

Reserves and Other Lands Disposal and Public Bodies Empowering Act 1910

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Note

This Act is administered in Land Information New Zealand. The words Department of Survey and Land Information were substituted, as from 1 February 1990, for the words Department of Lands and Survey pursuant to s 9(3)(a) Survey Amendment Act (No 3) 1989 (1989 No 139). Those words were in turn substituted, as from 1 July 1996, by the words Land Information New Zealand pursuant to s 4(b)(i) Survey Amendment Act 1996 (1996 No 55).

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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 1910.

2 Public Trustee authorized to make advances towards cost of erection of Auckland Trades Hall

For the purpose of establishing in Auckland a Trades Hall at a total cost of fourteen thousand dollars or thereabouts, the following provisions are hereby enacted:—

- (a) Upon receiving from the persons in Auckland known as the Trades Hall Trustees the sum of at least two thousand dollars as a contribution in aid of the work, the Public Trustee is hereby empowered to expend by way of advances out of the funds of the Public Trust Office any sum or sums not exceeding in the whole the sum

of twelve thousand dollars (thereby providing a total available fund of at least fourteen thousand dollars) for the purpose of acquiring in Auckland a suitable site and erecting and equipping thereon a building, which shall be known as the Auckland Trades Hall, and shall be used for the purposes indicated in the trust deed under which the aforesaid trustees are appointed, and for the analogous purposes hereinafter referred to.

- (b) The property shall be vested in the Public Trustee, but he may permit the aforesaid trustees to manage the same, subject to his direction and control.
- (c) The moneys advanced by the Public Trustee as aforesaid, with interest thereon at the rate of four and a half per centum per annum, shall be charged upon the said property, and payment thereof is hereby guaranteed by the Government.
- (d) When such charge has been fully satisfied out of the rents and profits derived from the property, or from subscriptions and contributions made by the aforesaid trustees, or from any other sources than the aforesaid guarantee, the property shall be transferred by the Public Trustee to the said trustees or to such other person or society as the Governor in Council directs, and shall be used by the transferee for the purposes indicated in the aforesaid trust deed or for such other purposes analogous thereto as are from time to time authorized or prescribed by the Governor in Council.
- (e) For the purposes of this section the aforesaid trustees are hereby empowered to pay to the Public Trustee any funds now or hereafter held or received by them under the aforesaid deed of trust or otherwise for the purpose of establishing the Auckland Trades Hall.
- (f) The Governor in Council may from time to time make such regulations as he thinks fit for the management of the said property, the appointment of trustees, the defining of their powers and functions, and generally for any other purpose he thinks necessary in order to give full effect to this section.

- (g) The aforesaid deed of trust is hereby modified so as to accord with this section.

The references to “fourteen thousand dollars”, “two thousand dollars”, and “twelve thousand dollars” were substituted, as from 10 July 1967, for references to “seven thousand pounds”, “one thousand pounds”, and “six thousand pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

3 Cancellling reservation over Section 153, Block II, Town of Opotiki

Whereas Section 153, Block II, Town of Opotiki, in the Auckland Land District, containing by admeasurement one acre, more or less, was with other lands permanently reserved for police purposes by Warrant published in the *Gazette* of the eighth day of September, eighteen hundred and ninety-two: And whereas the said land is not now required for those purposes, but is needed as a site for a drill-shed, and there is no power to effect the change of reservation: 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 sale or reservation under the Land Act 1908.

4 Cancellling reservation over Suburban Section 96, Town of Gisborne, and validating certificate of title in respect thereof in favour of the Cook Hospital and Charitable Aid Board

Whereas a Warrant under the hand of the Governor purporting to change the purpose of Suburban Section 96, Town of Gisborne, from a reserve for public purposes to a site for a hospital and charitable institution, under the control of the Cook Hospital and Charitable Aid Board, was published in the *Gazette* of the first day of September, nineteen hundred and ten: And whereas the District Land Registrar for the Poverty Bay Land Registration District was authorized by a Warrant under the Land Transfer Act 1908, to issue a certificate of title to the said Board for the said land, in accordance with the Hospitals and Charitable Institutions Act 1909, and such certificate of title was duly issued, bearing date the seventeenth day of October, nineteen hundred and ten, and is numbered

Volume 47, folio 135, in the District Land Registry Office at Gisborne: And whereas it was subsequently ascertained that the said land had previously been granted by the Governor to the Superintendent of the Province of Auckland, under the Public Reserves Act 1854, in trust as an endowment for or towards the maintenance and support of lunatic and other asylums within the Province of Auckland, the said grant bearing date the nineteenth day of May, eighteen hundred and seventy-five: Be it therefore enacted as follows:—

The reservation of the said land as an endowment for or towards the maintenance and support of lunatic and other asylums within the Province of Auckland is hereby revoked, and the District Land Registrar for the Poverty Bay Land Registration District is hereby authorized and directed to cancel the Crown grant to the Superintendent of the Province of Auckland bearing date the nineteenth day of May, eighteen hundred and seventy-five, and numbered Volume IV, folio 30, and the said certificate of title in the name of the Cook Hospital and Charitable Aid Board is hereby validated as from the date thereof.

5 Reservation for experimental farm, over Sections 1 and 2, Block V, Omapere Survey District, cancelled

Whereas Sections 1 and 2, Block V, Omapere Survey District, in the Auckland Land District, containing one hundred and twenty-one acres and thirty-one perches, more or less, were by notice in the *Gazette* of the twenty-ninth day of May, eighteen hundred and eighty-four, permanently reserved for experimental-farm purposes, but are no longer required for those purposes: Be it therefore enacted as follows:—

The reservation over the said Sections 1 and 2 is hereby cancelled, and the said land is hereby declared to be Crown land available for disposal under the Land Act 1908.

6 Lot 11, Section 1, Township of Russell exempted from section 122 of Land Act

Whereas Lot 11, Section 1, Township of Russell, in the Auckland Land District, containing one rood and ten perches, more or less, borders on the Bay of Islands and cannot be

disposed of under the Land Act 1908, without a strip of land sixty-six feet in width being reserved along the high-water line in compliance with the provisions of section one hundred and twenty-two of that Act, and the reservation of such a strip would absorb the whole area of the allotment: Be it therefore enacted as follows:—

Lot 11 of Section 1, Township of Russell, may be disposed of under the Land Act 1948, without the provisions of section one hundred and twenty-two of that Act being complied with.

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).

**7 Portion of Mangakahia No 2B2 Block reconveyed to
Maori owners for burial-ground purposes**

- (1) Whereas a portion of the Mangakahia No 2B2 Block, in the Auckland Land District, containing eighty-four acres and two roods was taken for scenic purposes under the provisions of the Public Works Act 1905, and the Scenery Preservation Act 1908, by Order in Council published in the *Gazette* of the eleventh day of January, nineteen hundred and six: And whereas it is desired to reconvey part of the said land to the former owners to be used as a Maori burial-ground: Be it therefore enacted as follows:—

The taking of the land hereinafter described is hereby revoked, and the said land is hereby declared to be Maori land, and shall be granted to such persons as may be determined by the Maori Land Court to be the former owners thereof, or their legal successors, for the purposes of a Maori burial-ground.

- (2) The land declared by this section to be Maori land is particularly described as follows:—

All that area of land in the Auckland Land District, being Section No 9, Block XVI, Mangakahia Survey District (formerly part of Mangakahia No 2B2 Block), containing by admeasurement one rood and seventeen perches, more or less: commencing at a point 617885.7 links north and 313227.6 links west of Mount Eden: bounded towards the north-east, south-east, and south-west by part of the said Mangakahia No 2B2 Block, now a scenic reserve, 68.2 links, 585.7 links, and

60.6 links respectively; towards the north-west by a public road 558.7 links: be all the aforesaid linkages more or less: as the same is delineated on the plan marked L 299/25, deposited in the Head Office, Department of Lands, 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).

8 Cancellation of reservation for State-forest purposes over certain land in Block XI, Purua Survey District

- (1) Whereas an area of one thousand five hundred acres in Block XI, Purua Survey District, in the Auckland Land District, was by notice in the *Gazette* of the twenty-eighth day of July, eighteen hundred and eighty-one, reserved for the growth and preservation of timber: And whereas the said land was subsequently set apart for State-forest purposes under the New Zealand State Forests Act 1885, by a Proclamation published in the *Gazette* of the seventh day of June, nineteen hundred and six: And whereas the milling-timber on part of such land has been felled and removed, and the land is no longer suitable for forest purposes, but is well adapted for settlement, and it is desirable to cancel the said reservation over the part so cleared to enable the land to be opened for settlement: Be it therefore enacted as follows:—

The reservation over the land described in the next succeeding subsection is hereby cancelled, and the said land is hereby declared to be Crown land available for disposal under the Land Act 1908; and the land described in subsection three of this section is hereby declared to be a State-forest reserve under the State Forests Act 1908, and all previous reservations over the said land are hereby revoked.

- (2) The land declared available for disposal under the Land Act 1908, as aforesaid is particularly described as follows:—

All that area in the Auckland Land District, containing seven hundred and eighty-four acres, more or less, being part of the Kaitara State Forest, situated in Block XI, Purua Survey District: bounded towards the north-east by Sections 2 and 3, the abutment of a public road 100 links wide, and part of Section 4, Kaitara Parish, 4600 links; towards the south-east

and north-east generally by the Kaitara State Forest, 4885.7 links, 1637.3 links, 5782.2 links, and 5010 links; towards the east by the western boundary-line of Block XII, Purua Survey District, 3000 links; towards the south generally by a reserve for water-conservation, Sections 28, 27, and 26, Parish of Kaitara aforesaid, 3400 links, 3945 links, 3030 links, and 2910 links respectively; and towards the west by Sections 34, 36, the abutment of a public road 100 links wide, again by Sections 36 and 33, the abutment of a public road 100 links wide, and again by Section 33 of the aforesaid Parish, 11764 links: be all the aforesaid linkages more or less: as the same is delineated on the plan marked L 58320/7, deposited in the Head Office, Department of Lands, at Wellington, and thereon hatched red and edged with a red border.

- (3) The land hereby declared to be a State-forest reserve is particularly described as follows:—

All that area in the Auckland Land District, containing seven hundred and ninety-six acres, more or less, and known as the Kaitara State Forest: bounded towards the north-east by Sections 4, 5, and 6, Kaitara Parish, 5005.8 links; towards the north-west by Section 6 aforesaid, 2800 links; again towards the north-west by Taikoia Block, the abutment of a public road, and again by Taikoia Block aforesaid, 3455 links; towards the east by State-forest reserve (western boundary of Block XII, Purua Survey District), 8700 links; towards the south and south-west generally by lines 5010 links, 5782.2 links, and 1637.3 links; and towards the north-west by a line 4885.7 links: be all the aforesaid linkages more or less: as the same is delineated on the plan marked L 58320/7, deposited in the Head Office, Department of Lands, at Wellington, and thereon edged green.

9 Mangonui County Council authorized to close road in Block X, Rangaunu Survey District, and exchange for other land

[Repealed]

Section nine was repealed, as from 5 November 1914, by section 23(7) Reserves and other Lands Disposal and Public Bodies Empowering Act 1914 (1914 No 70).

10 Authorizing the sale of foreshore land at mouth of Puhoi River

- (1) Whereas the land hereinafter described is situated below the ordinary high-water line, and comprises sandy wastes exposed to the inroads of the sea and flood-waters of the Puhoi River: And whereas the owner of the adjoining land is desirous of acquiring the said land for the purposes of reclamation and protection from erosion: Be it therefore enacted as follows:—
The Auckland Land Board is hereby authorized to dispose of the said land in the manner prescribed by section one hundred and thirty-one of the Land Act 1908.
- (2) The land to which this section relates is particularly described as follows:—

All that area in the Auckland Land District, containing by admeasurement twenty acres three roods, more or less, situated in Blocks III and IV, Waiwera Survey District: commencing at Peg 1, at ordinary high-water mark of the Puhoi River (original boundary-peg of portion of Puhoi Block, and shown on Plan 4654A, deposited in the District Land Registrar's Office at Auckland): bounded towards the north-west by a line bearing $4^{\circ} 33'$, 500 links: towards the north, north-west, west, and north-east generally by lines along the Puhoi River, 90° , 1440 links; 62° , 810 links; 46° , 1000 links; 15° , 550 links; $344^{\circ} 30'$, 740 links; 8° , 380 links; $30^{\circ} 30'$, 400 links; $84^{\circ} 15'$, 425 links; and 125° , 780 links: towards the south-east by a line to ordinary high-water mark, main channel, Puhoi River, 215° , 50 links: towards the south-west, south, east, and south-east by ordinary high-water mark, Puhoi River, along Akeake and part of Puhoi Blocks, and by lines along ordinary high-water mark of the said river, $253^{\circ} 42' 30''$, 519 links; $284^{\circ} 25'$, 479.5 links; and $262^{\circ} 10'$, 650 links, to the point of commencement: be all the aforesaid bearings and linkages more or less:

Also all that other area in the Auckland Land District, containing by admeasurement twenty-seven acres two roods, more or less, situated in Block IV, Waiwera Survey District: commencing at the easternmost corner of the land described in the last preceding paragraph: bounded towards the north-east and east generally by lines along the Tasman Sea, 125° , 265

links; 154°, 715 links; 191° 15', 3200 links; 149°, 1000 links; 143° 30', 400 links; 164° 30', 480 links; 179°, 400 links; 156°, 150 links; 142°, 160 links; and 171°, 230 links: towards the south by a line to ordinary high-water mark, Tasman Sea, 264° 23', 180 links: towards the west, southwest, and north-west generally by ordinary high-water mark, Tasman Sea, along part of Puhoi and Akeake Blocks, and a line, 35°, 50 links, to the point of commencement: be all the aforesaid linkages and bearings more or less:

As the above areas are delineated on the plan marked L 09/846, deposited in the Head Office, Department of Lands, at Wellington, and thereon edged red.

11 Reservation for quarantine-station for stock in Auckland Suburbs cancelled

Whereas Lot 63 of Section 12, Suburbs of Auckland, in the Auckland Land District, containing one acre and thirty-two perches, more or less, was reserved for the purposes of a quarantine-station for stock by notice in the *Gazette* of the sixteenth day of October, eighteen hundred and seventy-nine, but is not now required for those purposes: Be it therefore enacted as follows:—

The reservation over Lot 63 of Section 12, Suburbs of Auckland, is hereby cancelled, and the said land is hereby declared to be Crown land available for disposal under the Land Act 1908.

12 Changing purpose of reserve at Point Resolution, in the Auckland Land District, from defence to recreation purposes

- (1) Whereas an area of land, containing five acres two roods and twenty-seven perches, more or less, situated at Point Resolution, Parnell, in the Auckland Land District, was by Proclamation published in the *Gazette* of the third day of June, eighteen hundred and eighty-six, taken for the construction of defence-works: And whereas part of the said area, containing three acres two roods, was conveyed to Francis Schwartz Kissling under the authority of the Special Powers and Contracts Act 1886, and the remainder is no longer required

for defence purposes, and it is desired to change the purpose of the reservation: Be it therefore enacted as follows:—

The reservation over the area of land hereinafter described (being the remainder of the area aforesaid) is hereby cancelled, and the said land is hereby declared to be a recreation reserve.

- (2) The land so reserved as a recreation reserve is that part of Lot 23, Section 2, Suburbs of Auckland, bounded towards the north-west generally by high-water mark of Judge's Bay; towards the east by the high-water mark of Hobson Bay; towards the south-west by other part of Lot 23, Section 2, Suburbs of Auckland, and the abutment of Avenue Road, 256 links; again towards the north-west and south-west by other part of Lot 23, Section 2, Suburbs of Auckland, 35.8 links and 426.5 links respectively (be all the aforesaid linkages more or less); and containing two acres and twenty-seven perches: as the same is delineated on the plan marked L 58184/11, deposited in the Head Office, Department of Lands, Wellington, and thereon edged red.

13 Withdrawing certain land from national endowment, and making it subject to Hauraki Plains Act 1908

Whereas in the Schedule to the National Endowment Act 1907 [Repealed], and in Schedule 4 to the Land Act 1908, an area of land in the Auckland Land District, containing twenty-four thousand eight hundred and fifty acres, being Blocks VI, X, XI, XIV, and XV, Waihou Survey District, and Blocks II, III, VI, and VII, Waitoa Survey District, was set apart as a portion of the national endowment: And whereas the said area was included in the said Schedules in error, as it formed part of the Hauraki Plains, which had been the subject of drainage operations and other works by the Government for some time previously, and which are now dealt with under the provisions of the Hauraki Plains Act 1908 [Repealed], and it is advisable to withdraw the said area from the national endowment so that it may be dealt with under the last-mentioned Act: Be it therefore enacted as follows:—

Schedule 4 to the Land Act 1908, is hereby amended by omitting the reference to the above-mentioned area, and in lieu thereof the Governor is directed and empowered to set

apart by Proclamation an equal area of Crown land as part of the national endowment.

14 Repeal

Section ten of the Reserves and other Lands Sale, Disposal, and Enabling and Public Bodies Empowering Act 1901, is hereby repealed.

15 Cancelling reservation of Parehuia Domain

Whereas Section 2, Block XVI, Ohinemuri Survey District, in the Auckland Land District, containing twelve acres and twenty perches, was by Warrant published in the *Gazette* of the twenty-seventh day of August, eighteen hundred and ninety-six, permanently reserved for recreation purposes: And whereas by Order in Council published in the *Gazette* of the seventh day of October, nineteen hundred and nine, the said land was brought under the operation of and declared to be subject to the provisions of Part 2 of the Public Reserves and Domains Act 1908, and designated the Parehuia Domain: And whereas it is now desired to revoke the setting-apart of the said land as a public domain: Be it therefore enacted as follows:—

The said Order in Council is hereby revoked, and the said land is hereby declared to be freed from the provisions of Part 2 of the Public Reserves and Domains Act 1908.

16 Cancellation of reservation for road purposes of Section 11, Block XV, Orahiri Survey District

Whereas an area of Crown land in Block XV, Orahiri Survey District, in the Auckland Land District, fronting the Manga-o-kewa Stream has been laid out and marked on the public maps as a road reserve, and whereas the whole of such area is not now required for such a purpose: Be it therefore enacted as follows:—

The reservation for road purposes of Section 11, Block XV, Orahiri Survey District, containing three roods twenty-seven perches and seven-tenths of a perch, is hereby cancelled, and the said land is hereby declared to be Crown land available for disposal under the Land Act 1908.

17 Portions of reserves in Rotorua and Rotoiti Survey Districts may be leased for depasturing stock suffering from bush sickness

Whereas paddocks in which to depasture stock suffering from **bush sickness** are required to be provided in the Rotorua and Rotoiti districts, and the only suitable land has already been reserved for scenic purposes: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in any Act, the Commissioner of Crown Lands, Auckland, may, with the consent of the Minister of Lands, lease to any owner of stock suffering from bush sickness, for such periods, at such rents, and on such terms and conditions as may be thought fit, any area of open land included in any unoccupied public reserve not vested in any local body or trustees, situated within the Survey Districts of Rotorua and Rotoiti, in the Auckland Land District:

Provided that such conditions shall include a condition that sufficient care shall be taken by the lessees to protect all forest growing upon the said reserve, and that no claim shall be made against or recognized by the Crown for any improvements effected on the said land by any lessee.

18 Cancellation of reservation over Sections 5 and 6, Block I, Tarawera Survey District

- (1) Whereas Section 5, Block I, Tarawera Survey District, in the Auckland Land District, containing twenty-five acres three roods eight perches, was permanently reserved for cemetery purposes by notice in the *Gazette* of the twenty-third day of March, eighteen hundred and ninety-nine, and the north-western part of the said section (now known as Section 11), containing thirteen acres two roods, was vested in the Department of Tourist and Health Resorts by notice in the *Gazette* of the tenth day of December, nineteen hundred and eight, and the remainder of the said Section 5 is not now required for the purpose for which it was reserved: And whereas Section 6 in the same block and district, containing fifty-six acres two roods, more or less, was permanently reserved for recreation purposes by notice in the *Gazette* of

the first day of September, nineteen hundred and four, but is no longer required for such purposes: Be it therefore enacted as follows:—

The reservation over that part of Section 5, Block I, Tarawera Survey District, described in the next succeeding subsection, and over Section 6, Block I, Tarawera Survey District, is hereby cancelled, and the said lands are hereby declared to be Crown lands available for sale or disposal under the Land Act 1908, or for reservation under the State Forests Act 1908.

- (2) The part of Section 5 referred to in the last preceding subsection is particularly described as follows:—

All that area of land in the Auckland Land District, containing twelve acres two roods, more or less, being part of Section 5, Block I, Tarawera Survey District: bounded towards the north by Section 26A, Suburbs of Rotorua, 637.5 links; towards the south by Section 5A, Block I, Tarawera Survey District, 1160.8 links; towards the west by a public road, 500.3 links; and towards the north and north-west by Section 11, Block I, Tarawera Survey District, 700 links and 1488.1 links: be all the aforesaid linkages more or less: as the same is delineated on the plan marked L 58057/12, deposited in the Head Office, Department of Lands, at Wellington, and thereon edged red.

19 Authorizing lease of certain land in Selwyn Settlement (Auckland Land District) to the Bartholomew Land and Timber Company (Limited)

- (1) Whereas the Auckland Land Board in November, nineteen hundred and five, agreed to grant a license to occupy all that area of land hereinafter described to the Bartholomew Land and Timber Company (Limited), of Auckland, to place, erect, construct, and maintain thereon timber yards, depots, and a tramway-line, for the term of three years, computed from the first day of January, nineteen hundred and six, and containing and reserving to the said company a right to a lease of the said land and privileges for a further term of twenty-one years, subject to the terms and conditions to be set forth in the said license: And whereas the said land forms part of an estate acquired by the Crown under the Land for Settlements

Consolidation Act 1900, and there is no legal power to grant the said lease: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in any Act, the Governor is hereby empowered to grant a lease of the land hereinafter described to the said company for a term of twenty-one years and for the aforesaid purposes, upon such terms and conditions as he may think proper:

Provided that such lease shall contain a clause to the effect that no liability or responsibility of any kind whatsoever shall attach to the Crown in connection with the construction or maintenance of the said tramway, or the haulage of goods or trucks over the same, or on account of any damage, claim, demand, action, or suit arising out of or being incidental thereto in any way whatsoever.

- (2) The land referred to in this section is particularly described as follows:—

All that area in the Auckland Land District, containing one hundred and forty-five acres three roods eight perches, more or less, being part of Small Grazing-run No 36, Block XI, Patetere North Survey District (Selwyn Settlement): bounded as follows—

commencing at the intersection of the boundary-line between Small Grazing-run No 36 aforesaid and the Ngatira Maori Reserve and the Auckland-Rotorua Railway line, being the easternmost point of Small Grazing-run No 36 aforesaid; towards the south-east generally by the Ngatira Maori Reserve aforesaid, 4142.8 and 100 links, and the Oraka Stream; towards the south-west generally by the Oraka Stream aforesaid, a public road 100 links wide, 240 links, 537.7 links, and 218.8 links, the crossing of the said road 105 links, and by right lines bearing $143^{\circ} 11' 20''$, 6306.7 links, and $210^{\circ} 35'$, 211.6 links; and towards the north-east generally by the Auckland-Rotorua Railway line aforesaid, 732.2 links, 2371 links, 380.9 links, 1993.5 links, and 1417.2 links, to the point of commencement: be all the aforesaid linkages more or less: save and except a public road 100 links wide which intersects the hereinbefore-described area: as the same is delineated on the plan marked L 19315/385, deposited

in the Head Office, Department of Lands, at Wellington, and thereon edged red.

Also all that area in the Auckland Land District, being parts of Small Grazing-runs Nos 37 and 106, Selwyn Settlement, and containing by admeasurement fifty-two acres one rood nineteen perches, more or less: bounded as follows—

commencing at a point on the northern boundary of Section No 1, Block I, Horohoro West Survey District, distant 2041.4 links from peg marked II on the aforesaid northern boundary of Section No 1; thence towards the south-west generally by right lines of the following linkages respectively—483.4, 262.1, 686, 310.4, 584.4, 862.4, 267, 195.3, 352.6, 136.3, 241.4, 206, 198.7, 260.3, 308.8, 270.2, 372.1, 590.7, 819.4, 574.4, 216.7, 274.7, 410.5, 203.3, 269.8, 650.2, 848.5, 629.6, 644.2, 349.7, 943.4, 147.8, 299.7, 240.8, 305.7, 317, 208.3, 400.9, 1071.5, 205.5, 471.3, 199.1, 212.4, 194.1, 604.7, 209.9, 855.9, 838.2, 220.8—by the crossing of the Oraka Stream, by that stream, again by the crossing of the same stream, by a right line 120 links, and by right lines of the following linkages respectively—291.3, 188.3, 665.8, 502.9, 565.4, 432.3, 401.6, 572.9, 707.6, 440.5, 440.2, 512.3, 270.6, 985.7, 524.3, 842, 550.5, 416.4, 315.9, 684.4, 1278.8, 304.7, 1302.7, 1525.9, 487.1, 745.9, 963, 956.7, 146.1, 852.6, 454.6, 162.7, 162.7, 162.7, 1047.9, 220.3, 306.5, 859.1, 963.8, 356.8, 986.7, and 267.7; and towards the north-east generally by the Oraka Stream aforesaid, by right lines 75 links and 1223.9 links; again by the Oraka Stream aforesaid, by right lines 693 links and 430.9 links; again by the Oraka Stream aforesaid, and by right lines of the following linkages respectively—701, 1529.6, 1303.9, 335.7, 1280.6, 665, 328.2, 438.6, 286, 244.6, 577.3, 367.4, 374.3, 983.9, 266.3, 529, 442.4, 833.5, 913.6, 383.7, 402.1, 536.1, 530.1, 701.8, 714.4, 482.7, 740.8, 566.7, 830.4, 880.1, 234.1, 600.3, 162.1, 213.6, 233.5, 473.9, 177.1, 1068.6, 426.3, 260, 313.9, 145.5, 213.6, 330.5, 214.8, 950.8, 308.5, 607.4, 614, 866.8, 698.4, 235.9, 182, 182.4, 476.5, 319.3, 526.4, 686.7, 561.9, 516.7, 263.2, 385.8, 207.1, 282.4, 292.8, 172.7, 394.6, 365.4, 844, 584.2, 263.4, 648.6, 150.3, 200.3, 510.7; and by the abutment of a public road, 73.8 links: be all the aforesaid linkages more or less.

Also all that area in the Auckland Land District, being part of Small Grazing-run No 106, Selwyn Settlement, and containing by admeasurement thirty perches, more or less: bounded as follows—

commencing at a point 133.9 links south and 13289.9 links east of the south-western corner of Block VII, Patetere North-east Survey District; thence towards the south-east by a right line, 100 links; towards the south-west by a right line, 189.9 links; towards the north-west by a right line, 100 links: and towards the north-east by a right line, 189.9 links: be all the aforesaid linkages more or less.

As the said several areas are delineated on the plan marked L 19315/386A, deposited in the Head Office, Department of Lands, at Wellington, and thereon coloured red.

Section 19 was amended, as from 28 October 1911, by section 3 Reserves and other Lands Disposal and Public Bodies Empowering Act 1911 (1911 No 29), by inserting the words “Also all that area in the Auckland Land District ... Department of Lands, at Wellington, and thereon coloured 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).

20 Authorizing the reconveyance of certain land in the Hawke’s Bay Land District to the former Maori owners thereof

- (1) Whereas the lands hereinafter described were duly acquired by the Crown from the Maori owners, and were subsequently reserved for public purposes: And whereas it is desirable to allow the Maori owners to regain possession of the said lands on payment of the Crown charges hereinafter mentioned: Be it therefore enacted as follows:—

The reservation over the several areas of land hereinafter described is hereby cancelled, and the said areas are hereby authorized and empowered to be reconveyed to the former owners thereof, or their representatives, on payment of the liens in favour of the Crown in respect of any such area.

- (2) For the purposes of this section the Governor is hereby empowered to execute, and the District Land Registrar for the district in which the said lands are situated is hereby empowered to register, any and every deed or document necessary to give effect to the provisions of this section.

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

All those areas of land in the Hawke's Bay Land District being—

Section 1, Block XII, Mata Survey District, containing twenty acres two roods, more or less, reserved for travelling stock in the *Gazette* of the twelfth day of November, nineteen hundred and eight; Section 1, Block X, Waiapu Survey District, containing thirty-eight acres two roods, more or less, reserved for travelling stock in the *Gazette* of the twenty-seventh day of August, nineteen hundred and three.

Subsection three was amended, as from 10 December 1918, by section 31(1) Reserves and other Lands Disposal and Public Bodies Empowering Act 1918 (1918 No 23), by omitting the words “; and Section 2, Block X, Waiapu Survey District, containing eight acres one rood, reserved as a Native-school site in the *Gazette* of the thirteenth day of September, nineteen hundred”.

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).

21 Cancellation of reservation over Section 29, Block III, Patoka Survey District

Whereas Section 29, Block III, Patoka Survey District, in the Hawke's Bay Land District, containing one hundred and thirty acres three roods, more or less, was reserved for purposes of public utility by notice in the Hawke's Bay Provincial *Gazette* dated the fifteenth day of December, eighteen hundred and sixty-three, but is no longer required for those purposes: Be it therefore enacted as follows:—

The reservation over Section 29, Block III, Patoka Survey District, is hereby cancelled, and the said land is hereby declared to be Crown land available for disposal under the Land Act 1908.

22 Certain land at Te Haroto set apart for Maori purposes

- (1) Whereas a promise was made in the year eighteen hundred and seventy-nine to Paora Hapi and his people that an area of Crown lands, containing about five hundred acres, situated on the Napier-Taupo Road, at Te Haroto, should be conveyed to them for purposes of cultivation or such other purpose as the Government might decide: And whereas, in reliance on

such promise, many Maori have since that date occupied and cultivated the said lands, but no legal title has yet been granted to them, nor have the names of the Maori entitled to the same been ascertained: Be it therefore enacted as follows:—

The land hereinafter described is hereby set apart for occupation and cultivation by those Maoris whom the Maori Land Court determines to be equitably entitled thereto, and to give effect to this provision the Maori Land Court is hereby empowered and directed to inquire into the circumstances connected with the aforesaid promise, and to recommend what Maoris shall be given a title in the said land, in what shares, and on what terms and conditions, and the Governor is hereby empowered and authorized to execute a Warrant directing the issue of certificates of title under the Land Transfer Act 1908, in accordance with such recommendation, and to take such other steps as may be necessary to give full effect thereto.

- (2) The land to which the last preceding subsection applies is particularly described as follows:—

All that area of land in the Hawke's Bay Land District, containing by admeasurement four hundred and ninety-five acres, more or less, being Section 2, Block III, Pohui Survey District, and known as Te Haroto Maori Reserve: bounded towards the north-east by the Tatara-o-kina Block, 12885 links; towards the south-east by Section 3 and the Tarawera Block, 4010 links; towards the south-west by the Tarawera Block aforesaid, 12855 links; and towards the north-west by the Tarawera and Tatara-o-kina Blocks, 4028 links: be all the aforesaid linkages more or less: save and excepting a public road 66 links wide which intersects the said Section 2, and a school-site of five acres being Section 1 of the said Block III: as the same is delineated on the plan marked L 56065/7, deposited in the Head Office, Department of Lands, at Wellington, and thereon edged red.

- (3) The area of five acres being Section 1 of the Pohui Survey District is hereby reserved as a site for a Maori school.

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 words “Maori Land Court” were substituted, as from 27 November 1947, for the words “Native Land Court” pursuant to section 9(2)(a) Maori Purposes Act 1947 (1947 No 59).

23 Closing road over certain Maori land in the Mohaka Block, in the Hawke’s Bay Land District

- (1) Whereas land for a road was taken under section one hundred and six of the Native Land Act 1873 [Repealed], through the Mohaka Block, situated in the Mohaka and Waihua Survey Districts, in the Hawke’s Bay Land District, but it is now found that a more suitable line of road can be obtained by deviation through the said block in proximity to the first-mentioned road, and it is desirable to close certain portions of the said road and to vest the same in the original owners or their successors in title: Be it therefore enacted as follows:—

The portions of the said road which are hereinafter described are hereby closed, and shall be deemed never to have been taken for the purposes of a road; and the title thereto is hereby vested, and shall be deemed at all times to have been vested, in the several persons in whom for the time being it would have been vested had the said land never been so taken.

- (2) The land referred to in this section is particularly described as follows:—

All that area of land in Blocks III, IV, VIII, and XII, Mohaka Survey District, and Block IX, Waihua Survey District, in the Hawke’s Bay Land District, containing thirty-nine acres three roods one perch and eight-tenths of a perch, and being part of the Mohaka Block: as the same is more particularly delineated on the plans deposited in the office of the Chief Surveyor at Napier, and thereon tinted 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).

24 Section 16, Kereru Bush, set apart as endowment for Napier High School

Whereas Section 16, Kereru Bush, situated in Block III, Wakarara Survey District, in the Hawke’s Bay Land District, containing by admeasurement twenty-eight acres, more or less, was granted to the Superintendent of the Province of

Hawke's Bay on the twentieth day of October, eighteen hundred and seventy-four, for purposes of public utility, and by notice in the *Gazette* of the sixth day of June, eighteen hundred and seventy-eight, was apportioned as an endowment for the purposes of secondary education: And whereas by notice in the *Gazette* of the twenty-second day of March, eighteen hundred and eighty-three, the said land was selected and set apart for the Napier High School in pursuance of section twenty-nine of the Napier High School Act 1882: And whereas a notice published in the *Gazette* of the twenty-seventh day of May, nineteen hundred and nine, changed the purpose of the said land from a reserve for purposes of public utility to a reserve for an endowment for secondary education under Class III of the Public Reserves and Domains Act 1908, but it is now desired to vest the said land in the Napier High School Board, and it does not appear that this can legally be done without special legislation: Be it therefore enacted as follows:—

Section 16, Kereru Bush, situated in Block III, Wakarara Survey District, is hereby declared to be an endowment for the purposes of secondary education, and vested in the Napier High School Board of Governors in trust for the purposes of the said school, and the District Land Registrar for the District of Hawke's Bay is hereby directed and empowered to issue a certificate of title for the said land in favour of the said Board.

25 Authorizing sale of part of Block CXVI, Town of Waitara West

- (1) Whereas Block CXVI, Township of Raleigh, West Bank, was by notice in the *Gazette* of the twenty-sixth day of April, eighteen hundred and seventy-one, reserved for sites for public buildings or other purposes of the General Government: And whereas the whole of the block is not now required for the purposes for which it has been reserved, and it is desired to dispose of the portion on which the Waitara Police-station stands: 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, which the Taranaki Land Board is hereby authorized to

sell to Thomas Borthwick and Sons, proprietors of the Waitara Freezing-works, for the sum of twelve hundred dollars.

- (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 Taranaki Land District, containing by admeasurement one rood three perches and one-tenth of a perch, more or less, being part of Block CXVI, Town of Waitara West (formerly Township of Raleigh, West Bank): bounded towards the north-west by other part of the said Block CXVI, 199.76 links; towards the north-east by West Quay, 129.19 links; towards the south-east by Stafford Street, 225.81 links; and towards the south-west by Queen Street, 126.54 links: be all the aforesaid linkages more or less: as the same is delineated on the plan marked L 5447/4, deposited in the Head Office, Department of Lands, at Wellington, and thereon edged red.

The reference to “twelve hundred dollars” was substituted, as from 10 July 1967, for a reference to “six hundred pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

26 Vesting portion of foreshore in Napier Borough for municipal purposes

- (1) The land hereinafter described, being part of the foreshore fronting the Borough of Napier, is hereby vested in the Corporation of the said borough in trust for municipal purposes.
- (2) The land referred to in this section is particularly described as follows:—

All that piece or parcel of land, situate in the Provincial District of Hawke’s Bay, containing by admeasurement sixteen acres four perches and nine-tenths of a perch, being portion of the foreshore fronting the Borough of Napier: bounded towards the north by other portion of the said foreshore and by part of the Marine Parade, 150 links; towards the east by high-water mark of ordinary tides, by a line bearing $183^{\circ} 56' 11''$, 8680.1 links, and by a line bearing $181^{\circ} 17' 40''$, 2010.8 links; on the south by other portion of the said foreshore, 150 links; and on the west by the Marine Parade, by a line bearing $1^{\circ} 17' 40''$, 2009.9 links, by a line bearing $3^{\circ} 58' 39''$, 2384.34 links, by a

line bearing $3^{\circ} 53' 53''$, 1780.05 links, by a line bearing $3^{\circ} 55' 2''$, 2199.97 links, and by a line bearing $3^{\circ} 57'$, 2308.8 links: be the aforesaid area, linkages, and bearings either more or less: as the said piece of land is delineated on the plan marked MD 3550, deposited in the office of the Marine Department at Wellington.

27 Authorizing the grant of certain land to Wairoa Harbour Board as a harbour endowment

- (1) The Governor may grant to the Wairoa Harbour Board the land hereinafter described for an estate in fee-simple, in trust, without power of sale, as a harbour endowment.
- (2) The land to which this section refers is particularly described as follows:—
 - (a) All that area covered at high water by the tidal waters of the Wairoa River Estuary, containing approximately eleven acres two roods, and bounded as follows: Commencing at high-water mark on the right bank of the Wairoa River at the north-eastern corner of Te Koutu Block; proceeding thence for a distance of about 50 links along the prolongation in a northerly direction of the eastern boundary of the said Te Koutu Block; thence generally in an easterly and a south-westerly direction, parallel to and 50 links distant from high-water mark on the right bank of the Wairoa River, to the line of the west training-mole as shown on the plans of Mr Leslie H Reynolds's "Proposed Harbour-improvement Scheme"; thence to a point marked A, being the commencement of the line of the said training-mole at high-water mark, as shown on the plan referred to below; thence north-easterly and north-westerly by high-water mark along the right bank of the Wairoa River to the commencing-point:
 - (b) Also all that area covered at high water by the tidal waters of the Wairoa River Estuary and by the waters of Hawke's Bay, containing approximately three hundred and fifty acres, and bounded as follows: Commencing at the point A referred to in the preceding paragraph, and proceeding thence generally in a southerly direction to

the end of the line of the said western training-mole at a point on high-water mark of Hawke's Bay marked F on the plan referred to below; thence on a bearing of 180° , for a distance of 1100 links, to a point marked G; thence on a bearing $258^\circ 35'$, for a distance of 14795 links, to a point marked H; thence on a bearing of 0° , for a distance of 1100 links, to peg No 1, being the south-western corner of Section No 19; thence along high-water mark on the southern boundaries of Sections Nos 19, 18, and 17; thence across end of road, 101.2 links; thence along high-water mark, being the southern and eastern boundaries of Pilot Station Reserve, to the mouth of Tawhara Creek; thence across the mouth of the said Tawhara Creek and along high-water mark to the commencing-point: exempting from the area included within the above-described boundaries an area required for road one chain in width, along the southern boundaries of Sections Nos 19, 18, and 17, as shown coloured sepia on the plan referred to below:

- (c) Also all that area covered by the tidal waters of the Wairoa River, containing approximately twelve acres, and bounded as follows: Commencing at a point marked J on the plan referred to below, the said point being the intersection of the prolongation in a northerly direction of the eastern boundary of Te Koutu Block with high-water mark on the left bank of the Wairoa River; proceeding thence generally in an easterly and south-westerly direction along high-water mark to a point marked K on plan referred to below, being the intersection at high-water mark of the line of the eastern training-mole as shown on the above-mentioned plans of Mr Leslie H Reynolds's "Proposed Harbour-improvement Scheme"; thence south-westerly along the line of the said eastern training-mole; and thence on a line about 50 links distant from and parallel to the high-water mark on the left bank of the Wairoa River, to the commencing-point:
- (d) Also all that area covered by the tidal waters of the Wairoa River Estuary and by the waters of Hawke's

Bay, containing approximately four hundred and twenty-three acres, commencing at the point marked K referred to in the preceding paragraph, and proceeding thence along the line of the above-mentioned eastern training-mole to a point marked J on the plan referred to below; thence along a line bearing 180° , for a distance of 900 links, to a point marked L; thence along a line bearing $79^{\circ} 10'$, for a distance of about 15332 links, to a point marked M, bearing $170^{\circ} 10'$, and 650 links distant from peg 11A; thence along the line from M to 11A; thence along a line bearing $338^{\circ} 34' 45''$, for a distance of about 780 links, to high-water mark at a point marked N; thence generally westerly and north-easterly along high-water mark to the commencing-point:

All in Blocks V and VI, Clyde Survey District: as the above-described boundaries and areas are shown on the plan marked MD 3358, deposited in the office of the Marine Department at Wellington, in the Provincial District of Wellington.

28 Certain gravel reserves vested in Corporation of Egmont County

1Whereas by the Egmont County Act 1901, portions of the Taranaki County and of the Hawera County were constituted a new county under the name of Egmont County: And whereas certain gravel reserves situated within the boundaries of the Egmont County, but which had been vested in the Corporation of the Taranaki County, were through inadvertence not included in the property specifically mentioned in the agreement made pursuant to section thirty-one of the Counties Act 1886, between the Councils of the Taranaki and Egmont Counties as having been transferred to the new Egmont County, and therefore such reserves still remain vested in the said Corporation: Be it therefore enacted as follows:—

The vesting of the gravel reserves hereinafter specified in the said Corporation is hereby cancelled, and it is hereby declared that those reserves are vested in the Corporation of the County

of Egmont as from the passing of this Act, to be held under the Counties Act 1908, in trust for the purposes for which they were reserved.

(2) The reserves to which this section applies are as follows:—

Section	Block.	Survey District.	Area.		
			A	R	P
23	IV	Cape	1	1	7
10	V	"	0	3	34
24	VIII	"	1	1	28
125	"	"	2	1	0
61	XII	"	0	2	0
62	"	"	0	2	0
14	V	Opunake	2	0	0
15	"	"	0	0	17
3	XII	"	1	3	11
27	XIII	"	0	3	6
28	"	"	0	2	32

29 Allotment 12, and part of Allotment 13, Township of Strandon, reserved as site for police-station

Whereas Allotment 12 and part of Allotment 13 (hereinafter called the said land) of the Township of Strandon, shown on the deposited plan No 1928, and being part of Section H on the public map of the Fitzroy District deposited in the office of the Chief Surveyor at New Plymouth, containing one rood two perches and two-tenths of a perch, was with other land taken for the purposes of the Sentry Hill - New Plymouth Railway deviation by a Proclamation dated the fifteenth day of November, nineteen hundred and six, and published in the

Gazette of the twenty-second day of the same month: And whereas the said land is not now required for railway purposes, and it is desired to reserve the same for the purposes of a police-station: Be it therefore enacted as follows:—

The Governor may, by notice in the *Gazette*, reserve the said land as a site for a police-station.

30 Cancellling reservation for forest purposes over Section 4A, Block I, Kapara Survey District

Whereas Section 4A, Block I, Kapara Survey District, in the Taranaki Land District, containing fifteen acres, more or less, was reserved for the growth and preservation of timber by notice in the *Gazette* of the eighteenth day of April, nineteen hundred and seven: And whereas the timber on the said land has been felled and destroyed, and the said land is no longer suitable for the purpose for which it has been reserved: 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.

31 Cancellation of reservation for road and river-bank protection purposes over part of Section 89, Block III, Mangahao Survey District

- (1) Whereas Section 89, Block III, Mangahao Survey District, in the Wellington Land District, containing twenty-seven acres, more or less, was by notice in the *Gazette* of the eleventh day of April, eighteen hundred and eighty-nine, permanently reserved for road and river-bank protection purposes: And whereas the portion hereinafter described of the said section is no longer required for the purposes for which it has been 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 applies is particularly described as follows:—

All that area of land in the Wellington Land District, containing by admeasurement eighteen acres two roods and twenty-six perches, more or less, being part of Section 89, Block III, Mangahao Survey District: bounded towards the north-west and north-east by Section 90, 633.7 links, by Sections 91 and 93, 998.1 links and 998.4 links, and by a public road, 1998.3 links; and towards the south generally by the remaining part of Section 89, 3451.1 links: be all the aforesaid linkages more or less: as the same is more particularly delineated and described on plan L 46042/8, deposited in the Head Office of the Department of Lands, Wellington, and thereon bordered red.

32 Cancellling reservation as national-endowment land of certain land in the Hunua Survey District

- (1) Whereas an area of nine hundred and fifty acres, situated in the Hunua Survey District, in the Wellington Land District, was set aside as part of the national endowment, and subsequently, through inadvertence, included within the North Waimarino Improved-farm Settlement, and selected under the ordinary conditions of Part 3 of the Land Act 1908, and the Lands Improvement and Native Lands Acquisition Act 1894, and it is desirable to validate such selections: Be it therefore enacted as follows:—

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 under the Land Act 1908, or the Lands Improvement and Native Lands Acquisition Act 1894 [Repealed].

- (2) In lieu of such land, an area of Crown land of equal value shall be set aside and included within the national endowment within one year from the passing of this Act, and a Warrant of the setting-aside shall as soon as possible after execution be published in the *Gazette*.

**33 Cancellation of reservation for forest purposes over
Section 133, Block III, Mangahao Survey District**

Whereas Section 133, Block III, Mangahao Survey District, in the Wellington Land District, containing seventy-two acres two roods sixteen perches, more or less, was permanently reserved for forest purposes by notice in the *Gazette* of the tenth day of March, eighteen hundred and eighty-seven, but is no longer suitable for the purposes for which it was reserved: Be it therefore enacted as follows:—

The reservation over Section 133, Block III, Mangahao Survey District, is hereby cancelled, and the land is hereby declared to be Crown land available for disposal under the Land Act 1948.

**34 Cancellation of reservation for scenic purposes over part
of Section 62, Block XIV, Ohinewairua Survey District**

- (1) Whereas Section 62, Block XIV, Ohinewairua Survey District, in the Wellington Land District, containing one hundred and fifty-six acres, more or less, was by notice in the *Gazette* of the fourteenth day of June, nineteen hundred, permanently reserved for scenic purposes: And whereas the said land is not now required for those purposes: Be it therefore enacted as follows:—

The reservation over that area of land hereinafter described is hereby cancelled, and the 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 Wellington Land District, containing by admeasurement one acre and thirty-two perches, more or less, being part of Section 62, Block XIV, Ohinewairua Survey District: bounded towards the north-east generally by the Mangaonoho-Waiouru Road, 410 links and 250 links, and by the other part of Section 62, 305 links; and towards the east, south, and south-west generally by the Hautapu River: be all the aforesaid linkages more or less: as the same is delineated on Plan L 341/15, deposited in the Head Office, Department of Lands, Wellington, and thereon edged red.

**35 Exchange of certain lands in Bull's for recreation and
riflerange purposes respectively**

- (1) Whereas the present rifle range at Bull's is unsuitable for the purpose of a rifle range, and a desirable site can be selected within the Bull's Domain and has already been used by the Bull's Rifle Club: And whereas the Domain Board is willing to permit part of the Domain to be exchanged for the Rifle Range Reserve: Be it therefore enacted as follows:—

The reservation over all that area described in subsection two of this section is hereby cancelled, and the said land is hereby reserved for the purposes of a rifle range; and the reservation over all that area described in subsection three of this section is hereby cancelled, and the said land is hereby reserved for purposes of public recreation and added to the Bull's Domain.

- (2) The land to be reserved for the purposes of a rifle range is particularly described as follows:—

All that area in the Wellington Land District, containing by admeasurement eight acres and twenty-six perches, more or less, being portion of Section 5, Block XI, Rangitoto Survey District, known as the Bull's Domain: bounded as follows—
commencing at a peg marked VIIA on the northern bank of the old Rangitikei River bed, at the south-eastern extremity of Section 4, Block XI aforesaid; thence south-westerly by a portion of Section 5 aforesaid, 2670 links, to the southern bank of the old Rangitikei River bed, being the southern boundary of the Bull's Domain; thence by that bank to another portion of Section 5 aforesaid; thence by that portion, 720 links, to the northern bank of the old Rangitikei River bed; thence north-easterly by that bank about 280 links; thence by a portion of Section 5 aforesaid, 1250 links, to a road, by the abutment of that road, and again by part of Section 5, 960.6 links and 1283 links, to Section 4, Block XI, Rangitoto Survey District; thence south-easterly by part of Section 4 aforesaid, 960 links, to the place of commencement: be all the aforesaid linkages more or less: as the same is more particularly delineated on the plan marked L 1368/13, deposited in the Head Office, Department of Lands, at Wellington, and thereon coloured pink.

- (3) The land to be reserved for public recreation as aforesaid is particularly described as follows:—

All that area in the Wellington Land District, containing by admeasurement nine acres two roods thirty-five perches, more or less, being portion of Section 4, Block XI, Rangitoto Survey District: bounded towards the north-east by the northern bank of the old Rangitikei River bed; towards the south-east by the remaining portion of Section 4 aforesaid, 720 links; towards the south-west and north-west by Section 5, 1920 links and 370.6 links: be all the aforesaid linkages more or less: as the same is more particularly delineated on plan marked L 1368/13, deposited in the Head Office, Department of Lands, at Wellington, and thereon coloured green.

36 Authorizing issue of certificate of title to representative of WJ Tabor in respect of certain land in Wellington Land District formerly owned by New Zealand Company

- (1) Whereas the land hereinafter described formed part of the lands of the New Zealand Company which reverted to the Crown upon the surrender of the charter of the said company: And whereas Frederick Dowsett, in August, eighteen hundred and seventy-three, sold the said land to William John Tabor, of Wellington, accountant, who purchased the same in ignorance of the fact that the said Frederick Dowsett had no title to the said land: And whereas the said William John Tabor occupied the land until his death, since when it has been in the occupation of his widow: 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 all that area of land hereinafter described in favour of Mary Theresa Tabor, widow of the said William John Tabor.

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

All that area of land in the Land District of Wellington, containing by admeasurement one rood and fourteen perches, more or less, being Section 1, Block VI, Port Nicholson Survey District: bounded towards the north-east by the Orangi-Kaupapa Road, 199.7 links; towards the south-east

by the Karori Road, 340.8 links; towards the west by Section 29, Karori District, 373.1 links: be all the aforesaid linkages more or less: as the same is delineated on Plan L 56811/22, deposited in the Head Office, Department of Lands, Wellington, and thereon edged red.

37 Authorizing issue of certificate of title to representatives of John Heath in respect of certain land in Wellington Land District formerly owned by New Zealand Company

- (1) Whereas one John Heath was the purchaser from the New Zealand Company of Section 13 on the plan of the Hutt District, and duly proved his title thereto in accordance with the requirements of the New Zealand Company's Land Claimants Ordinance, 1851: And whereas one Hart Udy, a derivative purchaser from the said company of part of Section 12 on the plan of the said Hutt District, in like manner proved his title thereto: And whereas the said John Heath and Hart Udy agreed between themselves to exchange part of the said Section 13 for part of the said Section 12: And whereas evidence of such agreement having been produced to the Commissioner appointed pursuant to the said Ordinance, such Commissioner in exercise of the powers vested in him declared that the said Hart Udy was entitled to a grant of, *inter alia*, the part of the said Section 13 proffered by the said John Heath to the said Hart Udy in exchange for part of the said Section 12, and a Crown grant for the same was issued to the said Hart Udy accordingly: And whereas the said Commissioner omitted to report that the said John Heath was entitled to a Crown grant for the part of the said Section 12 proffered by the said Hart Udy to the said John Heath in exchange for part of the said Section 13 granted to the said Hart Udy, and it is expedient to repair such omission: And whereas William Awdry Peck, of No 9 Old Square, Lincoln's Inn, in the County of Middlesex, England, barrister-at-law, and Christopher Reginald Walter Heath, of No 4 Stone Buildings, Lincoln's Inn aforesaid, solicitor, are the successors in title to the said John Heath, and are now the owners of the part of the said Section 13 lastly referred to, and

are entitled to have the same granted to them by the Crown:
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 area of land hereinafter described in favour of the said William Awdry Peck and Christopher Reginald Walter Heath as joint tenants, and such land shall not be subject to the provisions of Part 13 of the Land Act 1908.

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

All that area of land in the Wellington Land District, containing forty-eight acres two roods and nine perches, more or less, being part of Section 12, Hutt District, situated in Block XIV, Belmont Survey District: bounded towards the south-east by Section 13, 3350.6 links; towards the south-west by other part of Section 12, 873.8 links; towards the south-west and west by a watercourse; and towards the north-west by the edge of the Awamotu Swamp to the point of commencement: be all the aforesaid linkages more or less: as the same is delineated on Plan No 42/65, deposited in the office of the Chief Surveyor, at Wellington, in the Wellington Land District.

- (3) The grantees of the said land shall within one year after the passing of this Act, and before the issue of any certificate of title, have the same properly surveyed to the satisfaction of the District Land Registrar.

38 Cancellation of reservation over certain lands in Clifford Bay and Taylor's Pass Survey Districts

Whereas Section 3, Block X, Clifford Bay Survey District, in the Marlborough Land District, containing one hundred and seventy-four acres, was by notice in the *Gazette* of the third day of April, nineteen hundred and two, permanently reserved for plantation purposes: And whereas fourteen acres of the said section were subsequently by Order in Council published in the *Gazette* of the twenty-first day of March, nineteen hundred and seven, changed from a plantation reserve to a reserve appropriated for the use of the Department of Agriculture: And whereas Section 19, Block XXII, Taylor's

Pass Survey District, in the said land district, was by notice in the *Gazette* of the third day of April, nineteen hundred and two, permanently reserved as a resting-place for travelling stock: And whereas the aforesaid lands are no longer required for the purposes for which they have been set apart: Be it therefore enacted as follows:—

The reservations over Section 3, Block X, Clifford Bay Survey District, and Section 19, Block XXII, Taylor's Pass Survey District, are hereby cancelled, and the lands are hereby declared to be Crown lands available for disposal either under the provisions of the Land Act 1948, or, in the discretion of the Minister, as settlement land under the Land for Settlements Act 1908.

39 Cancellation of reservation over Section 102, Block X, Clifford Bay Survey District

Whereas Section 102 (Wakefield Downs) of Block X, Clifford Bay Survey District, in the Marlborough Land District, containing one hundred and fifty acres, more or less, was reserved for the purpose of public utility by notice in the Nelson Provincial *Gazette* of the twenty-first day of November, eighteen hundred and fifty-four: And whereas the said land is no longer required for the purpose for which it has been reserved, but is well adapted for settlement purposes: Be it therefore enacted as follows:—

The reservation over Section 102, Block X, Clifford Bay Survey District, is hereby cancelled, and the said land is hereby declared to be settlement land available for disposal under the Land for Settlements Act 1908, and all dealings with the said land under the said Act or previous Acts repealed thereby are hereby validated.

40 Exchange of certain lands in Te Hora Maori Reserve

- (1) Whereas it is desired to take new lines of road through Te Hora Maori Reserve, being Section 32A, Block X, Wakamarina Survey District, in the Marlborough Land District, and such roads cannot be taken for the statutory width of sixty-six feet owing to the position of certain houses, orchards, and cultivations belonging to the Maori owners: And whereas

such owners have agreed to give an area of eight acres two roods fifteen perches, more or less, for the new road-lines in exchange for an area of two acres one rood twenty-two perches, more or less, being portion of the present road-lines, together with an area of twelve acres of Crown land adjoining: Be it therefore enacted as follows:—

The Governor is hereby empowered to direct the District Land Registrar, Blenheim, to call in and cancel the existing certificate of title for the part of the said Te Hora Maori Reserve comprised in Volume 6, folio 212, Marlborough Lands Registry, and to issue in lieu thereof, free of any expense to the owners, a certificate of title for the land comprised in the said volume and folio, after excluding the portions specified in subsection three of this section, and which are to be shown as roads on the new certificate, and including the areas specified in subsection four hereof.

- (2) The names and shares of the persons to be enumerated in the said certificate shall be those enumerated in subsection five of this section, and the land shall be held by those persons and in those shares as an estate in fee-simple as tenants in common, subject to the same incumbrances and restrictions as existed on the said certificate of title, Volume 6, folio 212; and for the purpose of giving effect to this exchange the provisions of Part 13 of the Land Act 1908, shall not apply.
- (3) The portions to be shown as roads as aforesaid are particularly described as follows:—

All that area in the Marlborough Land District, containing by admeasurement one acre two roods twenty-two perches, more or less, situated in Block X, Wakamarina Survey District, and being part of Section 32A: bounded towards the west by a public road, 148.4 links; towards the north-east by part of Section 32A, Block X, Wakamarina Survey District, 221.2 links, 354.5 links, 424.5 links, and 734.3 links; towards the south by a public road, 132 links; and towards the south-west by part Section 32A, Block X, Wakamarina Survey District, 608.9 links, 376.9 links, 333.1 links, 167.2 links; towards the south-east by Section 32A, Block X, Wakamarina Survey District, 58.8 links, to the point of commencement:

Also all that area in the Marlborough Land District, containing by admeasurement six acres three roods thirty-three perches, more or less, situated in Block X, Wakamarina Survey District, and being part of Section 32A: bounded towards the north by a public road, 132 links; towards the north-east by part of Section 32A, Block X, Wakamarina Survey District, 299 links, 1049 links, 593.6 links, 1166.4 links, 808.1 links; towards the north-west by part of Section 32A, Block X, Wakamarina Survey District, 576.6 links; towards the west by part of Section 32A, Block X, Wakamarina Survey District, 1112.3 links; towards the north by river reserve, 65 links; towards the east by part of Section 32A, Block X, Wakamarina Survey District 189.3 links, and by Section 36, Block X, Wakamarina Survey District, 859.4 links; towards the north-west by part of Section 36, Block X, Wakamarina Survey District, 61.1 links; towards the north-east by Section 36, Block X, Wakamarina Survey District, 85.3 links, and by Section 32A, Block X, Wakamarina Survey District, 578.3 links and 350 links; towards the south-east by Wakamarina River, 1050 links; towards the south by a public road, 291.4 links; towards the west by Section 32A, Block X, Wakamarina Survey District, 51.9 links; towards the north by Section 32A, Block X, Wakamarina Survey District, 227.4 links; towards the north-west by Section 32A, Block X, Wakamarina Survey District, 313.9 links, 309.7 links, and 324.9 links; towards the south-west by Section 32A, Block X, Wakamarina Survey District, 308.9 links and 579.2 links; towards the south-east by Section 32A, Block X, Wakamarina Survey District, 658.7 links; towards the south-west by Section 32A, Block X, Wakamarina Survey District, 879.1 links, 1187.6 links, 595 links, 1083 links, and 405.8 links, to the point of commencement:

As the above areas are delineated on the plan marked L 48745/38, deposited in the Head Office, Department of Lands, at Wellington, and thereon tinted red.

- (4) The lands to be granted in exchange for the said roads are particularly described as follows:—

All that area in the Marlborough Land District, containing by admeasurement one acre and twenty-six perches, situated in

Block X, Wakamarina Survey District, and being a road-line intersecting Section 32A, Block X, Wakamarina Survey District: bounded towards the west by a public road, 107 links; towards the north-east by part of Section 32A, Block X, Wakamarina Survey District, 1137.4 links, and by a public road, 132 links; towards the south-west by part of Section 32A, Block X, Wakamarina Survey District, 1185.3 links, to the point of commencement:

Also all that area in the Marlborough Land District, containing by admeasurement one acre and thirty-six perches, situated in Block X, Wakamarina Survey District, and being a road-line intersecting Section 32A, Block X, Wakamarina Survey District: bounded towards the south-west by a public road, 132 links; towards the northeast, 1280 links, by part of Section 32A, Block X, Wakamarina Survey District; towards the south-east by a river reserve, 105 links; towards the south-west by part of Section 32A, Block X, Wakamarina Survey District, 1170 links, to the point of commencement:

As the above areas are delineated on the plan marked L 48745/38, deposited in the Head Office, Department of Lands, at Wellington, and thereon tinted green.

Also all that area in the Marlborough Land District, containing by admeasurement twelve acres, and being Section 44, Block X, Wakamarina Survey District: bounded towards the north by Section 32A, Block X, Wakamarina Survey District, 2100.5 links; towards the south-east by Section 45, Block X, Wakamarina Survey District, 1020.3 links; towards the south by Section 45, Block X, Wakamarina Survey District, 1363.3 links; and towards the west by Section 45, Block X, Wakamarina Survey District, 702.4 links, intersected by a right-of-way 18 links wide: as the same is delineated on the plan marked L 48745/38, deposited in the Head Office, Department of Lands, at Wellington, and thereon tinted yellow.

- (5) The names of the persons and their respective shares to be enumerated in the certificate of title as aforesaid are—

Hemi Whiro, sixteen acres and fifteen perches; Roka Whiro (Hape), twenty-two acres two roods five perches; Hamuera Meihana, Rina Makitanare, Teneraki Meihana, Hamiria

Meihana, Pirihiara Wirihana (female), Kare Wirihana (female), twelve acres three roods twenty perches; Eruera Wirihana, nineteen acres one rood ten perches; Pani Iharaira, fifteen acres and two perches; Harota Hemi, sixteen acres and fifteen perches; Piri Hemi, six acres one rood thirty-one perches; Te Watene Hemi, six acres one rood thirty-one perches; Timoti Taare Hipporaiti (male), Kumari Taare Hipporaiti (female), Teone Taare Hipporaiti (male), Turia Taare Hipporaiti (female), Iriatina Taare Hipporaiti (male), six acres one rood thirty-two perches; Hakaraia Hemi, six acres one rood thirty-one perches; Hiria Hemi, twelve acres three roods twenty perches; Kurawhanui Tiemi Walker (female), Wiremu Tiemi Walker (male), six acres one rood thirty perches; Hape Tauhanga, eight acres two roods fifteen perches; Manihera Tauhanga, two acres and twenty-four perches; Harata Tauhanga, two acres and twenty-three perches; Ruteria Piripi, two acres and twenty-three perches; Pirimona Pokiki, eight acres and seven perches; Hohepa Pokiki, eight acres and eight perches; Kipa Pou (male), Eruera Pou (male), six acres one rood thirty perches; Ihaka Tekateka, twelve acres three roods twenty perches; Raima Hipporaiti, eight acres two roods twelve perches; Unaiki Manihera Tauhanga (female), six acres one rood thirty-one perches; Kiti Paora, six acres one rood thirty-one perches; Kipa Hemi, six acres one rood thirty-one perches; Kiti Wirihana, six acres one rood thirty perches: total, two hundred and thirty-one acres three roods seven perches.

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).

41 Change of purpose of reservation over part of Section 6, Block XIII, Town of Seddon, from plantation to post and telegraph purposes

- (1) Whereas Section 6, Block XIII, Town of Seddon, in the Marlborough Land District, containing two acres and ten perches, was reserved for plantation purposes by notice in the *Gazette* of the third day of April, nineteen hundred and two: And whereas it is desirable to change the purpose of a

portion of the said section to a reserve for post and telegraph purposes: Be it therefore enacted as follows:—

The reservation over that portion of Section 6, Block XIII, Town of Seddon, more particularly described in the next succeeding subsection is hereby cancelled, and the said land is hereby reserved for post and telegraph purposes.

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

All that area in the Marlborough Land District, containing by admeasurement two and four-tenths perches, more or less, being part of Section 7 (formerly Section 6), Block XIII, Town of Seddon: bounded towards the north-east by Richmond Street, 4 links; towards the south-east by other part of Section 7 (formerly a closed road), 372.7 links; towards the south-west by Mills Street, 4 links; and towards the north-west by a road-line, 371.7 links: be all the aforesaid linkages more or less: as the same is delineated on the plan marked L 5919/11B, deposited in the Head Office, Department of Lands, at Wellington, and thereon tinted pink.

42 Cancellling reservation as dipping-station of land in Amuri District

Whereas Sections 17, 18, 19, and 20, of Square 80, Amuri District, in the Marlborough Land District, containing nine hundred and six acres, were reserved by notice under the Nelson Waste Lands Act 1863 [Repealed], published in the Nelson Provincial *Gazette* of the thirtieth day of April, eighteen hundred and sixty-six, as a dipping-station under the Scab Act: And whereas the said land is no longer required for the purpose for which it has been reserved, but has been included within Run 15A, Acheron Survey District, as the homestead-site thereof: Be it therefore enacted as follows:—

The reservation over Sections 17, 18, 19, and 20, Square 80, Amuri District, is hereby cancelled, and the said land is hereby declared to be Crown land forming part of Cloudy Range Run 15A, Acheron Survey District, held under Part 6 of the Land Act 1908; and all previous dealings with the said land under the provisions of the Land Act 1892, and the Land Act 1908, are hereby validated.

**43 Authorizing the disposal of part of Section 78, Block XII,
Wai-iti Survey District, by the Waimea South Literary
Institution**

- (1) Whereas the area of land hereinafter described was by deed of conveyance, dated the first day of November, eighteen hundred and fifty-three, vested in Edward Baigent, William Dickinson, and Benjamin Jackson in trust for the purposes of the Waimea South Literary Institution: And whereas the said trustees are dead, and it is desirable to dispose of the said land and to purchase in lieu thereof a more central site for the purposes of the said institution, but no power exists at present by which the said institution can deal with the said land: Be it therefore enacted as follows:—

The said Waimea South Literary Institution is hereby authorized and empowered from time to time, and in one or more lots, to sell and convey or transfer such part of the said land as is not required for the purposes of the said institution, and to apply the money arising therefrom in the same manner and for the same purposes, or any of them, as money authorized to be raised and expended under Part 2 of the Libraries and Mechanics' Institutes Act 1908, may be applied:

Provided that before any such sale a resolution consenting thereto shall be passed by at least two-thirds of the members of the said institution who are present at a general meeting of the said institution:

Provided further that no purchaser at any such sale shall be concerned to inquire as to the validity thereof, or as to whether any such resolution has been passed, or be concerned to see to the application of any purchase-money.

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

All that area in the Nelson Land District, containing by admeasurement two acres, more or less, being part of Section 78 of Waimea South Original District, situated in Block XII, Wai-iti Survey District: bounded towards the north-west by part of the main road from Nelson to Wakefield, 400 links; towards the northeast by part of the said section owned by the Roman Catholic Church, 500 links; towards the south-east

and south-west by other parts of the said section, 400 links and 500 links respectively: be all the aforesaid linkages more or less: as the same is delineated on the plan marked L 5354/5, deposited in the Head Office, Department of Lands, at Wellington, and thereon bordered red.

**44 Cancellling reservation over Section 12, Block IV, in
Tutaki Survey District**

Whereas Section 12, Square 171, Block IV, Tutaki Survey District, in the Nelson Land District, containing three hundred acres, more or less, was permanently reserved for the purposes of a stock reserve under the Nelson Waste Lands 1863, by notice in the Nelson Provincial *Gazette* dated the twenty-eighth day of October, eighteen hundred and seventy-two: And whereas Section 21, Square 173, Block XII, in the same survey district, containing four hundred and seventy acres, more or less, was permanently reserved for similar purposes under the said Act by notice in the said *Gazette* dated the seventeenth day of December, eighteen hundred and seventy-four: And whereas the said sections are no longer required for the purpose for which they were originally reserved: Be it therefore enacted as follows:—

The reservation over the said sections is hereby cancelled, and the said lands are hereby declared to be either Crown lands available for disposal under the Land Act 1908, or, in the discretion of the Minister, to be settlement lands under the Land for Settlements Act 1908.

**45 Cancellling reservation over Reserve C, Block I, in
Motupiko Survey District**

- (1) Whereas Reserve C, situated in Square 35, Block I, Motupiko Survey District, in the Nelson Land District, containing by admeasurement five hundred acres, more or less, was on the seventh day of June, eighteen hundred and fifty-six, granted by the Governor to the Superintendent of the Province of Nelson in trust as a resting-place for the accommodation of travellers and stock: And whereas the reservation over three areas, part thereof, containing respectively eighty acres, twenty acres, and twenty acres three roods, has since been cancelled, and the

land disposed of by special legislative sanction, and the whole of the remaining area is not now required for the purpose for which it was set apart, and it is desirable that a portion thereof should be released from reservation and disposed of for settlement purposes: Be it therefore enacted as follows:—

The reservation over the whole of the areas described in subsection two of this section is hereby cancelled, and the said land is hereby declared to be Crown land available for disposal under the Land Act 1908, and the area described in subsection three is hereby declared to be the only portion of the said Reserve C that is retained as a reserve for resting cattle.

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

All that area in the Nelson Land District, containing by admeasurement one hundred and eighty-two acres, more or less, being Section 4, Block I, Motupiko Survey District, and being portion of Stock Reserve C: commencing at the northern intersection of the Big Bush Main Road with Brough's Creek; bounded thence towards the north-east by Brough's Creek; towards the south-west and north-west by Section 1, Square 35, Block I, Motupiko Survey District; towards the south-west by a road along the right-hand bank of the Motupiko River; towards the south by a line running due east from the said road along the Motupiko River to the aforesaid Big Bush Main Road; towards the east by the said Big Bush Main Road to the starting-point: excepting a portion of road from the southern boundary of the said Section 1 to the said road along the right-hand bank of the Motupiko River which is included within the above-described boundaries:

Also all that area in the Nelson Land District, containing by admeasurement ninety-eight acres, more or less, being Section 9, Block I, Motupiko Survey District, and being part of Stock Reserve C: commencing at the south-western intersection of the Big Bush Main Road with an access road through the said Stock Reserve C: bounded towards the north, north-east, and north-west by the said access road; towards the west generally by a road along the right bank of the Motupiko River; towards the south-east by Section 4, Block

V, Motupiko Survey District; and towards the east by the Big Bush Main Road to the starting-point:

Also all that area in the Nelson Land District, containing by admeasurement seventy-three acres, more or less, being Section 10, Block I, Motupiko Survey District, and being portion of Stock Reserve C: commencing at the north-western corner of Section 3, Block XI, Motupiko Survey District: bounded thence towards the south-east by the same section; towards the east generally by Brough's Creek; towards the west and north-west by the Big Bush Main Road to the starting-point:

As the above areas are delineated on the plan marked L 5373/7, deposited in the Head Office, Department of Lands, at Wellington, and thereon bordered red.

- (3) The area of land over which the reservation is retained as aforesaid is particularly described as follows:—

All that area in the Nelson Land District, containing by admeasurement fifty-five acres, more or less, being Section 8, Block I, Motupiko Survey District, and being part of Stock Reserve C, Block I, Motupiko Survey District: commencing at the northern intersection of the Big Bush Main Road with an access road through the said Stock Reserve C; thence bounded towards the east by the said Big Bush Main Road, 550 links, more or less; towards the north by a line running due west from the said Big Bush Main Road to a road along the right bank of the Motupiko River; towards the south-west by the same road to its intersection with the before-mentioned access road; towards the south-east, south-west, and south-east by the same access road to the starting-point: as the same is delineated on the plan marked L 5373/7, deposited in the Head Office, Department of Lands, at Wellington, and thereon bordered green.

46 Cancelling reservation for scenic purposes over Sections 9 and 11, Block II, Rintoul Survey District

Whereas Sections 9 and 11, Block II, Rintoul Survey District, in the Nelson Land District, containing forty-nine acres three roods and eight perches, were permanently reserved for scenic purposes by notice in the *Gazette* of the seventh day

of February, nineteen hundred and seven: And whereas the lands are no longer suitable nor required for the purpose for which they have been reserved, and the Nelson Land Board has disposed of them under the Land Act 1908, as if they were Crown lands: Be it therefore enacted as follows:—

The reservation over Sections 9 and 11, Block II, Rintoul Survey District, is hereby cancelled, and all dealings with and the disposal of the lands under the Land Act 1908, are hereby validated.

47 Cancellling reservation for bridge-site over Section 14, Block VIII, Inangahua Survey District

Whereas Section 14, Block VIII, Inangahua Survey District, in the Nelson Land District, containing four acres two roods eight perches, more or less, was by notice in the *Gazette* of the twenty-seventh day of August, nineteen hundred and three, permanently reserved for a bridge-site, but is no longer required for that purpose: 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.

48 Reserving Section 1071, Town of Westport, as a site for public buildings

Whereas Section 1071, Town of Westport, in the Nelson Land District, containing by admeasurement sixteen and eight-tenths perches, more or less, was duly set apart for a site for public buildings: And whereas by Warrant published in the *Gazette* of the twenty-seventh day of September, nineteen hundred and six, the purpose of such reserve was changed to a site for a technical school: And whereas the land is not now required for technical-school purposes, but is needed for the original purpose of its reservation: Be it therefore enacted as follows:—

The change of purpose from a reserve as a site for public buildings to a site for a technical school is hereby cancelled, and the land is hereby declared to be reserved for a site for public buildings.

49 Reservation for post and telegraph purposes of Section 61, Village of Murchison

Whereas Section 61, Village of Murchison, in the Nelson Land District, containing two acres, was by notice in the *Gazette* of the twenty-first day of May, nineteen hundred and three, permanently reserved for municipal purposes, but is not now required for such purposes, but is needed for post and telegraph purposes: Be it therefore enacted as follows:—

The reservation over Section 61, Village of Murchison, is hereby cancelled, and in lieu thereof the said land is hereby declared to be a reserve for post and telegraph purposes.

50 Nelson Institute authorized to raise moneys on security of certain lands vested in it

Whereas the Nelson Institute (incorporated under the Nelson Institute Act 1907, hereinafter referred to as the said Act) is desirous of borrowing a sum of six thousand dollars from the Public Trustee for the purpose of erecting a library on the land specified in Schedule 1 to the said Act: Be it therefore enacted as follows:—

- (a) The said Institute, as security for such loan, may mortgage to the Public Trustee the lands specified in Schedules 1, 2, and 3 to the said Act.
- (b) Such mortgage may contain full power of sale, anything in section seven of the said Act or in any other enactment to the contrary notwithstanding.
- (c) Such mortgage may be for such term of years, at such rate of interest, and subject to such terms and conditions in all respects as may be agreed upon between the Public Trustee and the said Institute.
- (d) As collateral security for the said mortgage, the said Institute may assign to the Public Trustee the full benefit of an endowment or annual payment of three hundred dollars a year which is payable to the said Institute by the Corporation of the City of Nelson pursuant to deed dated the second day of September, nineteen hundred and ten.

- (e) For all the purposes of the said mortgage the consent required under section nine of the said Act shall be deemed to have been duly given.

The references to “six thousand dollars”, and “three hundred dollars” were substituted, as from 10 July 1967, for references to “three thousand pounds”, and “one hundred and fifty pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

51 Cancelling reservation for ferry purposes over Section 10, Block VII, Mawheranui Survey District

Whereas Section 10, Block VII, Mawheranui Survey District, in the Westland Land District, containing forty-five acres two roods twenty perches, more or less, was permanently reserved for ferry purposes by notice in the *Gazette* of the twenty-ninth day of January, nineteen hundred and three, but is no longer required for such purposes, as a bridge has been built over the Grey River: Be it therefore enacted as follows:—

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

52 Vesting Kelly’s Terrace Drainage-tunnel in Corporation of Westland County

Whereas the drainage-tunnel from Flowery Creek to Kelly’s Terrace, in the County of Westland, and known as the Kelly’s Terrace Drainage-tunnel, was originally constructed and was intended to be maintained by a Board of Trustees by virtue of a deed entered into between the Minister of Mines and the persons forming the said Board of Trustees, and dated the third day of October, eighteen hundred and ninety-six: And whereas difficulties have arisen as to the maintenance of the said drainage-tunnel, and it is now found that it would be more advantageous if the said drainage-tunnel were vested in the Corporation of the Westland County in lieu of the Board of Trustees: Be it therefore enacted as follows:—

- (a) On the date of the commencement of this Act the Board of Trustees then in office shall go out of office, and on and after the same date the Kelly’s Terrace Drainage-tunnel shall vest in the Corporation of the Westland County, and the Council of that County shall be deemed

to be the Trustees for the purposes of the said deed of trust.

- (b) All the rights, powers, obligations, and liabilities which the said Board of Trustees have or are subject to under the deed of trust, or under the provisions of any Act or Acts relating thereto, shall thereupon become the rights, powers, obligations, and liabilities of the Westland County Council; and the provisions of the said deed of trust shall, so far as they are applicable, apply to the said Council.
- (c) The powers of the Minister of Mines under the said deed of trust shall not be affected by anything herein, but may be exercised or enforced against the Westland County Council in all respects as fully as if the said Council were the Trustees originally appointed under the said deed of trust.

53 Vesting land as endowment in Greymouth Harbour Board

- (1) Whereas the land hereinafter described is Crown land, and it is desirable that the same should be vested in the Greymouth Harbour Board: Be it therefore enacted as follows:—

The Governor may grant to the Greymouth Harbour Board the land described in the next succeeding subsection for an estate in fee-simple in trust (without power of sale) as a harbour endowment.

- (2) The land to which this section applies is particularly described as follows:—
- (a) All that area in the Greymouth Survey District lying to the south-east of Reserve No 705, containing about eleven perches, and bounded as follows: On the north-west by the south-east boundary of Reserve No 705; on the south-east by present high-water mark; and on the south-west by the prolongation in a south-easterly direction of the south-western boundary of the said Reserve No 705: as the said area is margined purple on sheet A of the plan referred to below.
 - (b) All that area in the Greymouth Survey District lying in a south-easterly direction from Packer's Quay, containing about four acres, and bounded as follows: Generally

on the west and north-west by street, Sections Nos 181 to 174, street, Sections Nos 173 to 164, street, and Sections Nos 163 to 150; and generally on the north-east and south-east by high-water mark: as the said area is margined purple on sheet A of the plan referred to below.

- (c) All that area in the Greymouth Survey District lying to the north-east and north-west of Crown land now occupied by the Greymouth Borough Council, and containing about twelve acres three roods twenty-nine perches, and bounded as follows: South-easterly by the north-west side of Doyle Street; north-easterly by Section No 85; south-easterly by Section No 85, O'Grady Street, Sections Nos 51, 53, and 54; again north-easterly by Section No 83; again south-easterly by Sections Nos 83, 82, 81, and Coakley Street; south-westerly by Coakley Street; again south-easterly by Sections Nos 33 to 28, and by Collins Street; again south-westerly by the north-east side of Collins Street to bridge over the lagoon; thence to high-water mark on the north-east side of bridge; thence on the north-east by stone breastwork to south mole; thence on the north-west by south mole; thence on the south-west, north, and north-west by high-water mark of the Tasman Sea to the north-west side of Doyle Street aforesaid: the said area being margined purple on sheet A of the plan referred to below.
- (d) All that area in the Greymouth Survey District, being an accretion from the Tasman Sea, and containing about twenty-five acres, and bounded as follows: North-easterly by the south-east side of Rigg Street; south-easterly by the north-west boundary of Municipal Reserve No 51; and north-westerly by the present high-water mark of the Tasman Sea: as the said area is margined purple on sheet B of the plan referred to below.
- (e) All the above-described areas are in the Land District of Westland, and are severally margined purple on sheets A and B of the plans marked MD 3418, deposited in the Office of the Minister of Marine, at Wellington, in the Provincial District of Wellington.

- (f) All that area on the right bank of the Grey River at Cobden, containing by admeasurement one hundred and ninety-seven acres, more or less; the said area consisting partly of dry land, partly of accretions thereto caused by the action of the Greymouth Harbour works, and partly of area covered by the tidal waters of the Grey River, and bounded as follows: Northerly by a line being the prolongation in a north-westerly direction of the northernmost boundary of proposed Municipal Reserve A; south-easterly by the said proposed Municipal Reserve A and by Hill Quay; north-easterly by the south-western side of Hill Quay; north-easterly by the southern side of Nelson Quay to high-water mark on the right bank of the Grey River; thence generally south-westerly by high-water marks and the lines of the stone walls constructed by the Greymouth Harbour Board, and by straight lines across the gaps between the same to the extreme seaward point of the north breakwater; thence generally northerly and westerly by high-water mark of the Tasman Sea: always excepting from the said area such portions thereof as may be required for the construction of Hill Quay and Nelson Quay to the full width (not exceeding two chains) required by the local authority having control of the same: all in Block IV of the Cobden Survey District, in the Land District of Westland: as the said area is margined green on the plan marked MD 3530, deposited in the office of the Minister of Marine, at Wellington, in the Provincial District of Wellington.

54 Changing reservation over certain land in Lyttelton from public service to drill-shed purposes

Whereas part of Reserve 29 and Town Sections 96, 97, and 100, Town of Lyttelton, all in the Canterbury Land District, containing two roods fourteen and seven-tenths perches, more or less, were conveyed by the Union Bank of Australia to the Superintendent of the Province of Canterbury in the year eighteen hundred and sixty-five for the public service of the said province: And whereas the said lands are no longer

required for the purpose for which they were reserved, but are required for drill-shed purposes, and a drill-shed has been erected thereon: Be it therefore enacted as follows:—

The reservation over the said lands is hereby cancelled, and the said lands are hereby declared to be reserved as a site for a drill-shed.

55 Reserving part of Wainui Domain as site for post and telegraph office

- (1) Whereas Rural Section 727, Block VII, Akaroa Survey District, in the Canterbury Land District (commonly known as the Wainui Domain), containing two acres, more or less, was by Order in Council published in the *Gazette* of the sixth day of November, nineteen hundred and two, brought under the provisions of the Public Domains Act 1881: And whereas the whole of the said section is not now required for the purpose for which it was set apart, and it is desired to use part thereof as a site for a post-office: Be it therefore enacted as follows:—

The reservation of so much of the said section as is more particularly described in the next succeeding subsection is hereby cancelled, 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 Canterbury Land District, containing by admeasurement one rood, more or less, being Reserve 3804 (in red), and forming part of Rural Section 727, Block VII, Akaroa Survey District: bounded towards the north-east by Valley Road, 100 links; towards the south-east, south-west, and north-west by other part of Rural Section 727, Block VII, Akaroa Survey District, 250 links, 100 links, and 250 links respectively: be all the aforesaid linkages more or less: as the same is delineated upon the plan numbered L 1055/7, deposited in the Head Office, Department of Lands, Wellington, and thereon edged red.

56 Cancellling reservation over Reserve No 1237, Canterbury Land District

Whereas Reserve No 1237, in the Canterbury Land District, containing one thousand two hundred and two acres, was by notice in the *Gazette* of the eleventh day of October, eighteen hundred and seventy-seven, reserved for bridge purposes, but is no longer required for that purpose: And whereas a portion of the said reserve, containing three hundred and sixty acres, was by the Public Reserves Sale Act 1882 [Repealed], authorized to be sold under the Land Act: And whereas various portions of the remainder of the reserve have from time to time been dealt with as if they were Crown lands, and it is expedient to validate all such dealings: Be it therefore enacted as follows:—

The reservation of Reserve No 1237 is hereby cancelled, and it is hereby declared that all the dealings that have taken place with parts of the said reserve shall be as valid and of the same force and effect as if the said cancellation had been effected prior to such dealings, and that as regards such parts of the said reserve as have not yet been disposed of under the provisions of the Land Act 1908, or any prior Land Act or land regulations, or have not been permanently reserved for any public purpose, the same shall be Crown land available for disposal under the provisions of the Land Act 1908.

57 Authorizing the Ellesmere Cemetery Trustees to lease Reserve No 1435

Whereas the Ellesmere Public Cemetery consists of Reserve 1434, containing twenty-four acres, and Reserve 1435, containing forty-three acres, both in Ellesmere Survey District, Canterbury Land District: And whereas Reserve 1435 is not at present required for burial purposes: Be it therefore enacted as follows:—

The Trustees of the Ellesmere Public Cemetery may lease by public auction or public tender the portion of the cemetery known as Reserve 1435 for any term not exceeding seven years, subject to such conditions as the Trustees, with the approval of the Minister of Lands, deem to be expedient. All revenue derived from such lease shall be credited to and

form part of the funds of the Trustees of the Ellesmere Public Cemetery.

58 Cancelling reservation over Section 5, Block XXIII, Town of Dunkeld

Whereas Section 5, Block XXIII, Town of Dunkeld, in the Otago Land District, containing two roods, more or less, was by notice in the *Gazette* of the eighteenth day of April, nineteen hundred and seven, permanently reserved as a site for a public library, and by Order in Council published in the *Gazette* of the eleventh day of July, nineteen hundred and seven, vested in the Beaumont Athenaeum (Incorporated) in trust as a site for a public library: And whereas such site has been found unsuitable for the purpose for which it was reserved and vested, and a better site has been provided for the said Beaumont Athenaeum, which has relinquished all claims and rights to the said Section 5: Be it therefore enacted as follows:—

The reservation and vesting of Section 5, Block XXIII, Town of Dunkeld, are hereby cancelled, and the said land is hereby declared to be Crown land available for disposal under the Land Act 1908.

59 Authorizing exchange of part of Kauroo Hill Settlement for part of Maraeweka Estate, in Otago Land District

- (1) Whereas it is desirable to effect an exchange of part of the Kauroo Hill Settlement, in the Otago Land District, for part of the Maraeweka Estate, in order to obtain a fencing boundary along the Serpentine Creek: 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 to the owners of the Maraeweka Estate for an area of thirty-one acres one rood twenty-four perches, more or less, as described in the next succeeding subsection, in exchange for an area of twenty-seven acres two roods thirty-two perches, more or less, as described in subsection three hereof.

- (2) The land to be transferred by the Crown to the owners of the Maraeweka Estate is particularly described as follows:—

All that area in the Otago Land District, containing by admeasurement two roods, more or less, being part of Section No 4, Block I, Kauroo Survey District: bounded towards the north by the other part of the said Section No 4, and towards the east and south-west by the Serpentine Stream.

Also all that area, containing by admeasurement two acres one rood eight perches, more or less, being part of Section No 6, Block I, Kauroo Survey District: bounded towards the north by the other part of the said Section No 6, and towards the east and south by the Serpentine Stream.

Also all that area, containing by admeasurement one acre two roods sixteen perches, more or less, being parts of Sections Nos 6 and 7, Block I, Kauroo Survey District: bounded towards the north-west by the other parts of the said Sections Nos 6 and 7, and towards the south-east generally by the Serpentine Stream.

Also all that area, containing by admeasurement nine acres three roods eight perches, more or less, being part of Section No 12, Block I, Kauroo Survey District: bounded towards the north-west by the other part of the said Section No 12, and towards the east and south-east by the Serpentine Stream.

Also all that area, containing by admeasurement sixteen acres three roods eight perches, more or less, being parts of Sections Nos 31 and 32, Block I, Kauroo Survey District: bounded towards the north-west by the said Sections Nos 32 and 31, and towards the east and south-east generally by the Serpentine Stream.

Also all that area, containing by admeasurement sixteen perches, more or less, being part of Section No 33, Block I, Kauroo Survey District: bounded towards the north-west by the other part of the said Section No 33, and towards the south-east and south by the Serpentine Stream.

Also all that area, containing by admeasurement twenty-four perches, more or less, being part of Section No 3, Block VI, Kauroo Survey District: bounded towards the west by the other part of the said Section No 3, and towards the north-east and east by the Serpentine Stream.

Also all that area, containing by admeasurement twelve perches, more or less, being part of Section No 3, Block VI, Kauroo Survey District: bounded towards the west by the other part of the said Section No 3, and towards the north-east and south-east by the Serpentine Stream.

Also all that area, containing by admeasurement twelve perches, more or less, being part of Section No 3, Block VI, Kauroo Survey District: bounded towards the north-west by the other part of the said Section No 3, and towards the south-east and south by the Serpentine Stream.

The above-described areas are more particularly delineated on the plan marked L 19396/142, deposited at the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured green.

- (3) The lands to be transferred to the Crown by the owners of the said estate are particularly described as follows:—

All that area in the Otago Land District, containing by admeasurement six acres, more or less, being parts of Sections Nos 4, 5, and 6, Block I, Kauroo Survey District: bounded towards the north generally by the Serpentine Stream, and towards the south-east and south generally by the other parts of the said Sections Nos 4, 5, and 6, and a closed road.

Also all that area, containing by admeasurement two acres two roods, more or less, being part of Section No 6, Block I, Kauroo Survey District: bounded towards the north and east by the Serpentine Stream, and towards the south and south-west by the other part of the said Section No 6.

Also all that area, containing by admeasurement two acres sixteen perches, more or less, being parts of Sections Nos 7 and 12, Block I, Kauroo Survey District: bounded towards the north-west by the Serpentine Stream, and towards the east and south-east by the other parts of the said Sections Nos 12 and 7.

Also all that area, containing by admeasurement one acre thirty-two perches, more or less, being part of Section No 12, Block I, Kauroo Survey District: bounded towards the west and north-west by the Serpentine Stream, and towards the south-east by the other part of the said Section No 12.

Also all that area, containing by admeasurement twelve acres two roods, more or less, being parts of Sections Nos 12 and 31, Block I, Kauroo Survey District: bounded towards the north-west by the Serpentine Stream, and towards the south-east and south by the said Sections Nos 12 and 31.

Also all that area, containing by admeasurement one acre, more or less, being parts of Sections Nos 32 and 33, Block I, Kauroo Survey District: bounded towards the north and east generally by the Serpentine Stream, and towards the south-west by the other parts of the said Sections Nos 32 and 33.

Also all that area, containing by admeasurement two roods twenty perches, more or less, being part of Section No 33, Block I, Kauroo Survey District: bounded towards the north-west by the Serpentine Stream, and towards the south-east by the other part of the said Section No 33.

Also all that area, containing by admeasurement one rood twenty perches, more or less, being part of Section No 4, Block VI, Kauroo Survey District: bounded towards the west and north-west by the Serpentine Stream, and towards the south-east by the other part of the said Section No 4.

Also all that area, containing by admeasurement eight perches, more or less, being part of Section No 4, Block VI, Kauroo Survey District: bounded towards the west and north-west by the Serpentine Stream, and towards the east by the other part of the said Section No 4.

Also all that area, containing by admeasurement ten perches, more or less, being part of Section No 4, Block VI, Kauroo Survey District: bounded towards the north-west by the Serpentine Stream, and towards the east and south-east by the other part of the said Section No 4.

Also all that area, containing by admeasurement fourteen perches, more or less, being part of Section No 4, Block VI, Kauroo Survey District: bounded towards the north-west and north by the Serpentine Stream, and towards the south-east by the other part of the said Section No 4.

Also all that area, containing by admeasurement one acre thirty-two perches, more or less, being part of Section No

4, Block VI, Kauroo Survey District: bounded towards the north-west by Section No 3, towards the north generally by the Serpentine Stream, and towards the south and south-east by the said Section No 4.

The above-described areas are more particularly delineated on the plan marked L 19396/142, deposited at the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured red.

- (4) The provisions of Part 13 of the Land Act 1908, shall not apply to the land transferred under the authority of this section.

60 Cancellling reservation over Section 18, Block II, Maruwenua Survey District

Whereas Section 18, Block II, Maruwenua Survey District, in the Otago Land District, containing forty acres, more or less, was by notice in the *Gazette* of the first day of July, eighteen hundred and eighty-six, permanently reserved as a gravel reserve, but is not now required for that purpose: Be it therefore enacted as follows:—

The reservation over Section 18, Block II, Maruwenua Survey District, is hereby cancelled, and the said land is hereby declared to be Crown land available for disposal under the Land Act 1908.

61 Authorizing the acquisition by the Crown of Sections 16, 19, and 26, Block V, Kawarau Survey District, as homestead-site for small grazing-run

Whereas Small Grazing-run No 330C, Kawarau Survey District, in the Otago Land District, does not possess a suitable homestead-site, and the lessee thereof has purchased the freehold of Sections 16, 19, and 26, Block V, Kawarau Survey District, containing seventy-eight acres, as a homestead-site, but has offered the said sections to the Crown for purchase and inclusion in the said run, and it is considered expedient that the land should be purchased by the Crown and included within the aforesaid small grazing-run: Be it therefore enacted as follows:—

- (a) The Governor may acquire the freehold of Sections 16, 19, and 26, Block V, Kawarau Survey District, at the

price of two hundred dollars, but the buildings and other improvements thereon shall remain the property of the vendor so long as he remains the lessee of Small Grazing-run No 330C.

- (b) When the vendor's interest in the said run is transferred or disposed of to any other person, his interest in the said improvements shall also be disposed of to the same person at a price to be mutually agreed on between them, or, in default of agreement, to be fixed by arbitration.
- (c) The said vendor shall be entitled to the use and occupation of the land so acquired by the Crown until the expiry of his lease of the said run, at a rent of ten dollars per annum.

The reference to "two hundred dollars", and "ten dollars" was substituted, as from 10 July 1967, for a reference to "one hundred pounds", and "five pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

62 Corporation of City of Dunedin empowered to transfer part of shingle reserve to FW Lyders; and other part of the said reserve freed from trusts affecting it

- (1) Whereas the parcels of land hereinafter described form part of the shingle reserve vested in the Corporation of the City of Dunedin in trust for the health and recreation of the inhabitants of the said city: And whereas it has been ascertained that a portion of certain premises recently erected by Frederick Wilhelm Lyders on the adjoining lands which became vested in him by virtue of section sixty-four of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1906, encroaches upon the strip of land described in Part 1 of Schedule 19 to the said Act: And whereas the said Corporation, in consideration of the said Frederick Wilhelm Lyders having agreed to convey to the said Corporation certain other lands for road-widening purposes, and for other divers good considerations, is desirous of transferring the parcel of land described in the next succeeding subsection to the said Frederick Wilhelm Lyders in fee-simple, free from the aforesaid trusts: And whereas the said Corporation is also desirous of granting a lease or leases of the parcel of land described in subsection three of this section, and, for

that purpose, of having the same freed from the trusts of the above-mentioned grant: Be it therefore enacted as follows:—

- (a) The Corporation of the City of Dunedin may convey or transfer the parcel of land described in the next succeeding subsection to the said Frederick Wilhelm Lyders as the owner thereof in fee-simple, free from the aforesaid trusts.
 - (b) The parcel of land described in subsection three of this section shall be held by the Corporation of the City of Dunedin as an endowment for the said city, freed from the aforesaid trusts.
- (2) The land referred to in paragraph (a) of the last preceding subsection is particularly described as follows:—
- All that parcel of land situated in the City of Dunedin, containing by admeasurement three-tenths of a perch, more or less, being portion of a shingle reserve comprised in a grant from the Crown to the Superintendent of the late Province of Otago, the boundary of which said parcel of land, commencing at the south-south-eastern corner or angle of the portion of the old bed of the Leith, now known as Section 66, Block XXXVI, on the record map of the City of Dunedin, runs thence in a south-south-westerly direction, on a bearing of $21^{\circ}38'42''$, along the line intersecting the said shingle reserve, and constituting the west-north-western side or boundary of Clyde Street, for a distance of 5.7 links; thence in a west-north-westerly direction, in a line bearing $111^{\circ}38'42''$, for a distance of 63.3 links, to the intersection of the said line with the south-south-western boundary-line of the said section numbered 66; and thence in a south-easterly direction along the last-mentioned boundary-line, on a bearing of $106^{\circ}30'$, for a distance of 63.5 links, to the commencing-point: be all the aforesaid linkages a little more or less.
- (3) The land referred to in paragraph (b) of subsection one hereof is particularly described as follows:—
- All that parcel of land situated in the City of Dunedin, containing by admeasurement five and four-tenths perches, more or less, and being another portion of the above-mentioned shingle reserve, the boundary of which said parcel of land, commencing at a point in a line bearing

21°38'42" and forming the west-north-western boundary of Clyde Street, distant 5.7 links in a south-south-westerly direction from the south-south-eastern corner or angle of the strip of land forming part of the old bed of the Leith, now known as Section 66, Block XXXVI, on the record map of the said city; runs thence in a south-south-westerly direction along the said west-north-western boundary-line of Clyde Street for a distance of 8.3 links; thence in a line in a westerly direction, on a bearing of 100°20', for a distance of 190 links, to the intersection of the said line with the southern boundary-line of the said section numbered 66; and thence generally in an easterly direction along the southern boundary-lines of the said section numbered 66 for the following distances—

34 links on a bearing of 69°30', 45 links on a bearing of 89°, and 56.5 links on a bearing of 106°30'; and thence in an east-south-easterly direction, on a bearing of 111°38'42", for a distance of 63.3 links, to the commencing-point: be all the aforesaid linkages a little more or less.

63 Cancelling reservation for forest purposes over Section 15, Block V, Lauder Survey District

Whereas Section 15, Block V, Lauder Survey District, in the Otago Land District, containing ninety acres one rood twenty-eight perches, more or less, was by notice published in the *Gazette* of the twenty-fourth day of April, eighteen hundred and eighty-four, permanently reserved for forest purposes, but is no longer required for such purposes, as there is no timber standing thereon: Be it therefore enacted as follows:—

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

64 Cancelling reservation for purposes of cemetery over Section 12, Block X, Chatton Survey District

Whereas Section 12, Block X, Chatton Survey District, in the Southland Land District, containing ten acres one rood twenty-six perches, more or less, was permanently reserved

for cemetery purposes by Warrant published in the *Gazette* of the twenty-third day of October, eighteen hundred and eighty-four: And whereas the land is no longer required for those purposes, and has never been so used: Be it therefore enacted as follows:—

The reservation of Section 12, Block X, Chatton Survey District, is hereby cancelled, and the said land is hereby declared to be Crown land available for disposal under the Land Act 1908.

65 Cancellling reservation for purposes of public buildings over Sections 5 to 8, Block XX, in Town of Palmerston

Whereas Sections 5, 6, 7, and 8, Block XX, Town of Palmerston, in the Otago Land District, containing one acre, more or less, were by notice in the *Gazette* of the twenty-seventh day of May, eighteen hundred and sixty-nine, reserved as sites for public buildings or other purposes of the General Government: And whereas the said sections are unsuitable for the purposes for which they were reserved, and are not now required for any public purpose: Be it therefore enacted as follows:—

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

66 Reservation of certain tidal land in the Orokonui Estuary for mental-hospital purposes

- (1) Whereas certain tidal land in the Orokonui Estuary, in the Provincial District of Otago, is not required for the purposes of navigation, and it is desirable that such land should be reclaimed for mental-hospital purposes: Be it therefore enacted as follows:—

The parcel of land hereinafter described is hereby set aside as a reserve for mental-hospital purposes, and authority is hereby granted to the Crown to reclaim the same from the sea.

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

All that area, containing seventy-one acres, more or less, the said area being for the greater part covered by the tidal waters of the Orokonui Estuary, and forming the estuary of the Waitati and Orokonui Rivers, and numbered Section No 78 on the plan referred to below: bounded on the north by the railway embankment and bridge; generally on the west by Bridge Street, part of Bay Street, and by part of Dunkerron Road, in the Township of Blueskin; on the south by Section No 8; on the east by Subdivisions 2 and 1 of Section No 9, and by Section No 7: all in Block I, North Harbour and Blueskin Survey District: always excepting therefrom such areas as may be necessary to form and keep open permanent channels for the free outlet to the sea of the waters of the aforesaid Waitati and Orokonui Rivers: the said area of seventy-one acres being coloured purple on the plan marked MD 3560 (two sheets), deposited in the office of the Marine Department at Wellington, in the Provincial District of Wellington.

**67 Cancellling reservation for purposes of cemetery over
Section 15, Block X, Waikaka Survey District**

Whereas Section 15, Block X, Waikaka Survey District, in the Southland Land District, containing ten acres twenty-eight perches, more or less, was by notice in the *Gazette* of the ninth day of December, eighteen hundred and eighty, permanently reserved for cemetery purposes, and by notice in the *Gazette* of the twenty-third day of December, eighteen hundred and eighty, was vested in Trustees: And whereas there are only three graves on the land in question, and the greater part of the reserve is unsuited for the purpose of a cemetery, and the surviving Trustees have no objection to the cancelling of the reservation: Be it therefore enacted as follows:—

The reservation over Section 15, Block X, Waikaka Survey District, and its subsequent vesting in Trustees, is hereby cancelled, and the land is hereby declared to be Crown land available for disposal under the Land Act 1908:

Provided that the portion of the said section on which the said graves are situated, and a sufficient area of land around it to suitably protect the same, shall be permanently reserved

for cemetery purposes by proper Warrant under section three hundred and twenty-one of the said Act.

68 Cancelling reservation for quarry purposes over Section 21, Block IV, Greenvale Survey District

Whereas Section 21, Block IV, Greenvale Survey District, in the Otago Land District, containing twenty-three acres and seventeen perches, more or less, was by notice in the Otago Provincial *Gazette* of the sixteenth day of September, eighteen hundred and seventy-five, reserved for quarry purposes, but is not now required for those purposes: Be it therefore enacted as follows:—

The reservation of Section 21, Block IV, Greenvale Survey District, is hereby cancelled, and the said land is hereby declared to be Crown land available for disposal under the Land Act 1908.

69 Vesting Section 2, Block II, Wyndham Survey District, in Otago School Commissioners

- (1) Whereas by notice dated the first day of July, eighteen hundred and sixty-seven, and published in the Otago Provincial *Gazette* of the third day of July, eighteen hundred and sixty-seven, certain lands in the Province of Otago were reserved under the authority of section sixty-two of the Otago Waste Lands Act 1886 [Repealed], for (among other purposes) the general advancement of education in the said province: And whereas Section 2, Block II, in the Wyndham Survey District, was part of the land so reserved: And whereas the said Section 2 was not included in the award of the arbitrators appointed under section five of the Education Reserves Act 1877, in respect of education reserves in the Provincial District of Otago: And whereas the said Section 2 was accordingly not vested in the School Commissioners of the Provincial District of Otago in accordance with section ten of that Act: And whereas it is desired that the said section should be so vested in those Commissioners: Be it therefore enacted as follows:—

- (a) The land hereinafter described is hereby vested in the School Commissioners for the Otago Provincial District as from the passing of the Education Reserves Act 1877.

- (b) All things done by the said School Commissioners with respect to the said land before the passing of this Act shall be and be deemed to have been as valid and effectual in all respects as if the land had been included in the award of the arbitrators aforesaid.
- (2) The District Land Registrar for the Land Registration District of Southland is hereby directed and empowered to issue a certificate of title in respect of the said land in favour of the said Commissioners.
- (3) The land to which this section applies is particularly described as follows:—
- All that area in the Southland Land District, containing by admeasurement one hundred and eighty-eight acres three roods, more or less, being Section No 2, Block II, Wyndham Survey District; bounded towards the north by Section No 22, Block V, Tukurau Survey District; towards the north-east by Section No 32, Block II aforesaid; towards the east by Sections Nos 51 and 50 of said Block II; towards the south by Sections Nos 15 and 8, Block II aforesaid; and towards the west by Sections Nos 13 and 4, Block I, Wyndham Survey District.

70 Cancelling reservation over Sections 38, 38A, and 39, Block IV, Campbelltown Hundred, in Southland Land District

Whereas Sections 38, 38A, and 39, Block IV, Campbelltown Hundred, in the Southland Land District, containing eighteen acres one rood sixteen perches, more or less, were permanently reserved by notice in the *Gazette* of the twenty-ninth day of October, nineteen hundred and three, for railway purposes, and by subsequent notice in the *Gazette* of the twelfth day of January, nineteen hundred and five, the purpose of the reservation was changed to a reserve for the use of the Department of Agriculture: And whereas Section 40, Block IV, Campbelltown Hundred, in the Southland Land District, containing ten acres, more or less, was permanently reserved for purposes of the Department of Agriculture by notice in the *Gazette* of the twenty-ninth day of October, nineteen hundred and three: And whereas the sections are no longer required

for the purposes for which they were reserved: Be it therefore enacted as follows:—

The reservations over Sections 38, 38A, 39, and 40, Block IV, Campbelltown Hundred, are hereby cancelled, and the said lands are hereby declared to be Crown lands available for disposal under the Land Act 1908.

71 Changing reservation over Section 25, Block XIV, New River Hundred, from ferry to railway purposes

- (1) Whereas Section 25, Block XIV, New River Hundred, in the Southland Land District, containing eighty-eight acres three roods seven perches, was reserved for ferry purposes by notice in the Southland Provincial *Gazette* of the nineteenth day of June, eighteen hundred and sixty-nine: And whereas an area of fourteen acres one rood twenty perches, part thereof, was changed to a reserve for gravel purposes by notice in the *Gazette* of the sixteenth day of October, eighteen hundred and seventy-nine: And whereas the whole of the remaining part of Section 25 is not now required for the purpose for which it was reserved, but part thereof is required for railway purposes: Be it therefore enacted as follows:—

The reservation for ferry purposes over that area of land hereinafter described is hereby cancelled, and the said land is hereby reserved for railway purposes in lieu thereof.

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

All that area of land in the Southland Land District, containing three acres two roods twenty-seven perches, more or less, being formerly part of Section 25, Block XIV, New River Hundred, but now known as Section 53: bounded towards the north by the Invercargill-Riverton Railway, 1748.2 links; towards the south-east by a public road along the north-western boundary of Sections 7 and 6, Block XVI, 1779 links; and towards the west by a public road, 420.5 links: be all the aforesaid linkages more or less: as the same is more particularly delineated on Plan L 55365/8, deposited in the Head Office, Department of Lands, at Wellington, and thereon bordered green.

72 Cancellling reservation over Sections 1 to 4, Block I, and Sections 13 to 16, Block IV, in Town of Orepuki

Whereas Sections 1, 2, 3, and 4, Block I, and Sections 13, 14, 15, and 16, Block IV, all in the Town of Orepuki, in the Southland Land District, were by notice in the *Gazette* of the twentieth day of January, eighteen hundred and sixty-nine, permanently reserved as sites for public buildings or other purposes of the General Government: And whereas the sections are no longer required for the purposes for which they were reserved: Be it therefore enacted as follows:—

The reservation over Sections 1, 2, 3, and 4, Block I, and Sections 13, 14, 15, and 16, Block IV, Orepuki Town, is hereby cancelled, and the said lands are hereby declared to be Crown lands available for disposal under the Land Act 1908.

73 Repeal

Section twenty-nine of the State Forests Act 1908, is hereby repealed.

74 Authorizing proceedings under Declaratory Judgments Act to determine validity of conveyances numbered 16100 and 16101 respectively

Whereas a block of land known as the Ahikouka South Block, containing seven hundred and seventy-four acres, more or less, was on the fifteenth day of July, eighteen hundred and eighty, granted by the Crown as from the thirteenth day of February, eighteen hundred and seventy-two, to the following seven persons—that is to say, Matiaha Mokai, Hemi te Oka, Kereopa te Hoka, Makere Katene, Charles Jury, Anne E Jury, and John Alfred Jury: And whereas the Crown grant for the said block of land was registered in the Land Transfer Office at Wellington as Volume 21, folio 114: And whereas a portion of the said block, containing six acres, more or less, was by conveyance dated the sixth day of September, eighteen hundred and seventy-two, and registered on the twenty-first day of March, eighteen hundred and seventy-three, in the Deeds Registry Office at Wellington as No 16100, purported to be conveyed by the said seven grantees to one James Cattell: And whereas by conveyance dated the twelfth day of February, eighteen hundred and seventy-three, and registered in the said office on the twenty-first day of March,

eighteen hundred and seventy-three, as No 16101, the said James Cattell purported to convey his interest in the said last-mentioned land to one John Fuller: And whereas the said block of land was partitioned under the Native Land Division Act 1882 [Repealed], and a new certificate of title, Volume 47, folio 232, for a part of the said block containing six hundred and sixty-four acres was on the second day of May, eighteen hundred and eighty-eight, issued to the following persons—that is to say, Hemi Matiaha, Hemi te Oka, Kereopa te Hoka, Makere Katene, Charles Jury, Anne E Jury, and John Alfred Jury, the said Hemi Matiaha being a successor to Matiaha Mokai: And whereas there was included in the said last-mentioned land the six acres of land, more or less, comprised in the said conveyances Nos 16100 and 16101: And whereas the seven last-mentioned persons transferred to Walter C Buchanan all the land contained in certificate of title, Volume 47, folio 232, with the exception of the said six acres of land, more or less, comprised in the said conveyances Nos 16100 and 16101, and a new certificate of title, Volume 29A, folio 126, was issued to the said Walter C Buchanan for the portion of land so transferred: And whereas the said certificate of title, Volume 47, folio 232, is lying in the Land Transfer Office at Wellington cancelled as to all the land comprised therein, with the exception of the six acres, more or less, comprised in the said conveyances Nos 16100 and 16101: And whereas the said John Fuller claims that by virtue of the said conveyances he acquired an estate in fee-simple in the last-mentioned land, but that owing to the mistake of the District Land Registrar at Wellington the estate so held by him has not been registered under the Land Transfer Act: Be it therefore enacted as follows:—

- (1) The said John Fuller or his successors in title may at any time within two years after the passing of this Act issue an originating summons under the Declaratory Judgments Act 1908, asking the High Court to declare whether or not the said conveyances Nos 16100 and 16101 are valid conveyances executed with all due formalities, and whether an estate in fee-simple in the land therein described was thereby conveyed to the said John Fuller.
- (2) The originating summons shall be served upon the Registrar-General of Lands (who shall be made the defendant),

and shall also be served on such other persons (if any) as a Judge of the High Court directs.

- (3) At the hearing of the said originating summons the onus of showing that the said conveyances are valid and were executed with all due formalities, and that an estate in fee-simple in the land therein described was thereby conveyed to the said John Fuller, shall lie upon the said John Fuller or his successors in title.
- (4) If the High Court finds that the said conveyances are valid, and that an estate in fee-simple in the land therein described was thereby conveyed to the said John Fuller, the District Land Registrar at Wellington shall wholly cancel certificate of title, Volume 47, folio 232, and shall issue to the said John Fuller or his successors in title a new certificate or new certificates of title for the balance of the land comprised in certificate of title, Volume 47, folio 232.

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

75 Revival of section 339 of the Land Act 1908

Section three hundred and thirty-nine of the Land Act 1908, which was repealed by the Native Land Act 1909, is hereby revived as from the passing of the last-mentioned Act, and shall be deemed to have remained continuously in force.

**76 Section 3 of the Dunedin City and Suburban Tramways,
&c, Amendment Act 1905, amended**

[Repealed]

Section 76 was repealed, as from 1 April 1993, by section 173(1) Electricity Act 1992 (1992 No 122).

**77 Selwyn Plantation Board constituted, and certain
plantation reserves vested therein**

[Repealed]

Section 77 was repealed, as from 1 April 1954, by section 30(1) Selwyn Plantation Board Act 1953 (1953 No 96).

78 Authorizing the vesting of certain land in the Corporation of the Borough of New Brighton

- (1) Whereas it is desirable that the land hereinafter described should be vested in the Corporation of the Borough of New Brighton: It is hereby enacted that the Governor in Council may vest that land in the said Corporation, subject to the condition that the New Brighton Borough Council shall—
- (a) Grant to Charles Havelock Agar, of Lyttelton, a renewal of the license for the site on which the New Brighton Pier stands for a period of seven years, at such rent as may be agreed upon between him and the said Council, or, in default of agreement, then at such rent as may be decided upon by arbitration, one arbitrator to be appointed by the Council and one by the said Charles Havelock Agar, the two arbitrators to have power to appoint an umpire; or
- (b) In the event of the Council deciding not to grant a renewal of the said license, pay to the said Charles Havelock Agar the value of the pier and erections connected therewith, such value to be determined either by mutual consent or by arbitration as aforesaid.
- (2) The land to which this section refers is particularly described as follows:—

So much of the area covered by the tidal waters of the estuary of the River Avon as lies between the actual channel of the River Avon at low water and the road fronting Reserve 224, Sections 3954, 30462, 23574, and Reserve 1579, together with all the foreshore extending from the southernmost boundary of said Reserve 224 to the northernmost boundary of Section 17573: all in Blocks II and I, Sumner Survey District, and Blocks XII and VIII, Christchurch Survey District, in the Land District of Canterbury: as the said foreshore and area are shown in red and cross-hatched red on the plan marked MD 3575, deposited in the office of the Marine Department at Wellington, in the Provincial District of Wellington.

79 Vesting certain lands in the Wairau Harbour Board

- (1) Whereas the lands hereinafter in this section described are Crown lands: And whereas it is desirable that the same should

be vested in the Wairau Harbour Board as an endowment without power of sale: Be it therefore enacted as follows:—

The lands hereinafter in this section described are hereby vested in the Wairau Harbour Board in trust, without power of sale, as an endowment for harbour purposes.

- (2) The lands hereby vested in the Wairau Harbour Board are particularly described as follows:—
- (a) All that area of Crown land, containing four hundred acres, situate in Blocks IV, VIII, and XII, Cloudy Bay Survey District: bounded towards the north by a public road adjoining Pukaka Maori Reserve; towards the east by Cloudy Bay; on the south by Section 1, Block XVII, Cloudy Bay Survey District; towards the west by Sections 8B and 8A of Square 28, Sections 2 and 1, Block XII, Sections 6, 5, 4, and 1, Block VIII, and by a public road, to the point of commencement.
 - (b) Also all that area of Crown land, being Section 1, Block XVII, Cloudy Bay Survey District, containing one hundred and forty acres: bounded towards the north and east by high-water mark along the shores of Cloudy Bay and the Wairau River to the south-eastern corner of Section No 5 of Square 28, District of North Bank of Wairau; towards the south by the said section; and towards the west by a line in transit with the western boundary of the said section produced to high-water mark aforesaid.
 - (c) All that area of Crown land, containing four hundred and fifty acres, situated in Blocks I and II, Clifford Bay Survey District: bounded on the north by Morgan's Creek; on the east by the Upper Lagoon; on the south by Chandler's Lagoon and Section 18, Block II; and on the west by a public road.
 - (d) All that area of Crown land, containing three hundred and forty-two acres, being the Boulder Bank south of the Wairau River, situated in Blocks I and III, Clifford Bay Survey District: bounded towards the north-east by Cook Strait; towards the south-east by a public road; and towards the south-west by the Big Lagoon and the

Wairau River: excluding from the above area two acres freehold, being part of Section 8, Opawa.

- (e) All that area, containing three thousand five hundred acres, being the Big Lagoon, the Upper Lagoon, and Chandler's Lagoon, situated in Blocks I, II, and III, Clifford Bay Survey District: commencing at a point being the south-east corner of part of Section 8, Opawa, situated on the Boulder Bank; thence in a south-easterly direction along the Boulder Bank to its junction with Section 10 of Block II, Omaka; thence in a westerly direction along the northern boundaries of Section 10 of Block II, Omaka, 8 of Block I, Wakefield Downs, 9 of Block II, Omaka, and 7 of Block I, Wakefield Downs, to a public road; thence across and by a public road and the northern boundaries of part Section 13, Opawa, and Sections 14 and 15, Opawa; thence in a northerly direction by Section 18, Opawa, and Run No 20; thence in a south-easterly direction by Sections 6 and 5, Opawa, and across a public road; thence in a north-westerly direction by a public road; thence in a north-easterly direction by the south-east boundary of Section 3, Opawa; thence in a north-westerly direction by Sections 3 and 4, Opawa; thence across a creek and by the north-east boundary of part Sections 7 and 8, Opawa; thence by a right line to the point of commencement.

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).

80 Vesting certain land in Picton Harbour in the Corporation of the Borough of Picton

- (1) Whereas it is desirable that the land hereinafter described should be vested in the Corporation of the Borough of Picton: Be it therefore enacted as follows:—

The land hereinafter described is hereby vested in the Corporation of the Borough of Picton in trust, to hold the same as an endowment, and to expend all revenues derived from the said land for the purpose of defraying the cost of the reclamation thereof and for the general purposes of the said borough.

- (2) The land vested by this section in the Corporation of the Borough of Picton is particularly described as follows:—

All that parcel of land in the Marlborough Land District, containing by admeasurement three roods and five perches, more or less, situated in Picton Harbour: bounded on the north-east by railway land, 285 links; on the east by railway land and Picton Harbour, 310 links; on the south by part Section 4 and Section 3, 120 links, and by land claimed by D'Arcy Chaytor, 101.6 links; on the west by Section 1160 and Crown land, 465 links: as edged in red on plan marked MD 3602, deposited in the office of the Marine Department at Wellington.

81 Reserving Block XXI, Town of Te Aroha, as a municipal endowment

[Repealed]

Section 81 was repealed, as from 5 October 1970, by section 3(3) Te Aroha Borough Endowment Empowering Act 1970 (1970 No 8(L)).

82 Cancelling former reservation over Lot 49, Suburban Section 41, Napier, and reserving same as site for police-station

Whereas Lot 49, part of Suburban Section 41 of the Town of Napier, in the Hawke's Bay Land District, containing one rood thirty-seven and three-fifths perches, as shown on a plan deposited in the Land Transfer Office at Napier as No 1335, and being the whole of the land included in certificate of title, Volume 40, folio 89, Hawke's Bay Land Registration District, was acquired for the purposes of the Wellington-Napier Railway: And whereas the said land is not now required for railway purposes, and it is desired to reserve the said land for the purposes of a police-station: Be it therefore enacted as follows:—

- (a) The existing reservation over the said land for railway purposes is hereby cancelled, and the said land is hereby reserved as a site for a police-station.
- (b) The District Land Registrar for the Hawke's Bay Land Registration District is hereby empowered and directed to make such indorsement upon the aforesaid certificate

of title, and to take such other action as may be necessary, to give effect to the provisions of this section.

83 Reserving part of Section 69, Block II, Ngaire Survey District, as municipal endowment

- (1) Whereas Section 69, Block II, Ngaire Survey District, in the Taranaki Land District, containing ten acres, more or less, was permanently reserved for the purposes of a cemetery by notice in the *Gazette* of the fifth day of February, eighteen hundred and eighty-five: And whereas an area of two acres was taken out of the said reservation and exchanged for Section 113, Block II, Ngaire Survey District, by Order in Council published in the *Gazette* of the thirteenth day of March, nineteen hundred and two: And whereas the said cemetery was closed by Order in Council published in the *Gazette* of the seventh day of December, nineteen hundred and five, and no burials have taken place in it since that date: And whereas all the graves in the said cemetery are within an area of one and a half acres, and the balance of the reserve is not now required for the purpose for which it was set apart, and the Stratford Borough Council is desirous of having the purpose changed to a municipal endowment: Be it therefore enacted as follows:—

The reservation over the area of land hereinafter described (being that part of the reserve not required for cemetery purposes) is hereby cancelled, and the said land is hereby declared to be a municipal endowment.

- (2) The land so reserved as a municipal endowment is that part of Section 69, Block II, Ngaire Survey District, containing by admeasurement six acres three roods ten and one-fifth perches, more or less, being known as Subdivision 2: bounded towards the north-west by Regan Street, 353.7 links; towards the north-east by Subdivision 1 of the said Section 69, 1000 links; again towards the north-west by the aforesaid subdivision, 1200 links; again towards the north-east by Swansea Road, 407.8 links; towards the south-east by Section 75, 711 links; towards the south-west by Section 68, 626.4 links; towards the north-west by Subdivision 3 of the aforesaid Section 69, 148.9 links; and again towards the south-west by the said

Subdivision 3, 780.3 links: be all the aforesaid linkages more or less: as the same is delineated on the plan marked L 54496/10, deposited in the Head Office, Department of Lands, at Wellington, and thereon edged red.

84 Reserving Section 111, Block XIV, Apiti Survey District, as site for school

Whereas Section 111, Block XIV, Apiti Survey District, in the Wellington Land District, containing one acre three roods, was permanently reserved for gravel purposes by Warrant published in the *Gazette* of the fourth day of December, eighteen hundred and eighty-eight: And whereas the said land, with other land, was subsequently vested in the Corporation of the Kiwitea County by Order in Council published in the *Gazette* of the thirtieth day of June, eighteen hundred and ninety-eight: And whereas the said land is not now required for the purposes for which it has been reserved, and the Kiwitea County Council has agreed that it should be set aside as a school-site in lieu of its present reservation: Be it therefore enacted as follows:—

The reservation over the said land is hereby cancelled, and the said land is hereby declared to be reserved for the purposes of a school-site.

85 Vesting in Mrs Seddon an additional area as part of site of the grave of the late Right Honourable R J Seddon

- (1) Whereas it is desirable for the better protection and care of the grave of the Right Honourable Richard John Seddon to enlarge the existing site by granting the additional land described hereunder, containing six perches and twelve twenty-fifths of a perch, more or less, to Louisa Jane Seddon, widow of the said Right Honourable Richard John Seddon: Be it therefore enacted as follows:—

The undermentioned area of land is hereby granted to the said Louisa Jane Seddon for an estate in fee-simple, and the Governor is hereby empowered to issue his Warrant to the District Land Registrar for the issue of a certificate of title to the said additional land under the Land Transfer Act 1908.

- (2) The land to be granted as aforesaid is particularly described as follows:—

All that additional area in the Wellington Land District, containing by admeasurement six perches and twelve twenty-fifths of a perch, more or less, being part of the Cemetery Reserve in the City of Wellington lying between Bolton and Sydney Streets: bounded towards the north by a right line, 102.38 links; towards the east by a right line, 63.03 links; towards the south by a right line, 135.41 links; and towards the north-west by a right line, 71.16 links; the existing grave-site being within the boundaries aforesaid: as the said additional area is more particularly delineated on the plan marked PWD 27740, deposited in the office of the Minister of Public Works, at Wellington, in the Wellington Provincial District, and thereon coloured blue.

86 Lands to be acquired for purposes of site for Parliament Buildings, and other lands to be vested in the Wellington City Corporation in exchange therefore

Whereas, with the view of improving the land in the City of Wellington occupied as a site for the Parliament Buildings and with the view of improving certain streets adjacent thereto, an agreement has been made between the Corporation of the City of Wellington and His Majesty the King that certain streets shall be altered or widened and others closed, and that certain Crown land in the vicinity of such streets and at Lyall Bay, in the said City of Wellington, shall be granted to the said Corporation for street-widening and recreation purposes respectively: And whereas it is expedient to make provision for giving legal effect to the said agreement in the manner and to the extent hereinafter appearing: Be it therefore enacted as follows:—

- (1) The Governor may grant to the Corporation of the City of Wellington for an estate in fee-simple the several parcels of land described in Part 1, and Part 2, and Part 3 of the Schedule to this section.
- (2) The several parcels of land described in Part 1 of the said Schedule shall, when so granted to the said Corporation, form part of the public streets on which those parcels respectively abut.

- (3) The parcel of the land described in Part 2 of the said Schedule shall, when so granted to the said Corporation, be and constitute a public street vested in and under the control of the said Corporation.
- (4) The parcel of the land described in Part 3 of the said Schedule shall, when so granted to the said Corporation, be and constitute a public street vested in and under the control of the said Corporation for the use of pedestrians only.
- (5)
- (6) The Governor may by Proclamation close the street known as Museum Street and portion of the street known as Sydney Street, in the City of Wellington, as respectively described in Part 5 of the said Schedule, and such streets so far as so closed shall thereupon cease to be public highways, and the land thereof shall thereupon vest in His Majesty the King, and may be used for such purposes as the Governor from time to time determines, and no compensation shall be payable in respect thereof or in respect of the closing of the said streets to the said Corporation or to any other person.
- (7) At any time and from time to time after the closing by Proclamation of any street or portion of any street under the last preceding subsection the Minister of Public Works may remove from the land which has so ceased to be a public highway all or any of the drains, sewers, gas-pipes, water-pipes, or electric wires in, under, or over the said land at the date of the said Proclamation, and shall thereupon, if and so far as the Corporation of the City of Wellington so requires, replace the same in a proper and suitable manner in, under, or over the adjacent streets, or otherwise make good in a proper and suitable manner all interference, caused by such removal, in the drainage and other services of the said Corporation.
- (8) The Governor may by Proclamation take under Part 2 of the Public Works Act 1908, as if for a public work, but without complying with the requirements of section eighteen or section nineteen of that Act, the whole or any portion or portions of the land described in Part 6 of the said Schedule, or any interest in that land or in any portion or portions thereof.

- (9) By virtue of any such Proclamation the land or interest so taken shall become absolutely vested in His Majesty the King, discharged from all mortgages, charges, claims, estates, and interests of what kind soever, save and except any interest expressly excepted in and by the said Proclamation.
- (10) Compensation in respect of the taking of any such land or interest shall be recoverable from the Minister of Public Works in accordance with Part 3 of the Public Works Acts 1908, and all the provisions of that Part of the said Act shall, so far as applicable, but subject to the provisions of this section, extend and apply accordingly.
- (11) The Governor may grant to the Corporation of the City of Wellington for an estate in fee-simple the whole of the land so taken, or such portion or portions as he thinks necessary, for street-widening purposes, and all land so granted to the Corporation shall thereupon become part of any public street on which it abuts.
- (12) With respect to any land or interest in land so taken and not granted to the said Corporation in pursuance of the last preceding subsection, the Governor may hold, use, sell, lease, exchange, grant, or otherwise dispose of or deal with the same in such manner and for such purposes as he thinks fit.
- (13) So soon as any land is granted to the said Corporation under this section, and becomes thereby a public street or a part of a public street, the Minister of Public Works shall forthwith remove from the said land all obstructions to the use of the same as a public highway, and properly form and construct the said street or the added portion thereof throughout its full width and extent.
- (14) All walls, railings, fences, and gateways removed by the Minister of the Public Works in pursuance of this section from the northern boundary of Bowen Street or the western boundary of Charlotte Street or Molesworth Street, or proper and sufficient substitutes for such walls, railings, fences, and gateways, shall be forthwith re-erected by him in a proper and sufficient manner on the new and substituted boundaries of those streets.

- (15) All buildings and other structures existing on the parcel of the land described in Part 2 of the said Schedule at the date of the grant of that land to the said Corporation shall remain the property of His Majesty, and shall be thereupon removed from the said land by the Minister of Public Works.
- (16) In estimating the amount of compensation payable to any person under subsection ten of this section in respect of the taking of any land or interest in land, there shall be taken into account, by way of deduction from the amount that would otherwise be payable, any increase caused or likely to be caused in the value of any other land owned by the claimant or his predecessor in title at the date of the passing of this Act by the widening of Bowen Street or Lambton Quay, or the alteration or closing of other streets, under the provisions of this section:
- Provided that if and so far as any such widening, alteration, or closing has not taken place before that date at which such compensation is awarded, no deduction shall be so made except in respect of such widening, alteration, or closing as the Minister of Public Works offers or undertakes in writing to effect, in pursuance of this section, within four years from the passing of this Act, or within such shorter period as the said Minister thinks fit; and every such offer or undertaking shall, if any such deduction is made in pursuance thereof, constitute a contract between the claimant and His Majesty the King.
- (17) The powers conferred upon the Governor by this section of taking the land comprised in Part 6 of the said Schedule, or any part of that land, and of granting the land so taken or any part thereof to the said Corporation for street-widening purposes, shall not be so exercised as to confer upon any person from whom no land is taken under this section any frontage or right of access to Lambton Quay or Bowen Street, or to extend any such frontage or right of access, unless such person pays or agrees to pay to His Majesty such sum as the Minister of Public Works deems an adequate consideration for the frontage or right of access, or extended frontage or right of access, so conferred; and all the moneys so paid or agreed to be paid shall be payable into the Public Accounts, and shall form part of the Public Works Fund.

- (18) The Compensation Court by which compensation is awarded in respect of land taken under this section may, if it thinks fit, at the request of the Minister of Public Works, award in complete or partial satisfaction of the claim to compensation such an area of other land taken under this section, and adjoining the land in respect of which compensation is claimed, as the Court deems adequate; and in any such case a grant of the land so awarded shall be made to the person entitled to such compensation in complete or partial satisfaction of his claim to compensation in accordance with the award of the Court.

The Schedule

Part I

*Land required for widening Bowen, Charlotte, and
Molesworth Streets.*

ALL that parcel of land in the City of Wellington, 16 feet 6 inches wide, more or less, adjoining the northern side of Bowen Street, being part of the temporary Parliament Buildings grounds, and extending from Lambton Quay to the new Museum Street:

And also all that parcel of land in the City of Wellington, 16 feet 6 inches wide, more or less, adjoining the south-western side of Charlotte Street, being part of the temporary Parliament Buildings grounds, and extending from Lambton Quay to Sydney Street:

And also all that parcel of land in the City of Wellington, 16 feet 6 inches wide, more or less, adjoining the western side of Molesworth Street, being part of the old Parliament Buildings grounds, and extending from Sydney Street to Hill Street:

As the said parcels are more particularly delineated on the plan marked PWD 27704, and deposited in the office of the Minister of Public Works, in the City of Wellington, and thereon coloured green.

Part II

Land required for a New Street in lieu of Museum Street.

All that parcel of land in the City of Wellington, 66 feet wide, more or less, being part of the temporary Parliament Buildings grounds, and extending from Bowen Street to Sydney Street: as the same is more particularly delineated on the above-mentioned plan marked PWD 27704, and thereon coloured blue.

Part III

New Street from Sydney Street to Hill Street.

All that parcel of land in the City of Wellington, 12 feet wide, more or less, commencing at the southern boundary of Sydney Street, and proceeding thence northerly and then north-westerly to its junction with Hill Street: as the same is more particularly delineated on the above-mentioned plan marked PWD 27704, and thereon coloured purple.

Part IV

Recreation-ground at Lyall Bay.

All that parcel of land in the City of Wellington, containing by admeasurement 12 acres and 26 perches, more or less, being part of Section 8, Evans Bay District, Block XI, Port Nicholson Survey District: as the said parcel of land is more particularly delineated on the plan marked PWD 27745, deposited in the office of the Minister of Public Works, in the City of Wellington, and thereon coloured red.

Part V

Streets to be closed.

All that street in the City of Wellington known as Museum Street, commencing at its junction with Bowen Street and proceeding thence in a northerly direction to its junction with Sydney Street: as the same is delineated on the above-mentioned plan marked PWD 27704, and thereon coloured in neutral tint:

And also all that part of Sydney Street, in the City of Wellington, commencing about 16 feet 6 inches west of its junction with Molesworth Street, and proceeding thence in a westerly direction: as the same is delineated on the above-mentioned plan marked PWD 27704, and thereon bordered by a dotted line in green.

Part VI

Land to be taken at the Corner of Lambton Quay and Bowen Street.

All that parcel of land in the City of Wellington, situated at the junction of Lambton Quay and Bowen Street, being part of Town Acre 491, and containing by admeasurement 1.9 perches, more or less; bounded towards the north by Bowen Street, 67.78 links, more or less; towards the south-east by Lambton Quay, 50.33 links, more or less; towards the south-west by the other part of Town Acre 491, 47.5 links, more or less:

And also all that parcel of land in the said city, being part of Town Acre 491, and containing by admeasurement 6.5 perches, more or less: bounded towards the north by Bowen Street, 76 links, more or less; towards the north-east by the area, 1.9 perches, described aforesaid; towards the south-east by Lambton Quay, 53.86 links, more or less; and towards the south-west by the other part of Town Acre 491, 100.5 links:

As the said parcels of land are more particularly delineated on the plan marked PWD 27627, deposited in the office of the Minister of Public Works, in the City of Wellington, and thereon coloured purple and red respectively.

Subsection (5) was repealed, as from 7 November 1912, by section 67(d) Reserves and other Land Disposal and Public Bodies Empowering Act 1912 (1912 No 46).

87 Authorizing the disposal by lease under the Public Bodies Leases Act 1908, of part of land included in Mount View Mental Hospital Reserve

- (1) Whereas the land hereinafter described is a portion of the land vested in His Majesty for the purposes of a lunatic asylum by the Wellington Asylum, Home, Hospital, and Orphanage Reserves Act 1888, but is no longer required for those purposes, and it is desirable that provision should be made for the disposal of the same: Be it therefore enacted as follows:—
- (a) The Governor may, in the name and on behalf of His Majesty the King, from time to time grant leases of the whole or any part of the land hereinafter described in such allotments as he thinks fit, and the provisions of the Public Bodies Leases Act 1908, shall apply to all leases granted under this section; and the Governor is, with respect to the said land, hereby declared to be a leasing authority within the meaning of that Act.
 - (b) All restrictions and limitations imposed upon the leasing of the said lands by any Act or instrument other than the Public Bodies Leases Act 1908, are hereby removed.
 - (c) A lessee under this section, or any person claiming through or under a lessee, shall have the same right of relief against re-entry or forfeiture as if the lessor were a person other than the Crown.
 - (d) All revenues received by the Crown under this section shall be paid into the Public Account, and shall form part of the Consolidated Fund.
- (2) The land to which this section relates is particularly described as follows:—
- All that piece of land in the City of Wellington being part of Mental Hospital Reserve, containing an area of one acre one rood, more or less: bounded towards the south-west by the road known as Hospital Road, for a distance of 368 links, more or less; towards the north-west by Town Acres 758 and part 757, for a distance of 400 links, more or less; and towards the north, north-east, and east generally by the other part of the Mental Hospital Reserve, for a distance of 700 links, more or

less: as the said piece of land is delineated on the plan marked PWD 27769, deposited in the office of the Minister of Public Works, at Wellington, in the Wellington Provincial District, and thereon coloured red.

**88 Authorizing the construction and maintenance of the
Beach Road at Foxton**

[Repealed]

Section 88 was repealed, as from 25 October 1956, by section 21(10)(b) Reserves and Other Lands Disposal Act 1956 (1956 No 53).

**89 Wellington City Council to determine boundaries of
Kelburne Parade and Salamanca Road**

Whereas doubts have arisen as to the true western boundaries of Kelburne Parade and Salamanca Road, in the City of Wellington, where such streets abut on the Hospital Reserve at Kelburne, in the said city; and the Wellington Hospital and Charitable Aid Board is thereby seriously impeded in leasing such reserve: Be it therefore enacted as follows:—

The Wellington City Council is hereby authorized and empowered, with the consent of the Wellington Hospital and Charitable Aid Board, by resolution to fix such boundaries; and it is hereby declared that on the passing of such resolution such part of the Hospital Reserve as shall lie to the east of such boundaries shall form part of Salamanca Road, and the land lying between the said boundaries of the said streets and the said Hospital Reserve shall be vested in the Wellington Hospital and Charitable Aid Board, and shall cease to be a street or any part thereof (if it ever has been such), subject to payment by the said Board to the Corporation of the Mayor, Councillors, and Citizens of the City of Wellington of the value of such part of the said land so vested as originally formed part of the Town Belt of the said city, less the value of such part of the Hospital Reserve as shall pursuant to this section become part of Salamanca Road, such values to be fixed by the City Valuer, and the difference to be a debt due and payable on demand by the said Board to the said Corporation immediately after the passing of the said

resolution, and to be recoverable by the said Corporation from the said Board in any Court of competent jurisdiction.

90 Vesting certain land in the Trustees of the New Zealand Central District, No 86, Independent Order of Rechabites

- (1) Whereas by deed of conveyance registered No 27568, dated the fifth day of May, eighteen hundred and seventy-seven, the lands hereinafter described were conveyed to trustees as a site for a building to be used for the purposes of societies and associations formed for the promotion of the cause of total abstinence from intoxicating liquors: And whereas on the fifth day of June, eighteen hundred and ninety-three, the said lands were leased by the then surviving trustee to the Salvation Army for a term of ninety years: And whereas the building standing upon the said lands at the date of the said lease has been long since destroyed by fire, and the Salvation Army aforesaid has ceased to occupy the said lands and consents to the same being vested as hereinafter appearing: And whereas the trustees named in the original deed of conveyance are dead, and it is expedient that the said lands should be vested as hereinafter appearing: Be it therefore enacted as follows:—

The land comprised in the deed of conveyance registered No 27568, in the Wellington Deeds Registry, is hereby vested in the trustees of the New Zealand Central District, No 86, of the Independent Order of Rechabites for an estate in fee-simple upon the trusts and subject to the powers contained in the General Rules of that body.

- (2) The land by this section vested in trustees as aforesaid is particularly described as follows:—

All that piece or parcel of land at Rangitikei, in the Wellington Land District, containing eighteen perches or thereabouts, being part of the land comprised in the deed of grant mentioned as Section No 16: bounded on the north by the public road from Marton to Wanganui, and commencing at a point on the said road distant from the eastern boundary of the said Section No 16, being the Tutaenui Stream, 1917 links, and running along the said road to the westward, 75 links; on the west by land in the occupation of Robert Lynch Cotton Birch, part of the said Section No 16, 150 links; on the south also by other

part of the said section, 75 links; and on the east by land in the occupation of one Alexander Jacobson, 150 links, to the point of commencement at the public road aforesaid.

91 Provision for payment in respect of improvements made by lessees of pastoral runs

[Repealed]

Section 91 was repealed, as from 1 January 1925, by section 390 Land Act 1924 (1924 No 31).

92 Vesting certain tidal lands, known as the Basin, in the Corporation of the Borough of Onehunga

[Repealed]

Section 92 was repealed, as from 25 October 1956, by section 16(3) Reserves and Other Lands Disposal Act 1956 (1956 No 53).

93 Authorizing the Hamilton Borough Council to expend the sum of \$2,400 for drainage purposes

Whereas in the years nineteen hundred and five and nineteen hundred and six advances amounting to a total sum of two thousand four hundred dollars were made by the Treasury to the Hamilton Borough Council on account of a loan under the Local Bodies Loans Act 1901, for drainage purposes: And whereas the said sum was not expended for the purpose for which it was raised: And whereas another loan has since been raised by the said Council for drainage purposes in accordance with a scheme prepared subsequently to the original advance of two thousand four hundred dollars: And whereas by section sixty-four of the Local Bodies Loans Act 1908, the said sum of two thousand four hundred dollars should be repaid to the Minister of Finance as money not required for the purpose for which it was lent, but the Hamilton Borough Council is desirous of utilizing the same in connection with the carrying-out of the drainage scheme aforesaid, in addition to the moneys subsequently raised for that purpose, and it is expedient to authorize the same accordingly: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in the Local Bodies Loans Act 1908, or in any other Act, the Hamilton Borough

Council is hereby authorized to expend the said sum of two thousand four hundred dollars for drainage purposes in accordance with the requirements of the aforesaid drainage scheme for the Borough of Hamilton.

The reference to “two thousand four hundred dollars” was substituted, as from 10 July 1967, for a reference to “twelve hundred pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

94 Reserving part of Rural Section 203, Canterbury Land District, as site for police-station

- (1) Whereas the land hereinafter described was purchased by the Superintendent of the Province of Canterbury for the purposes of the Canterbury Great Northern Railway, and was conveyed by him, along with other lands, to the Crown by a deed of conveyance dated the twenty-eighth day of April, eighteen hundred and seventy-one, and registered in the Deeds Registry Office at Christchurch as No 45328: And whereas the said land is not now required for railway purposes, and it is desired to reserve the same for the purposes of a police-station: Be it therefore enacted as follows:—

The Governor may, by notice in the *Gazette*, reserve the said land as a site for a police-station.

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

All that piece or parcel of land, containing by admeasurement two roods ten perches and nine-tenths of a perch, being portion of Rural Section 203, shown on the map of the Chief Surveyor of the Canterbury Land District: the boundary of such land commencing at a point within the said Rural Section 203, the said point being on the north-west boundary of the land in certificate of title, Volume 241, folio 24, 74.3 links distant from the westernmost corner thereof; thence extending north-easterly along the said boundary and the north-west boundary of the land in certificate of title Volume 153, folio 247, for a distance of 418.75 links; thence north-westerly along a line, bearing $305^{\circ} 54'$, for a distance of 200.8 links; thence along a line, bearing $215^{\circ} 35'$, for a distance of 147.15 links; thence southerly along a line, bearing $179^{\circ} 17' 30''$, for a distance of 338.45 links, to the commencing-point: be all

the aforesaid dimensions a little more or less: as the same is more particularly delineated and coloured green in outline on a plan marked WR 18178, deposited in the office of the Minister of Railways, at Wellington, in the Provincial District of Wellington.

**95 Authorizing the vesting of Rural Section 7540,
Canterbury Land District, in the Corporation of the
County of Waipara**

Whereas by conveyance dated the second day of September, eighteen hundred and ninety-eight, George Henry Moore, of Glenmark, in the Provincial District of Canterbury, conveyed to the Crown part of Rural Section 7540, in the Waipara Survey District and Canterbury Land District, containing one acre, more or less, for Road Board purposes: And whereas the said land was situated in the Waipara Road District, and the Waipara Road Board, believing that it was entitled to do so, subdivided and sold the said land: And whereas the Waipara County Council has taken the place of the said Waipara Road Board, and now desires to be given a legal title to the said land in order to validate the subdivision and sales thereof: Be it therefore enacted as follows:—

- (1) The Governor may execute a Warrant for the issue of a certificate of title in favour of the Corporation of the Chairman, Councillors, and Inhabitants of the Waipara County over the land hereinafter described.
- (2) It shall be lawful for the said Waipara County Council to transfer portions of the land hereinafter described to such persons as it thinks fit, and such lands shall be freed from all restrictions resulting from the former trust over the said land.
- (3) The land hereinbefore referred to in this section is described as follows:—

All that area in the Canterbury Land District, being part of Rural Section No 7540, in Block VII, Waipara Survey District, containing by admeasurement one acre, more or less: bounded towards the north-east by the West Coast Road by Hurunui from its junction with Mason's Road for a distance of 391.5 links; thence towards the north-west by a right line, bearing $251^{\circ} 57'$, for a distance of 316.5 links; thence towards the south-west by a right line, bearing $160^{\circ} 21'$, for a distance of

247 links, to Mason's Road; and thence towards the south by the said Mason's Road, 346 links, to the West Coast Road by Hurunui, the place of commencement.

96 Government may guarantee loan to be raised by Oamaru Harbour Board

[Repealed]

Section 96 was repealed, as from 1 December 1937, by section 42(4) Finance Act 1937 (1937 No 17).

97 As to payment due to F Tetley on contract for school building in Pelorus Sound

It shall be lawful for the Marlborough Education Board to pay to Frederick Tetley, of Havelock, the sum of one hundred and twenty-five dollars, being the final payment due on a contract for the erection of a schoolhouse at Nydia Bay, Pelorus Sound, notwithstanding that payment of the said sum has already been made, but miscarried in the course of post.

The reference to "one hundred and twenty-five dollars" was substituted, as from 10 July 1967, for a reference to "sixty-two pounds ten shillings" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

98 Provision as to streets in Scinde Island, Napier

[Repealed]

Section 98 was repealed, as from 1 January 1929, by section 346 Public Works Act 1928 (1928 No 21).