and it is desired accordingly to vest the said land in the said Board in trust for the said purpose: Be it therefore enacted as follows:—

The land hereinafter described is hereby vested in the Buller Hospital and Charitable Aid Board for an estate in fee-simple in trust as a site for a public hospital, and generally for the purposes of such hospital.

(2) The land to which this section relates is particularly described as follows:—

All that area in the Nelson Land District, containing by admeasurement four acres one rood one perch, more or less, being Section No 14, Block III, Kawatiri Survey District: commencing at the north-eastern corner of the intersection of Derby Street with Pakington Street, and bounded as follows—by Derby Street, $350^\circ 15'$, 279.7 links; by the southern and eastern boundaries of Section No 63, $80^\circ 15'$, 400 links, and $350^\circ 15'$, 350 links, respectively; by Cobden Street, $80^\circ 15'$, 343.6 links; by Orowaiti Road, $92^\circ 50'$, 164 links; by a right line, $170^\circ 15'$, 594 links; and by Pakington Street to the commencing-point, $80^\circ 15'$, 903.6 links: be all the aforesaid bearings and linkages a little more or less: as the same is delineated on the plan marked L and S 54579, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured red.

**54 Governor empowered to sell to Grey County Council
Reserve No 703, Town of Greymouth**

(1) The reservation for the uses of the Provincial Government over the land hereinafter described is hereby cancelled, and the Governor is hereby authorized, on payment of the sum of one thousand dollars, to grant the said land to the corporate body of the County of Grey, to be held in trust for county purposes.

(2) The land to which this section applies is particularly described as follows:—

All that parcel of land in the Westland Land District, containing by admeasurement one rood nine perches, more or less, being Lot 2 of Reserve 703, Block III, Town of Greymouth North: bounded towards the north-east by Gresson Street, for a distance of 244.47 links, on a bearing of $116^\circ 15'$; towards the south-east by Police Reserve 703, for a distance of 125.81 links, on a bearing of $206^\circ 16' 43''$; towards the south-west by Police Reserve 703, for a distance of 244.47 links, on a bearing of $296^\circ 16' 43''$; and towards the north-west by Arney Street, for a distance of 125.64 links, on a bearing of $26^\circ 16' 43''$; be all the aforesaid linkages more

or less: as the same is delineated on plan numbered 1636, deposited in the office of the Chief Surveyor, at Hokitika.

Subsection (1) was amended, as from 6 November 1924, by section 160 Reserves and other Lands Disposal and Public Bodies Empowering Act 1924 (1924 No 55) by substituting the words "five hundred pounds" for the words "thirteen hundred pounds".

The expression "one thousand dollars" in subsection (1) was substituted, as from 10 July 1967, for the expression "five hundred pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

**55 Authorizing exchange of land between Sumner Borough
and Joseph James Kinsey**

Whereas the Mayor, Councillors, and Burgesses of the Borough of Sumner (hereinafter called the said Corporation) and Joseph James Kinsey, of Christchurch, shipping agent, have agreed (subject to the said Corporation obtaining the necessary power in that behalf) that the said Corporation shall transfer to the said Joseph James Kinsey the fee-simple of a part of certain lands held by the said Corporation for waterworks purposes, and also a perpetual right of way for the said Joseph James Kinsey, his executors, administrators, and assigns (being the owners for the time being of adjoining lands now vested in the said Joseph James Kinsey); over other part of the said lands held by the said Corporation for waterworks purposes and over part of the land to be transferred by the said Joseph James Kinsey to the said Corporation as hereinafter mentioned, and that in exchange therefor the said Joseph James Kinsey shall transfer to the Corporation the fee-simple of a piece of land now held by it for waterworks purposes, and also an easement for the laying and maintenance of mains and pipes for the conveyance of water under a certain other piece of land adjoining the said last-mentioned lands: And whereas such an exchange would be for the public benefit, and it is expedient that the said Corporation should be empowered to carry the same into effect: Be it therefore enacted as follows:—

The said Corporation is hereby empowered to transfer to the said Joseph James Kinsey, his executors, administrators, or assigns, the fee-simple of Lot 1 on the plan deposited in the Lands Registry Office, at Christchurch, as No 3388, a

copy of which plan, certified as correct by the District Land Registrar for the Canterbury District, has been deposited in the Head Office, Department of Lands, at Wellington, and marked L and S 1912/788, and a perpetual right of way for the said Joseph James Kinsey, his executors, administrators, and assigns (being the owners for the time being of adjoining lands now vested in the said Joseph James Kinsey), over Lots 2 and 4 on the said plan, in exchange for a transfer by the said Joseph James Kinsey, his executors, administrators, or assigns, to the said Corporation, its successors and assigns, of the fee-simple of Lots 2 and 3 on the said plan, and of an easement for the laying and maintaining of mains and pipes for the conveyance of water under Lot 5 on the said plan: all of which lots are bordered green on the said plan.

56 Authorizing the exchange of certain national endowment land in Four Peaks Settlement for other Crown land

(1) Whereas the land described in subsection two hereof was set aside as part of the national endowment, and subsequently, through inadvertence, included within the Four Peaks Settlement, and disposed of under the Land for Settlements Act 1908, and it is desirable to validate such disposition: Be it therefore enacted as follows:—

- (a) The reservation over the said land for the purposes of the national endowment is hereby cancelled, and the said land is hereby declared to be Crown land subject to the leases or licenses that have been issued over it.
- (b) In lieu of such land the Crown land described in subsection three hereof (being of approximately equal value) is hereby set aside and included within the national endowment.

(2) The land over which the reservation for national endowment purposes is cancelled is particularly described as follows:— All that area in the Canterbury Land District, containing by admeasurement ten thousand three hundred acres, more or less, being Pastoral Run No 8, situate in Blocks XIII, XIV, and XV, Four Peaks Survey District, and Blocks II and III, Opihi Survey District: and bounded south-eastward generally by Sections Nos 34620, 34621, 30690, 22499, 7341, 30536, and

30972; southward and south-westward by the south branch of the River Hae-Hae-Te-Moana; north-westward by the Pastoral Run No 14; and northward by Lot 26, Tripp Settlement, and the north branch of the River Hae-Hae-Te-Moana; as the same is delineated on the plan marked 19427/35, deposited in the Head Office, Department of Lands and Survey, Wellington, and therein coloured pink in the margin.

(3) The land to be reserved as part of the national endowment is particularly described as follows:—

All that area in the Canterbury Land District, containing by admeasurement twenty-nine thousand acres, more or less, being Pastoral Run No 81, situate in Blocks VII, VIII, IX, XI, XII, XIII, XV, XVI, and XVII, Jollie District: and bounded eastward by the Forks Stream; southward by Pastoral Run No 84; westward by Rural Sections Nos 33302, 33304, and 33305, and Pastoral Run No 82; and north-westward by Pastoral Run No 82: save and excepting thereout Section No 33804 which is included in the above-described boundaries: as the same is delineated on the plan marked L 19427/35, deposited in the Head Office, Department of Lands and Survey, Wellington, and thereon coloured green. Also all that area in the Canterbury Land District, containing by admeasurement sixteen thousand three hundred acres, more or less, being Pastoral Run No 85B, situate in Blocks III, IV, V, VI, VII, VIII, IX, and X, Pukaki Survey District: and bounded eastward by the River Tekapo; southward by Pastoral Run No 85A; westward by Lake Pukaki; and northward by Pastoral Run No 84: save and excepting thereout Rural Section No 33800, and Reserves 2926 and 3842, which are included in the above-described boundaries: as the same is delineated on the plan marked L 19427/35, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured green.

57 Authorizing the exchange of certain national endowment land in Acland Survey District for certain freehold land

(1) Whereas certain land in the Canterbury Land District, containing three hundred and sixteen thousand seven hundred acres, more or less, situated in the Fox, Mount Peel, Ackland,

Tekapo, North Tekapo, Opuha, Orari, Opihi, Four Peaks, and Burke Survey Districts, and described in Schedule 4 to the Land Act 1908, is national endowment land: And whereas portion of the said land known as Runs Nos 1, 2, and 3, containing one hundred and three thousand two hundred acres, situated in the Fox, Mount Peel, Four Peaks, and Orari Survey Districts, is let for a term of years, and contains within its boundaries or has adjacent to it various parcels of freehold land which interfere with the profitable working of the land: And whereas an agreement has been made between the Chairman of the Land Purchase Board, the several owners of the said freehold land, and the several leaseholders of the said runs that—

(a) Parts of the said runs shall be immediately surrendered for closer settlement; (b) the freehold lands coloured green on the plan and enumerated as nearly as possible in the schedule attached to the agreement shall be exchanged for an area of Run No 1 on the terms set forth in the said agreement; and (c) the improvements now on the area to be surrendered shall be purchased and paid for in terms of the said agreement by the grant of an equal value of land, the same being part of the Run No 1 already referred to: And whereas for the benefit of the national endowment it is expedient to give effect to the aforesaid agreement: Be it therefore enacted as follows:—

The Proclamation over so much of the endowment area as is described in subsection two hereof is hereby cancelled, and the freehold land acquired by the exchange as described in subsection three hereof is hereby proclaimed to be national endowment land in lieu thereof.

(2) The national endowment land to which this section relates is particularly described as follows:—

All that area in the Canterbury Land District, containing by admeasurement three thousand five hundred and eighty-six acres and twenty perches, more or less, situate in the Acland Survey District, being the whole of Rural Sections Nos 36720, 36729, 36730, 36731, 36732, 36733, 36734, and 36735: as the same is delineated on the plan marked L and

S 1911/1217, deposited in the Head Office, Department of Lands, at Wellington, and thereon coloured pink.

(3) The freehold land to which this section relates is particularly described as follows:—

All that area in the Canterbury Land District, containing by admeasurement two thousand five hundred and eight acres two roods and sixteen perches, more or less, situate in Acland and Mount Peel Survey Districts, being the whole of the land comprised in certificates of title, Volume 227, folio 202, together with the Rural Sections Nos 29284, 29285, 33968, 29394, 29398, 29397, 25261, 30938, 24511, 29395, 29396, 2829, 4036, 4557, 24568X, 24568, and parts of Rural Sections Nos 21844, 31158, 4556, and 4276: as the same is delineated on the plan marked L and S 1911/1217, deposited in the Head Office, Department of Lands, at Wellington, and thereon coloured green.

**58 Cancelling reservation over Reserve No 3520, Block VI,
Halswell Survey District**

(1) Whereas the land hereinafter described was by notice on page 80 of the *Gazette* of the tenth day of January, nineteen hundred and one, permanently reserved for the conservation of flax and timber: And whereas the land is no longer required for those purposes, and it is desired to sell the land: Be it therefore enacted as follows:—

The said reservation over the said land is hereby cancelled, and the said land is hereby declared to be Crown land available for disposal under the Land Act 1908. The proceeds derived from such disposal shall be set apart for the purchase or maintenance of domain or recreation grounds in and for the benefit of the district in which the said land is situated.

(2) The land to which this section refers is particularly described as follows:—

All that area in the Canterbury Land District, containing five acres and thirteen perches, more or less, being part of Reserve No 3520, situated in Block VI, Halswell Survey District, and bounded north-eastward by the road forming the south-west boundary of Rural Sections Nos 1429 and 13589 for a distance

of 6875.6 links; south-eastward by a road-line, 81.8 links; towards the south-west by Rural Sections Nos 3700 and 804 for a distance of 6896.3 links; and towards the north-west by a road reserved along the Halswell River, 76 links: be all the aforesaid linkages more or less: save and excepting thereout a road-line one chain in width which intersects the above-described boundaries: as the same is delineated on the plan marked L and S 41655, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured pink.

**59 Authorizing Church Property Trustees to sell part of
Reserve No 64, vested in them for purposes of cemetery,
&c**

(1) Whereas the parcel of land known as Reserve No 64, Canterbury, was by grant from the Crown, No 11566, dated the seventeenth day of February, eighteen hundred and sixty-eight, vested in the Superintendent of the Province of Canterbury and his successors in trust as a site for a church, school, and cemetery for members of the Church of England of the district in which the site, piece or parcel of land is situated: And whereas by conveyance dated the twenty-third day of December, eighteen hundred and sixty-eight, and registered as No 24536, the said piece or parcel of land was conveyed by the Superintendent of the Province of Canterbury to the Church Property Trustees (Incorporated) upon the like trusts: And whereas the portion of the said reserve hereinafter described has never been used for the purposes of a church, school, or cemetery, and is unsuitable for those purposes or any of them, and the said Church Property Trustees are desirous of selling the same: Be it therefore enacted as follows:—

The portion of the said reserve hereinafter described shall be and the same is hereby deemed to be closed as a cemetery, and the Church Property Trustees shall, subject to the consent of the Synod under the hand of the President thereof, be at liberty to exercise in respect thereof all the powers of sale, purchase, exchange, leasing, investment, mortgage, or otherwise contained in the provisions of Part 4 of the Church

Property Trust (Canterbury) Act 1879, in respect of local endowments.

(2) The land referred to in the last preceding subsection is particularly described as follows:—

All that parcel of land, containing by admeasurement three acres and nine perches, situated in Blocks VII and XI, Christchurch Survey District, and being part of Reserve No 64, the boundaries of which are as follows: commencing at a point on the south-west side of the Harewood Road, the said point being the north-east corner of Rural Section No 323; thence along that road, bearing 125° 20', south-easterly a distance of 38.7 links to the western side of the northern railway; thence south-easterly along that railway, bearing 179° 16', a distance of 714.7 links; thence south-westerly, bearing 248° 12', a distance of 842.9 links; and from thence returning in a straight line north-easterly, bearing 35° 15', a distance of 1285.5 links to the commencing-point.

60 Authorizing exchange of certain land between Dunedin City Corporation and Eardley Culley Reynolds

(1) Whereas a parcel of land, being parts of Sections Nos 70 and 71, Block VII, on the record map of the town district, at Dunedin, in the Provincial District of Otago, was acquired by and became vested in the Corporation of the City of Dunedin in pursuance of the Dunedin Tramways Act 1900, by a deed of conveyance dated the twenty-first day of March, nineteen hundred and one, registered in the Deeds Registry Office, at Dunedin, as No 80674: And whereas the said Corporation is desirous of exchanging such portions of the said parcel of land as are described in subsection two of this section for the parcels of land described in subsection three of this section for the purposes of the tramways now owned by the said Corporation: Be it therefore enacted as follows:—

The Corporation of the City of Dunedin is hereby empowered to convey or otherwise assure to Eardley Culley Reynolds, of Dunedin, auctioneer, or his assigns, the three several parcels of land described in subsection two of this section for an estate in fee-simple in possession, freed from all trusts and incumbrances upon or subject to which the same are held by

the said Corporation, in exchange for an estate in fee-simple in possession in the parcels of land described in subsection three of this section.

(2) The lands which the said Corporation is hereby empowered to convey as aforesaid are particularly described as follows:—
All those several parcels of land, containing by admeasurement two decimal four poles, eight decimal two poles, and twenty-five decimal two poles, marked respectively as Allotments 11, 15, and 16 on the plan of subdivision of parts of Sections Nos 70 and 71, Block VII, on the record map of the said town district, which said plan is deposited with the District Land Registrar, at Dunedin, as No 2337.

(3) The lands to be conveyed to the said Corporation as aforesaid are particularly described as follows:—
All those parcels of land, containing by admeasurement eleven decimal eight poles, two decimal six poles, and one decimal five poles, more or less, marked respectively as Allotments 7, 12, and 14 on the said plan of subdivision.

61 Certain private streets in Borough of St Kilda declared to be public streets

The private streets in the Borough of St Kilda known respectively as Gourley Street, Quarry Street, Ferguson Street, Bowen Street, Royal Crescent, Alfred Street, and Auld Street are hereby declared to be streets within the meaning of section one hundred and fifty-two of the Municipal Corporations Act 1908.

62 Cancelling reservation over Section No 44, Block I, Benger Survey District

Whereas Section No 44, Block I, Benger Survey District, in the Otago Land District, containing four hundred and twenty acres, more or less, was permanently reserved for recreation purposes by notice published on page 361 of the Otago Provincial Gazette of the seventh day of October, eighteen hundred and seventy-four, and was brought under the Public Domains Act 1860, by Order in Council published on page 1670 of the New Zealand Gazette of the twenty-eighth day of

November, eighteen hundred and seventy-eight: And whereas the said land has never been used for domain or recreation purposes and is not suited for such purposes: Be it therefore enacted as follows:—

The reservation over the said land is hereby cancelled, and the said land is hereby declared to be Crown land available for disposal under the Land Act 1908.

63 Setting aside Section No 1, Block XIV, Riverton, as a reserve for drill-shed

Whereas by clause forty-two of the second column of the Schedule to the Special Powers and Contracts Act 1881 [*Repealed*], the Governor was empowered to vest Section No 1, Block XIV, Town of Riverton, in certain persons in trust for the purposes of a drill-shed, subject to the powers, provisions, and conditions of the Riverton Drill-shed Reserve Management Act 1879: And whereas such vesting was never carried out, and it is now desirable that the said land should be legally set apart as a reserve for a drill-shed: Be it therefore enacted as follows:—

- (a) Section No 1, Block XIV, Town of Riverton, is hereby set apart as a reserve for a drill-shed.
- (b) Paragraph forty-two of the second column of the Schedule to the Special Powers and Contracts Act 1881 [*Repealed*], is hereby repealed.

64 Board of Trustees of Waimumu Stream Drainage District abolished, and powers vested in Southland County

- (1) Whereas the administration of a tail-race or flood-channel in connection with the Waimumu Stream was, in terms of the Waimumu Stream Drainage Act 1906 [*Repealed*], vested in a Board of Trustees, as provided in the said Act: And whereas since the said Act was passed local conditions have changed, and it is found that it would be advantageous to abolish the said Board and to vest the tail-race or flood-channel in the Southland County Council: Be it therefore enacted as follows:—

The Board of Trustees of the Waimumu Stream Drainage District is hereby abolished, and the said Act is hereby

repealed as from the first day of January, nineteen hundred and thirteen, and all the rights, assets, powers, obligations, and liabilities of the said Board and the said tail-race or flood-channel shall thereupon vest in the Southland County Council, and the said Council may collect all unpaid rates due to the said Board.

- (2) The land hereinafter described is hereby constituted a district within the meaning of the Land Drainage Act 1908, and shall be known as the Waimumu Stream Drainage District, and notwithstanding anything to the contrary in the last-mentioned Act the Southland County Council shall be the Drainage Board of such district, and shall have all the powers and functions of a Board constituted under the last-mentioned Act.
- (3) The land referred to in the last preceding subsection is particularly described as follows:—

All that area in the Southland Land District bounded by a line commencing at the north-east corner of Lot No 57 on LT Plan No 82, Waimumu Hundred, and proceeding thence in a south-westerly direction along the Main Trunk Railway Reserve to its junction with Main Street, Borough of Mataura; thence along the south-eastern side of Main Street to its junction with the Waimumu Stream; thence by a right line across Lot No 57, LT Plan No 134, to the southern side of that lot; thence in a north-westerly direction along the south-western boundary of part of the said Lot No 57, LT Plan No 134, Lots Nos 42, 41, 43, and LR, LT Plan No 134; thence in a north-easterly direction along the north-western boundaries of LR Lots Nos 43, 44, 45, and 46, LT Plan No 134; thence in a north-westerly direction along part of the south-western boundary of Lot No 33, LT Plan No 134; thence in a north-easterly direction along the north-western boundary of the said Lot No 33 to the northernmost corner of that lot; thence by a right line to the north-western corner of Lot No 31, LT Plan No 82; thence in a north-easterly direction along the said north-western boundary of the said Lot No 31; thence in a south-easterly direction generally along the north-eastern boundaries of Lots Nos 31 and 33, LT Plan No 82; thence in a north-easterly direction along part of the north-western boundary of Lot No 57, LT Plan No 82; thence

in a south-easterly direction along the north-eastern boundary of the said Lot No 57 to the place of commencement: as the said area is more particularly delineated on plan marked PWD 32603, and thereon coloured red.

65 Gore Domain Board empowered to grant building leases over certain lands in the Borough of Gore
[Repealed]

This section was repealed, as from 12 October 1915, by section 99(6) Reserves and Other Lands Disposal and Public Bodies Empowering Act 1915 (1915 No 68).

66 Land vested under Invercargill Public Offices Site Act, 1875, now declared Crown land

(1) Whereas by the Invercargill Public Offices Site Act 1875, the land described in Schedule 1 thereto was vested in Her Majesty as a public reserve for public offices or for the purpose of other public buildings for the use of the General Government of the Colony: And whereas the whole of the land so set aside is not now required for the purposes for which it has been reserved, and it is desired to dispose of the portion hereinafter described: Be it therefore enacted as follows:—

The reservation over the land hereinafter described is hereby cancelled, and the said land is hereby declared to be Crown land.

(2) The area of land over which the reservation is cancelled as aforesaid is particularly described as follows:—

All that area of land in the Southland Land District, containing by admeasurement ten perches and seven-tenths of a perch, more or less, being part of the Invercargill Public Offices site, Town of Invercargill: bounded towards the north by Esk Street, 66 links; towards the east by Athenaeum Reserve, 101.5 links; towards the south and west by other part of the said Invercargill Public Offices site, 66 links and 101.5 links respectively: be all the aforesaid linkages more or less: as the same is delineated on the plan marked L and S 5506/17, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

Subsection (1) was amended, as from 9 December 1932, by section 11(1) Reserves and other Lands Disposal Act 1932 (1932 No 24) by omitting the words “which may be sold to the Public Trustee at a price to be mutually agreed upon by the Minister of Lands and the said Public Trustee, but in no case being less than the value placed upon the said land by the Valuer-General”. *See* section 11 of that Act as to making provision for a site for a State Fire and Accident Insurance Office at Invercargill.

**67 Validating agreement between Crown and Wellington
City Council as to certain lands in Evans Bay District
acquired for recreation and defence purposes**

Whereas on the seventeenth day of January, nineteen hundred and twelve, the agreement the text whereof is set out in the Schedule hereto was made between His Majesty the King of the one part and the Mayor, Councillors, and Citizens of the City of Wellington of the other part: And whereas it is expedient that such agreement should be ratified by statute: Be it therefore enacted as follows:—

- (a) The said agreement is hereby ratified.
- (b) His Majesty the King and the said Corporation are hereby authorized and empowered to carry out the said agreement.
- (c) The lands vested in the Corporation legally or equitably under or pursuant to the said agreement shall be subject in all respects to the provisions of the said agreement.
- (d) Subsection five of section eighty-six of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1910, is hereby repealed.

68 Vesting certain land in the Albany Fruitgrowers' Association

- (1) Whereas the land hereinafter described was, by Proclamation dated the tenth day of January, nineteen hundred and eleven, taken for the purposes of agricultural show-grounds, and vested in the Waitemata County Council in trust for those purposes, as from the fifteenth day of February, nineteen hundred and eleven: And whereas it is desired to vest the said land in the Albany Fruitgrowers' Association in trust for the purposes hereinafter mentioned: Be it therefore enacted as follows:—

The Waitemata County Council is hereby authorized and empowered to transfer the land hereinafter described to the Albany Fruitgrowers' Association.

- (2) The said association shall have in respect of the said land all the powers and be subject to all the duties of a society under the Agricultural and Pastoral Societies Act 1908, in respect of land vested in such society.
- (3) The land to which this section relates is all that piece or parcel of land, containing ten acres two roods and thirty and nine-tenths perches, being portions of Sections Nos 76 and 28, Parish of Paremoremo, situated in Block III of the Waitemata Survey District, in the Auckland Land District.

**69 Authorizing sale of Lawry Settlement drainage-system
to the Ellerslie Town Board**

- (1) Whereas the Crown has established and now maintains a drainage-system in connection with the Lawry Settlement, established under the Workers' Dwellings Act 1910 [*Repealed*]: And whereas the Ellerslie Town Board is desirous of purchasing the said drainage-system: Be it therefore enacted as follows:—

The Governor may, on behalf of His Majesty, sell and the Ellerslie Town Board may purchase the whole of the said drainage-system for the sum of three thousand dollars.

- (2) The purchase-money derived from the said sale, after defraying all costs and charges in connection therewith, shall be applied in the proportionate reduction of the purchase-money of the workers' dwellings connected with the said drainage-system at the passing of this Act.

The expression "three thousand dollars" in subsection (1) was substituted, as from 10 July 1967, for the expression "fifteen hundred pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

**70 Exempting the Claudlands Show-grounds, Hamilton,
from payment of rates**
[*Repealed*]

Section 70 was repealed, as from 30 October 1965, by section 18 Waikato Show Trust Act 1965 (1965 No 3(P)).

**71 Authorizing transfer to Crown of part of Section 639,
vested in Palmerston North Borough**

(1) Whereas part of Section No 639, in the Borough of Palmerston North, is vested in His Majesty the King for defence purposes, and it is proposed to use the same as a site for artillery stables in connection with the Defence Forces: And whereas the remaining part of the said Section No 639 is vested in the Corporation of the Borough of Palmerston North as a drainage reserve: And whereas the first-mentioned part of the said Section No 639 is too small for the purposes for which it is required, and it is expedient that the part vested in the Corporation of the Borough of Palmerston North as aforesaid should be added thereto, and the said Corporation is willing to transfer the same on condition that the Crown undertakes to construct and at all times to maintain a drain throughout the part of the reserve so transferred and to permit the said Council to use the said drain for road-drainage purposes: Be it therefore enacted as follows:—

The Palmerston North Borough Council is hereby authorized and empowered to transfer to His Majesty the King, for defence purposes, all that part of Section No 639, in the Borough of Palmerston North, which is vested as aforesaid in the Corporation of the said borough.

(2) Forthwith upon the completion of such transfer the Minister of Defence shall cause a drain to be constructed through the land so transferred, and shall at all times cause the said drain to be maintained in a serviceable condition, and shall permit the said Borough Council at all times to use the same free of charge for road-drainage purposes.

**72 Authorizing Motueka Borough to sell certain land vested
in it as public reserve**

Whereas the land hereinafter referred to is vested in the Corporation of the Borough of Motueka for the purposes of a public reserve or recreation-ground, but is not conveniently situated for those purposes, and it is expedient that the said Corporation should be authorized to sell the said land, and to acquire with the proceeds other lands to be held for like purposes: Be it therefore enacted as follows:—

The Corporation of the Borough of Motueka is hereby empowered to sell all that area, containing fifty acres, more or less, being Section No 193 of Block III, as shown on the plan of the Motueka District, and to apply the proceeds of such sale in or towards the purchase of other lands to be held by the said Corporation in trust for the same purposes as the land herein authorized to be sold is now held by the said Corporation.

**73 Authorizing registration of transfer from David
Gladsome Taylor to Albert William Page of Section No
53, Homeview Village Settlement**

Whereas the Canterbury Land Board approved on the seventh day of February, nineteen hundred and seven, of an application to transfer lease in perpetuity (registered Volume 165, folio 16) over Section No 53, Homeview Village Settlement, Block VII, Cheviot Survey District, in the Canterbury Land District, containing thirteen acres two roods and sixteen perches, from David Gladsome Taylor to Albert William Page, of Cheviot, farmer, for the sum of one hundred dollars, subject to a mortgage to the Advances to Settlers Office of four hundred dollars: And whereas the said Albert William Page states that he is unable to complete the transfer owing to the absence of the said David Gladsome Taylor, whose present whereabouts are unknown: Be it therefore enacted as follows:—

The District Land Registrar of the Canterbury Land Registration District is hereby empowered to accept and register a transfer of the said lease, signed by the Commissioner of Crown Lands for the Canterbury Land District, in favour of the said Albert William Page, subject to the said mortgage.

The expressions “one hundred dollars” and “four hundred dollars” in subsection (1) were substituted, as from 10 July 1967, for the expressions “fifty pounds” and “two hundred pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

74 Authorizing payment to Greymouth Harbour Board of revenues derived from certain lands in Westland Land District

[Repealed]

Section 74 was repealed, as from 3 October 1991, by section 15(b) Harbour Boards Dry Land Endowment Revesting Act 1991 (1991 No 104).

75 Authorizing the prospecting for mineral oils, &c, in public reserves, endowments, and Native reserves

[Repealed]

Section 75 was repealed, as from 12 October 1915, by section 100 Reserves and Other Lands Disposal and Public Bodies Empowering Act 1915 (1915 No 68).

76 Authorizing renewal of water-race licenses to Roderick Polson

Whereas on the thirteenth day of August, eighteen hundred and ninety-six, a license, No 7787, was granted for a term of fifteen years to one Roderick Polson to take five heads of water from the Lindis River: And whereas on the seventh day of July, nineteen hundred and five, a license, No 1753, was granted to the said Roderick Polson to take a further supply of ten heads of water from the said river, the said license No 1753 to expire on the same day as the original license No 7787: And whereas application for renewal of such licenses is required by regulation to be made not earlier than two months and not later than one month before the expiry thereof: And whereas application for a renewal of the said licenses was inadvertently not so made, and it is desirable that the right to such renewal should be restored to the said Roderick Polson: Be it therefore enacted as follows:—

The Warden is hereby authorized to grant a renewal of the said licenses, Nos 7787 and 1753, to Roderick Polson, in the same manner as if application for such renewal had been made as required by the Mining Act 1908, or by regulations thereunder:

Provided that application for such renewal shall be made within three months from the passing of this Act:

Provided further that this section shall not prejudicially affect any mining privilege granted to any other person before the passing of this Act.

77 Authorizing grant of church-site at Waiuta

(1) Whereas certain of the inhabitants of Waiuta, in the Provincial District of Nelson, have caused to be erected on part of the land comprised in a special claim held by the Blackwater Mines (Limited) a church for purposes of undenominational worship and kindred objects: And whereas the said persons are desirous of obtaining a title to the said site to be held in trust for the purposes hereinbefore mentioned: And whereas the Blackwater Mines (Limited) aforesaid has consented to such a grant being made: Be it therefore enacted as follows:— On the appointment in manner to be approved by the Minister of Mines of not less than three trustees of the said church, and with the consent in writing of the said Blackwater Mines (Limited), the Governor may, by Proclamation, declare that the site of the said church shall, as from a date to be specified in the Proclamation, be vested in those trustees in trust as a site for a church to be used for the purposes of undenominational worship and for kindred purposes: Provided that such Proclamation shall not confer upon the said trustees any right to extract or remove any minerals, mineral oils, metals, clay, stone, or other valuable materials existing below the surface of the ground.

(2) A certified plan of the said site shall be prepared and deposited in the office of the Minister of Mines, at Wellington, and the Proclamation shall set forth the area and boundaries of the said site, and the record number of the said plan.

78 Local authorities may pay for lighting and maintenance of post-office clocks

[Repealed]

Section 78 was repealed, as from 1 April 1957, by section 453(1) Counties Act 1956 (1956 No 64).

79 Dealing with Pastoral Run No 222

The Canterbury Land Board may, with the approval of the Minister of Lands, extend for such period, not exceeding five years, as it thinks fit, the term of the pastoral license of Pastoral Run No 222 in the Oxford Survey District of the Canterbury Land District.

80 Amendment of Manukau Harbour Control Act 1911

(1) Whereas section three of the Manukau Harbour Control Act 1911, provides for the vesting of certain lands in the Auckland Harbour Board upon the completion of the purchase by that Board of the railway-wharf and site at Onehunga: And whereas the lands so to be vested include an area of three hundred and thirty-six acres, more or less, situate in the Parish of Waitemata, County of Eden, being Lots Nos 22 and 23 of Section No 13 of the Suburbs of Auckland: And whereas the Government has from time to time expended considerable sums of money out of the Public Account in respect of the subdivision and roading of the said lands for the purpose of rendering them available for disposal by way of lease: And whereas it is expedient that the said Harbour Board should refund the amount so expended before the said lands are vested in the said Board: Be it therefore enacted as follows:— Notwithstanding anything in section three of the Manukau Harbour Control Act 1911, the lands referred to in clause two of the Schedule to the said Act shall not be vested in the Auckland Harbour Board until the moneys expended by the Government as aforesaid in connection with the said lands have been refunded by the Auckland Harbour Board to the Public Account.

(2) The Controller and Auditor-General shall, on the request of the said Board, furnish to the said Board a certificate under his hand of the total amount expended as aforesaid prior to the date of that certificate.

81 Period of protection in certain case extended

Whereas by section eighteen of the Native Land Claims Adjustment Act 1911 [*Repealed*], certain interests of Ngakaraihe te Rango (deceased) were declared to be inalienable for a period of one year from the passing of that Act: And whereas it is expedient to extend the period for which the said interests shall be inalienable: Be it therefore enacted as follows:—

The period for which the said interests have been declared to be inalienable as aforesaid is hereby extended for a period

of twelve months from the twenty-eighth day of October, nineteen hundred and twelve:

Provided that nothing in this section shall affect any alienation completed between that date and the passing of this Act.

Schedule

THIS deed is made the seventeenth day of January 1912 between His Majesty the King of the one part and the Mayor Councillors and Citizens of the City of Wellington (hereinafter termed the Corporation) of the other part Whereas the Corporation has acquired for the purposes of a recreation-ground the area of ten acres described in Schedule 1 hereto (hereinafter termed Lot 1) And whereas the area of about twelve acres described in Schedule 2 hereto (hereinafter termed Lot 2) is vested in His Majesty and the Governor is by virtue of the provisions of section 86 of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1910 authorized and empowered to grant the same to the Corporation in trust as a public recreation-ground reserving to His Majesty the right at all times to use the said land for the purposes of the Defence Forces or for such other public purpose as His Majesty thinks fit but so that the right reserved to His Majesty shall not extend to any buildings which may be erected on the said land by the Corporation with the consent of the Governor And whereas the area of about eight acres described in Schedule 3 hereto (hereinafter termed Lot 3) is now vested in the Corporation And whereas before the negotiations for this agreement it was contemplated by the parties that an agreement should be entered into by them to provide subject to the ratification by the General Assembly of New Zealand in Parliament assembled that His Majesty should grant Lot 2 to the Corporation and that the western half thereof should be available for the purposes of a general yard and as a site for car-sheds and general factories in connection with the Corporation tramway system and that the Corporation should covenant that it would within a certain time level off and make suitable for recreation purposes sixteen acres part of the block consisting of Lots 1 and 3 and the eastern half of Lot 2 in such part of the block as the Corporation should select and it was intended that such sixteen acres should be held as a recreation-ground subject to the same rights in

favour of His Majesty the King in respect of the said area of sixteen acres as are reserved to His Majesty by the said section 86 of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1910 in respect of Lot 2 and that the Corporation would execute such grants deeds documents and instruments as might be necessary to give effect to the provisions of the said agreement and it was intended that statutory effect should be given to such agreement And whereas the Corporation has purchased the area of land described in Schedule 4 hereto (hereinafter termed Lot 4) and had before such purchase applied to His Majesty's Government in New Zealand by request addressed to the Acting Prime Minister that the said Lot 4 should be held by the Corporation subject to the provisions of this agreement and the Government of New Zealand for and on behalf of His Majesty has agreed to such application upon and subject to the terms hereinafter set forth Now this deed witnesseth and it is hereby agreed and declared between and by the parties hereto as follows:—

1

The Corporation having purchased the said Lot 4 at the price of 125 per acre the purchase-money shall be paid by His Majesty and the Corporation in equal shares. The contribution of His Majesty to the purchase of the said Lot 4 shall be payable immediately after the Corporation has obtained a title to Lot 4.

2

Lot 4 and an area of sixteen acres consisting of the eastern half of Lot 2 and such parts of Lots 1 and 3 as the Corporation shall select is hereinafter referred to as the recreation and manoeuvre ground.

3

- (a) The Corporation shall level thirty acres of the recreation and manoeuvre ground such area to be selected by the Corporation and the Defence Department by agreement.
- (b) Such area shall be levelled clayed over and sown with grass by the Corporation at the rate of not less than seven and one-half acres per annum. The Defence Department shall have the right to use the whole of such area for ceremonial parades on any days when events of Dominion or National importance are being celebrated.

On Wednesdays and Saturdays the Defence Department shall have the right to use for drill purposes seven and one-half acres of such levelled area in a position to be selected from time to time by the Corporation.

4

The Defence Department shall have the right to enclose an area not exceeding two acres part of the recreation and manoeuvre ground in a position to be mutually agreed upon and shall have the right to erect within such enclosure permanent buildings for military purposes.

5

The Defence Department shall have the right to use the balance of the recreation and manoeuvre ground at all times for the purposes of manoeuvres of troops and horses for digging trenches gun-pits and general military-training purposes but all excavations made shall be temporary and shall be filled up on completion of such manoeuvres.

6

The Defence Department shall have the right to hold instructional camps on the recreation and manoeuvre ground but every such camp shall be situate to the eastward of the city boundary.

7

- (a) In addition to the powers given to the Council by section 299 of the Municipal Corporations Act 1908, the Council shall have the power to erect on the recreation and manoeuvre ground such buildings, fences, erections, stands, pavilions, and other things necessary or suitable in connection with sports-grounds or parade-grounds.
- (b) The Corporation may grant to any person for such consideration as it thinks fit and upon such conditions not inconsistent with the purposes set out in this agreement licenses in respect of grazing on the said reserve.

8

Any tree-planting done by the Corporation must be carried out in conformity with a scheme or schemes from time to time approved by the Defence Department.

9

His Majesty shall grant Lot 2 to the Corporation the western half thereof for the purpose of a general yard and as a site for car-sheds and general factories in connection with its tramway system. The eastern half thereof being the part to be included in the recreation and manoeuvre ground shall be subject to the provisions of this agreement.

10

It is intended to give statutory effect to this agreement and in the enactment ratifying this agreement there shall be included a repeal of subsection (5) of section 86 of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1910.

11

Subject to the provisions of this agreement the recreation and manoeuvre ground shall be deemed to be a pleasure-ground provided pursuant to section 299 of the Municipal Corporations Act 1908.

In witness whereof these presents have been executed by or on behalf of the parties hereto the day and year first before written.

Schedule 1

All that piece of land containing 10 acres more or less being part of Section 8 Evans Bay District and being part of the land comprised in certificate of title Volume 2 folio 274 as the same is delineated on the plan hereto annexed and therein edged brown.

Schedule 2

All that piece of land containing 12 acres and 26 perches more or less being part of Section 8 Evans Bay District and being part of the land comprised in certificate of title Volume 2 folio 274 as the same is delineated on the plan hereto annexed and edged green.

Schedule 3

All that piece of land containing 8 acres and 14 perches more or less being part of Section 8 Evans Bay District and being part of the land comprised in certificate of title Volume 2 folio 274 as the same is delineated on the plan hereto annexed and edged blue.

Schedule 4

All that piece of land containing 70 acres 2 roods and 15 perches being part of Section 8 Evans Bay District and parts of Sections 13, 14, and 15 Watts Peninsula District and being part of the land comprised in certificates of title Volume 2 folio 274 and Volume 115 folio 71 and being also Lot 1 on the plan deposited in the Lands Registry Office at Wellington as No 2481: as the same is approximately delineated on the plan hereto annexed and edged red.

Signed by the Honourable David Buddo on
behalf of the Minister for Lands and Defence
acting in the name and on behalf of His
Majesty the King in the presence of—

D BUDDO.

WR Jourdain,

Clerk, Department of
Lands, Wellington.

The common seal of the Mayor Councillors
and Citizens of the City of Wellington was
hereto affixed at the offices of and pursuant
to a resolution of the City Council in the
presence of—

[LS]

JOHN SMITH,
Acting-Mayor.

L MCKENZIE, Councillor.

JNO R PALMER, Town
Clerk.