

Reprint
as at 5 August 2009

**Reserves and Other Lands Disposal
and Public Bodies Empowering Act
1923**

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Contents

	Page
Title	8
1 Short Title	9
Cancellation of reservation over certain lands.	
2 Reservation over lands described in Schedule 1 cancelled, and lands declared to be Crown lands	9
North Auckland Land District.	
3 Vesting in Auckland Education Board as site for a public school portion of Allotment 56, Parish of Waikeke	9
4 Validating loan of \$800 raised by Mount Wellington Domain Board	10

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this eprint.

A general outline of these changes is set out in the notes at the end of this eprint, together with other explanatory material about this eprint.

This Act is administered by Land Information New Zealand.

5	Closing certain streets in Tuakau Town District, and vesting same in James Colin Self	10
6	Empowering Manukau County Council to raise loan for purpose of acquiring site and erecting a public hall thereon, and to acquire a recreation-ground	12
7	Empowering Manurewa Town Board to borrow \$2,226 for certain purposes	13
8	Validating repayment by Manurewa Town Board out of Loan Account of sum of \$150 advanced from other accounts	14
9	Authorizing Tamaki West Road Board to increase the number of members of that Board	14
10	Empowering Tamaki West Road Board to raise a special loan of \$64,000 for certain purposes	15
11	Authorizing Mongonui County Council to exchange certain land for land vested in Kaitaia Town Board, and making provision for application of certain loan-moneys	16
12	Authorizing sale of certain land by Port Albert Temperance Hall, Lecture and Reading Room Association	17
13	Empowering Roman Catholic Bishop of Auckland to sell certain land	18
14	Empowering Whangaroa County Council to purchase existing cattle-dip	18
15	Governor-General may authorize sale of land and buildings used for purposes of a boys' probation home at Auckland	19
16	Empowering Takapuna Borough Council to construct a sewer through O'Niell's Point Cemetery	20
17	Vesting in Roman Catholic Bishop of Auckland church-site at Tuakau	20
Auckland Land District		
18	Empowering Governor-General to vest certain land in Town of Hamilton East in Hamilton High School Board as a site for a boys' high school	21
19	Adding to Hamilton Domain closed portion of Clyde Street in Borough of Hamilton	21
20	Apportioning between Councils of Borough of Te Kuiti and of counties of Waitomo and Otorohanga capital cost of maternity and cottage hospital at Te Kuiti	22
21	Cancelling reservation over and vesting of portion of Whaingaroa Domain, and authorizing disposal thereof	24

22	Limiting application of Mining Act 1908, to certain land at Kauaeranga	25
23	Revoking forfeiture and reviving occupation-with-right-of-purchase license over Section 3, Block III, Wharepapa Survey District	26
24	Applying section 2 of Land Laws Amendment Act 1922, to Section 1, Block IV, Tuhingamata East Survey District	27
25	Including in Tauranga Domain stopped portions of Brown and McLean Streets, Borough of Tauranga	28
26	Cancelling reservation as a Maori-school site over certain land in Block IX, Galatea Survey District, and setting the same aside for benefit of certain Maori	29
27	Authorizing Governor-General to define boundaries of ridings of Waitomo County, and validating certain elections of Councillors	30
28	Reviving a lease under Part 5 of the Land Act 1908, of Section 40, Selwyn Settlement, in Block XIV, Patetere North Survey District	31
29	Authorizing acquisition of certain lands at Piopio for saleyards in excess of areas prescribed by Part 13 of the Land Act 1908, and section 74 of the Native Land Amendment Act 1913	32
30	Empowering Taupiri Coal-mines (Limited) to acquire certain land	33
31	Authorizing sale by Thames County Council to Thames Borough Council of Thames Water-race, and validating a certain agreement between those Councils with respect to that race	34
32	Making provision as to repayment of certain loans authorized to be raised by the Thames Borough Council	35
33	Cancelling reservation as site for municipal buildings over Lot 46, Town of Hamilton West, and vesting same in Hamilton Borough Corporation as endowment for municipal buildings	36
34	Empowering Coromandel County Council to purchase existing cattle-dips	37
35	Vesting part of Paeroa Domain in Paeroa Borough Corporation for municipal purposes	37
36	Authorizing Governor-General to cancel reservation over an endowment for Maori schools, and to sell the same to Tauranga Borough Council for recreation purposes	38

37	Authorizing Te Puke United Church Mission Board to sell certain land	39
38	Section 127 of Reserves and other Lands Disposal and Public Bodies Empowering Act 1913, amended	40
Gisborne Land District.		
39	Authorizing Waiapu County Council to pay out of its General Account interest and other charges in respect of Rotokautuku Bridge Loan No 2	40
40	Setting apart as permanent State forest certain land in Gisborne Land District	41
41	Authorizing acceptance of surrender of part of land comprised in lease of Section 1, Block V, Urutawa Survey District	42
42	Authorizing payment of compensation for improvements by late lessee of Primary-education Reserves 47 and 48, Town of Gisborne	43
Hawke's Bay Land District.		
43	Exchanging portion of rabbit-proof fence reserve for portion of Mangatoitoi Domain	45
44	Authorizing Hastings Borough Council to establish a new abattoir or to delegate its powers in respect thereto <i>[Repealed]</i>	46
45	Extending to under-lessees of certain lands in Hawke's Bay Land District rights of lessees under section 110 of Native Land Amendment Act 1913	47
46	Extending to sublessees of certain lands in Hawke's Bay Land District rights of lessees under section 110 of Native Land Amendment Act 1913	49
47	Extending powers of Hawke's Bay County Council with respect to the destruction of rooks <i>[Repealed]</i>	50
Taranaki Land District.		
48	Reserving Section 114, Town of Lepperton, as a site for a public school	50
49	Validating proceedings in connection with a loan of \$1,000 raised by Inglewood County Council	51
50	Cancelling reservation over portions of education endowment at New Plymouth, and vesting same in New Plymouth Borough Corporation for a public street	51
51	Closing portion of road along Waiongona River, and reserving the same as a site for a school	52

52	Authorizing Clifton County Council to sell portion of a gravel reserve to North Taranaki Co-operative Dairy Company (Limited)	53
53	Authorizing Opunaki Electric-power Board to vary application of portion of proceeds of loan of \$140,000	54
Wellington Land District.		
54	Validating payment of certain moneys out of special-roading district accounts to Kaitieke County Council	55
55	Authorizing exchange of Section 22, Block XI, Retaruke Survey District, for certain private land	56
56	Validating disposal to Manawatu Race Course Board by Foxton Borough Council of certain land	57
57	Setting apart for scenery-preservation purposes part of Lot 2, Section 27, Block IX, Hunua Survey District	58
58	Authorizing Petone and Lower Hutt Gas-lighting Board to pay \$3,170 to Lower Hutt Borough Council	59
59	Appointing Wellington Ladies' Christian Association to carry out trusts of will of the late Dr Edith Ara Huntley	60
60	Amending Wanganui River Trust Amendment Act 1922 [<i>Repealed</i>]	61
61	Authorizing renewal of timber-cutting license granted to Christian le Fevre Honoré	61
62	Empowering Manawatu County Council to carry on business of sawmilling	62
63	Empowering Hutt County Council to acquire land as a site for a public hall and other purposes	63
64	Authorizing Taihape Borough Council to borrow \$8,000 for improving Taihape Oval Domain	63
65	Vesting part of Mount View Reserve in Wellington College Governors as a site for an observatory	64
66	Authorizing Lower Hutt Borough Council to acquire certain land for recreation purposes	64
67	Extinguishing certain rights of way, and closing certain crossings over the railway-line at Ngaio, Wellington	65
68	Authorizing Lower Hutt Borough Council to expend certain moneys for the relief of unemployment	68
69	Cancelling reservation as a domain over Lot A, Block I, Hunua Survey District, and declaring the same to be a scenic reserve	68

70	Authorizing Palmerston North Borough Council to expend for certain purposes unexpended balance of certain loan-moneys	69
71	Empowering Tongariro National Park Board to permit cutting of timber on a portion of Tongariro National Park for prison purposes	70
72	Authorizing Wellington City Council to pay \$1000 to Mrs HB Browne as compensation for loss of business arising out of operation of Wellington City Milk-supply Act	71
73	Validating application of certain moneys to general purposes by Johnsonville Town Board	72
74	Vesting part of Somes Island in Wellington Harbour Board as a site for a lighthouse [<i>Repealed</i>]	73
75	Authorizing issue of tramway-site license over portion of Ngaurukehu Scenic Reserve	73
76	Making special provision with respect to land taken for widening of Luxford Street and South Road in City of Wellington	73
Marlborough Land District.		
77	Authorizing issue to Nelson Diocesan Board of certificate of title in respect of Tyntesfield Cemetery	75
78	Validating proceedings taken by Havelock Town Board in connection with a loan of \$4,400, and authorizing a special loan for repayment thereof	76
Nelson Land District.		
79	Cancelling existing reservation over Section 30, Block III, Kawatiri Survey District, and setting it apart as a public domain	77
80	Authorizing Governor-General to cancel reservation over portion of Murchison Domain	77
81	Authorizing exchange of Section 72, Town of Denniston (a reserve for police purposes), for certain private land	77
82	Validating transfer of certain land for general purposes in City of Nelson	79
83	Section 47 of Reserves and other Lands Disposal and Public Bodies Empowering Act 1922, amended	80
84	Altering boundaries of Nelson and Motueka Harbour Districts	80
85	Stopping portion of High Street in Borough of Motueka, and authorizing sale of land comprised therein	81

Westland Land District.		
86	Vesting certain land in Westland Hospital Board as a site for a public hospital	82
87	Validating leases granted by Hokitika High School Board	83
Canterbury Land District.		
88	Exchanging land vested in Selwyn Plantation Board for a gravel-pit vested in Springs County Council <i>[Repealed]</i>	84
89	Changing from industrial-school purposes to a reserve for military and defence purposes reservation over certain land in Blocks II and III, Leeston Survey District	84
90	Authorizing Minister of Lands to grant licenses to take water for domestic purposes from streams in Peel Forest Scenic Reserve	85
91	Changing purpose of reservation over portion of Reserve 3088 in Block XII, Alford Survey District	86
92	Closing portion of road along bank of Opihi River, and vesting same in Milford Lagoon Recreation Association (Incorporated)	86
93	Validating action of Lyttelton Harbour Board in selling certain debentures below par	87
94	Authorizing Ashburton County Council to transfer to General Account debit balances of certain water-race accounts	88
95	Authorizing Ashburton County Council to pay out of its General Fund interest and other charges in respect of certain water-race loans	89
96	Validating a lease of certain land by Board of Governors of Canterbury College	89
97	Changing from a town-hall and library site to a site for public buildings, purpose of reservation over Reserve 3754	90
98	Authorizing exchange of portion of Nelson College Endowment in Canterbury Land District for certain private land	90
99	Cancelling reservation over portion of Scotsburn Domain, and vesting the same in Canterbury Education Board as a school-site	91
100	Geraldine County River District Act 1921-22, amended <i>[Repealed]</i>	92
101	Validating payment of \$200 by Mount Somers Road Board towards cost of Soldiers' Memorial Hall	92

102	Authorizing Corporation of County of Mackenzie to accept a transfer of Fairlie Athletic Ground	93
103	Authorizing Christchurch City Council to borrow \$20,000 for certain purposes	93
Otago Land District.		
104	Section 136 of Reserves and other Lands Disposal and Public Bodies Empowering Act 1922, amended	94
105	Exchanging portion of public-school site (Section 4, Block I, Bannockburn Survey District) for adjacent Crown land	94
106	Authorizing disposal of certain lands in Otago Land District subject to a condition that certain rents will not be demanded	95
107	Validating authorizing Orders in Council in respect of certain irrigation-works in Otago Land District, and empowering Governor-General to take certain lands	96
108	Authorizing variation of conditions of a certain bequest under will of the late William Harrop, of Dunedin	97
109	Vesting in University of Otago, as a site for a dental school, portion of Beverly Trust Estate	98
110	Authorizing Otago Harbour Board to accept surrender of a certain lease	99
Southland Land District.		
111	Lessees of certain lands in Merrivale Nos 1 and 2 Settlements may apply for revaluations of lands held by them	99
Schedule 1		
Reserves made available for disposal under the Land Act 1908.		101
Schedule 2		
		104

An Act to provide for the Exchange, Sale, Reservation, and other Disposition of certain Reserves, Crown Lands, Endowments, and other Lands, to validate certain Transactions, 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 1923.

**Cancellation of reservation over certain
lands.**

**2 Reservation over lands described in Schedule 1 cancelled,
and lands declared to be Crown lands**

The reservation over the several parcels of land described in Schedule 1 of this Act for the several purposes specified in that Schedule is hereby cancelled, and the said lands are hereby declared to be Crown lands available for disposal under the Land Act 1948.

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).

North Auckland Land District.

**3 Vesting in Auckland Education Board as site for a public
school portion of Allotment 56, Parish of Waikeke**

Whereas by certificate of title dated the twenty-second day of April, nineteen hundred and twenty, His Majesty is seised of an estate in fee-simple of the land hereinafter described, as a reserve for a public school: And whereas it is desired to vest the said reserve in the Education Board of the District of Auckland: Be it therefore enacted as follows:—

- (1) The land hereinafter described shall cease to be vested in His Majesty, and the said land is hereby vested in the Education Board of the District of Auckland as a site for a public school.
- (2) The District Land Registrar at Auckland is hereby empowered and directed to make such entries in the Register and such endorsements or memorials on the certificate of title in respect of such land as may be necessary to give full effect to this section.

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

All that area in the North Auckland Land District, containing by admeasurement three roods seven and two-fifths perches, more or less, being Lots 98 and 99 on a plan deposited in the Land Registry Office at Auckland under No 11378, which said parcel of land is portion of Allotment 56 of the Parish of Waikeke.

4 Validating loan of \$800 raised by Mount Wellington Domain Board

Whereas on the twelfth day of November, nineteen hundred and nineteen, the Mount Wellington Domain Board borrowed from the Bank of New Zealand by way of overdraft a sum of eight hundred dollars for the purpose of effecting improvements on the Mount Wellington Domain: And whereas the said Board had no legal power or authority to raise such loan, and it is desired to validate the same: Be it therefore enacted as follows:—

The said loan is hereby declared to have been lawfully raised and the proceeds thereof to have been lawfully expended by the Mount Wellington Domain Board, and all payments of interest heretofore made in respect of such loan by the said Domain Board are hereby validated.

The words “eight hundred dollars” were substituted, as from 10 July 1967, for the words “four hundred pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

5 Closing certain streets in Tuakau Town District, and vesting same in James Colin Self

Whereas in or about the month of September, eighteen hundred and eighty-four, proceedings were taken to close certain streets, hereinafter described, in accordance with the law then in force: And whereas the land comprised in such streets was sold to one John Poland, of Tuakau, storekeeper, who entered into possession thereof: And whereas the said John Poland by deeds of assignment dated the fifth day of March, nineteen hundred and twelve, and the twenty-second day of April, nineteen hundred and twenty, did assign his interest in the said land to one William George Graham, of Tuakau, store-

keeper: And whereas by deeds of assignment dated the twenty-second day of April, nineteen hundred and twenty, the said William George Graham did assign his interest in the said land to one James Colin Self, of Tuakau, farmer, who is now in occupation thereof: And whereas it appears that the procedure prescribed by the Public Works Act 1981, in respect of the closing of such streets was not completed, and that no title was issued in respect of the land comprised therein: And whereas the said streets are situated within the Tuakau Town District: And whereas the Tuakau Town Board desires that the closing of the said streets shall be completed, and that a certificate of title in respect of the land comprised therein be issued to the said James Colin Self: Be it therefore enacted as follows:—

- (1) The streets hereinafter described are hereby closed, and the land comprised therein is hereby vested in the said James Colin Self for an estate in fee-simple free from encumbrances.
- (2) The District Land Registrar for the Land Registration District of Auckland is hereby empowered and directed to issue to the said James Colin Self a certificate of title to the said land upon payment by the said James Colin Self of all such fees as are prescribed by law in that behalf.
- (3) The streets to which this section relates are more particularly described as follows:—

All those pieces of land situated in the North Auckland Land District, being public streets, and containing by admeasurement two acres one rood thirty-three perches, more or less, situated between Section 57 on the one hand and Section 58 on the other hand; between Sections 57 and 58 on the one hand and Sections 42, 537, and 43 on the other hand; and between Section 42 and part Section 144 on the one hand and Sections 146, 37, and 147 on the other hand; all the above-mentioned sections being in the Suburbs of Tuakau, with the exception of Section 537, which is registered as being in the Town of Tuakau North: as the same are more particularly delineated on the plan marked L and S 16/1057, deposited in the Head Office of the Department of Lands and Survey, at Wellington, and thereon coloured green.

The Public Works Act 1882 was repealed, as from 24 October 1894, by section 290 Public Works Act 1894 (1894 No 42). That Act was in turn repealed, as from 31 October 1905, by section 2 Public Works Compilation Act 1905 (1905 No 53). Appendix B of the repealing Act replaced the 1894 Act with a compiled

Act enacted under the title of “The Public Works Act 1905”. That Act was in turn consolidated, as from 4 August 1908, by section 1(2) Public Works Act 1908 (1908 No 160). That Act was in turn repealed, as from 6 October 1928, by section 346 Public Works Act 1928 (1928 No 21). That Act was in turn repealed, as from 1 February 1982, by section 248(1) Public Works Act 1981 (1981 No 35).

**6 Empowering Manukau County Council to raise loan
for purpose of acquiring site and erecting a public hall
thereon, and to acquire a recreation-ground**

Whereas on the twenty-first day of April, nineteen hundred and twenty-three, the Manukau County Council, purporting to act under and in accordance with the provisions of the Local Bodies Loans Act 1913, caused to be taken a poll of the ratepayers of the Mangere East Public Hall and Recreation-ground Special-rating Area, in the Mangere Riding of the County of Manukau, upon a proposal to raise a special loan of seven thousand dollars, upon the security of a special rate of twenty-five one hundred and ninety-seconds of a cent in the dollar on the capital value of all rateable property in the above-mentioned special-rating area (being the special-rating area more particularly described in notices relative to such proposal published in the New Zealand Herald newspaper on the seventeenth, twenty-fourth, and thirty-first days of March, and the seventh day of April, nineteen hundred and twenty-three), for the purpose of the purchase of a site and the erection of a public hall thereon, and the purchase and laying-out of a recreation-ground and the incidental expenses thereof: And whereas the said proposal was carried, but doubts have arisen as to the powers of the said County Council to raise money by way of special loan for the purposes aforesaid: And whereas it is desirable to confer such powers upon the said County Council, to validate the poll already taken, and to authorize the said County Council to proceed to raise the said special loan pursuant to the poll: Be it therefore enacted as follows:—

- (1) The Manukau County Council is hereby authorized, and shall be deemed always to have been authorized, to acquire a site and erect thereon a public hall and to acquire and lay out a recreation-ground within the special-rating area hereinbefore referred to, and to raise for carrying out such purposes a special loan as if for a public work.

- (2) The poll of ratepayers taken on the twenty-first day of April, nineteen hundred and twenty-three, as hereinbefore set out, is hereby declared to have been lawfully taken, and the said County Council is authorized to raise a special loan pursuant to the determination of that poll.

The words “seven thousand dollars”, and “twenty-five one hundred and ninety-seconds of a cent in the dollar” were substituted, as from 10 July 1967, for the words “three thousand five hundred pounds”, and “five-sixteenths of a penny in the pound” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

7 Empowering Manurewa Town Board to borrow \$2,226 for certain purposes

Whereas by section sixty-eight of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1922, the Manurewa Town Board was authorized to borrow, under the Local Bodies Loans Act 1913, the sum of five thousand one hundred and twenty-six dollars and to apply the same in completing the roadworks mentioned in that section: And whereas in computing the said sum of five thousand one hundred and twenty-six dollars there was omitted the illegal expenditure on roadmaking plant which had been incurred by the said Board out of the loan of sixteen thousand dollars mentioned in the said section and which by the said section was validated: And whereas the amount of the said illegal expenditure is one thousand seven hundred and thirty-four dollars: And whereas the additional sum of four hundred and ninety-two dollars is required in order to finally complete the said works, thus making a total of two thousand two hundred and twenty-six dollars: Be it therefore enacted as follows:—

- (1) The Manurewa Town Board may by special loan under the Local Bodies Loans Act 1913, and without taking the steps described in sections eight to twelve of that Act, borrow the sum of two thousand two hundred and twenty-six dollars.
- (2) The said Board shall apply the said sum of two thousand two hundred and twenty-six dollars, as to one thousand seven hundred and thirty-four dollars in recouping to the said Loan Fund of sixteen thousand dollars the amount of the said illegal expenditure, thereby making that sum available for the construction of the said works, and as to the balance—namely,

four hundred and ninety-two dollars—in completing the said works.

The words “five thousand one hundred and twenty-six dollars”, “sixteen thousand dollars”, “one thousand seven hundred and thirty-four dollars”, “four hundred and ninety-two dollars”, and “two thousand two hundred and twenty-six dollars” were substituted, as from 10 July 1967, for the words “two thousand five hundred and sixty-three pounds”, “eight thousand pounds”, “eight hundred and sixty-seven pounds”, “two hundred and forty-six pounds”, and “one thousand one hundred and thirteen pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

8 Validating repayment by Manurewa Town Board out of Loan Account of sum of \$150 advanced from other accounts

Whereas in the year nineteen hundred and twenty-one the Manurewa Town Board, with the approval of the ratepayers, raised a special loan of four thousand dollars for the purpose of erecting two workers’ homes, which have been duly erected: And whereas in the loan proposal submitted to the ratepayers no reference was made to the purchase of the land for the said workers’ homes out of the loan-moneys: And whereas the said Board has from other sources expended the sum of one hundred and fifty dollars in purchasing the said land: Be it therefore enacted as follows:—

The said Board may, out of any moneys available from the said loan of four thousand dollars, repay the said sum of one hundred and fifty dollars to any account from which it or any part thereof was advanced.

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

9 Authorizing Tamaki West Road Board to increase the number of members of that Board

- (1) Notwithstanding anything contained in section twenty-eight of the Road Boards Act 1908, the Tamaki West Road Board may by special order increase the number of members to be elected for the Tamaki West Road District so that the provisions of section twenty-six of the said Road Boards Act shall be complied

with, but without complying with the conditions prescribed by section four of that Act for the formation of new districts.

- (2) Such special order shall come into force only at a general election of the Board, except in so far and to such extent as may be necessary for preparing any roll, or otherwise providing for such election.

10 Empowering Tamaki West Road Board to raise a special loan of \$64,000 for certain purposes

Whereas on the fourteenth day of December, nineteen hundred and twenty-two, the Tamaki West Road Board, purporting to act under and in accordance with the provisions of the Local Bodies Loans Act 1913, caused to be taken a poll upon a proposal to raise a special loan of sixty-four thousand dollars for the purposes of certain roadworks and other works as more particularly set out in the *Gazette* of nineteen hundred and twenty-three, at page 1619, upon the security of a special rate of one third of a cent in the dollar on the rateable value of all rateable property in the Tamaki West Road District: And whereas the said proposal was duly carried: And whereas doubts have arisen as to whether some of the purposes for which the said loan was raised are wholly or in part for maintenance, and whether the said Board has power and authority to raise a loan for the same: And whereas it is expedient that the said Board should be empowered as hereinafter appearing: Be it therefore enacted as follows:—

The said Board is hereby and shall be deemed to have been duly authorized and empowered to raise the said loan and to apply the moneys resulting therefrom in accordance with the respective purposes for which the same were authorized by the ratepayers, as the same are more particularly set out in the *Gazette* as aforesaid, as though the said purposes were purposes for which the said Board was duly authorized by law to raise a loan under the provisions of the Local Bodies Loans Act 1913.

The words “sixty-four thousand dollars”, and “one third of a cent in the dollar” were substituted, as from 10 July 1967, for the words “thirty-two thousand pounds”, and “four-fifths of a penny in the pound” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

11 Authorizing Mongonui County Council to exchange certain land for land vested in Kaitaia Town Board, and making provision for application of certain loan-moneys

Whereas on the tenth day of November, nineteen hundred and twenty, the Mongonui County Council took a poll of the ratepayers of the County of Mongonui upon a proposal to borrow by way of special loan under the Local Bodies Loans Act 1913, the sum of nine thousand dollars for the erection of Council Chambers on Lot 1, part of subdivision of Section 25 of Block V, Takahue Survey District, and for the erection of machinery-sheds and stables on Section 20 of Block V, Takahue Survey District: And whereas such proposal was duly carried: And whereas the said Section 20 is now within the Town District of Kaitaia, and the Town Board of that district desires to acquire the same for the purposes of a public park, and is willing to give in exchange therefor the land hereinafter described, which is suitable as a site for the machinery-sheds and stables aforesaid: And whereas the Mongonui County Council has agreed to make such exchange, but cannot lawfully expend on the erection, on the land acquired by way of such exchange, of machinery-sheds and stables any portion of the proceeds of the said loan of nine thousand dollars: And whereas in the proposal submitted to the ratepayers in respect of the said loan no particular portion of the proceeds of the said loan was allocated to either of the works mentioned in such proposal: And whereas it is desirable to make, in respect of the matters aforesaid, provision as hereinafter in this section appearing: Be it therefore enacted as follows:—

- (1) Notwithstanding anything to the contrary in any Act the Mongonui County Council may dispose of, to the Kaitaia Town Board, Section 20, Block V, Takahue Survey District, containing one acre one rood, and being all the land comprised in certificate of title, Volume 280, folio 45, Auckland Registry, and the Kaitaia Town Board may give, and the Mongonui County Council may receive, in exchange for that land, Sections 1, 20, and 21 on a plan deposited in the Land Registration Office at Auckland under No 15934, and being part of the lands comprised in certificate of title, Register-book, Volume 341, folio 35, Auckland Registry.
- (2) The Mongonui County Council may expend such portion as it thinks fit of the proceeds of the said loan of nine thousand

dollars on the erection, on any part of the lands that may be acquired by it pursuant to the last preceding subsection, of the machinery-sheds and stables aforesaid, and shall expend the balance of such proceeds on the erection of Council Chambers on the said Lot 1, part of subdivision of Section 25 of Block V, Takahue Survey District.

The words “nine thousand dollars” were substituted, as from 10 July 1967, for the words “four thousand five hundred pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

12 Authorizing sale of certain land by Port Albert

Temperance Hall, Lecture and Reading Room Association

Whereas the Port Albert Temperance Hall, Lecture and Reading Room Association (being an institution incorporated under the Libraries and Mechanics Institutes Act 1908) did, under deed of conveyance bearing date the seventh day of May, eighteen hundred and ninety-one, registered in the Deeds Register Office at Auckland under No 183816, acquire and become the owner in fee-simple of all that piece of land in the Provincial District of Auckland, containing by admeasurement two roods eight perches, more or less, being part of Allotment 171, of the Parish of Oruawharo, in the County of Marsden, and being the northern portion of Suburban Lot 7 of the subdivision of Allotments 169, 170, and 171 of the said parish—bounded towards the north-east by a road, 326.5 links; towards the south-east by a road, 279.5 links; towards the south-west by a road laid out through the said Lot 7, 270.5 links; and towards the west by a road, 136 links: and also all that piece of land in the parish and county aforesaid, containing by admeasurement twenty-one perches, more or less, being the southern portion of the said Suburban Lot No 7 of the said subdivision—bounded towards the north-east by the said road laid out through said Lot 7, 166.4 links; towards the south-east by a road, 176.6 links; and towards the west by a road, 285 links: be the said several admeasurements a little more or less. And whereas such acquisition was for the purpose of a hall-site. And whereas the said pieces of land are now no longer required for a hall-site, and it is desirable that they should be sold: Be it therefore enacted as follows:—

The Port Albert Temperance Hall, Lecture and Reading Room Association is hereby authorized to sell by private contract the said lands and to convey and assure the same to a purchaser or purchasers.

13 Empowering Roman Catholic Bishop of Auckland to sell certain land

- (1) It shall be lawful for the Roman Catholic Bishop of Auckland for the time being to sell and dispose of all that piece or parcel of land, containing by admeasurement two roods thirty-three perches, more or less, situated in the Parish of Titi-rangi, County of Eden, and being Allotment 19 of the subdivision of Allotment 34, lying to the southward of the land conveyed to Henry James Fynes by deed registered as No 78082 in the Deeds Register Office at Auckland, either by public auction or private contract, and either for cash or on credit or partly for cash and partly on credit, with power to rescind or vary any contract of sale, and upon any sale or sales to execute and deliver a sufficient conveyance, transfer, or assurance of the said land:

Provided that the net proceeds arising from any sale or sales shall be held and applied subject to the same or the like trusts and purposes, as nearly as may be, as the land from the sale of which such proceeds shall arise.

- (2) No purchaser of any part of such land shall be bound or concerned to inquire or see to the application of the purchase-money payable by him.

14 Empowering Whangaroa County Council to purchase existing cattle-dip

- (1) The Whangaroa County Council may, with the prior consent of the Minister of Agriculture and upon such terms as he may determine, purchase any existing cattle-dip in its district, and the land on which any such dip is constructed, and may make by-laws regulating the use thereof, and prescribing such fees and charges for such use as it thinks fit.
- (2) For the purpose of purchasing any such dip the said Council is hereby empowered to raise a special loan under the provisions

of the Local Bodies Loans Act 1913, without taking the steps described in sections eight to twelve thereof.

15 Governor-General may authorize sale of land and buildings used for purposes of a boys' probation home at Auckland

Whereas the land hereinafter described was purchased as a site for an industrial school: And whereas the said land and the buildings thereon were used for some years for such a school and were subsequently utilized as a boys' probation home established under the Industrial Schools Act 1908: And whereas the said land and buildings are now unsuitable for such last-mentioned purpose, and it is deemed expedient to sell the same and to provide another boys' probation home: And whereas the Young Men's Christian Association at Auckland is desirous of purchasing a property for the purpose of a hostel for apprentices and young men living away from home: Be it therefore enacted as follows:—

- (1) The Governor-General in Council may cancel any existing reservation over the land hereinafter described, or over any portion thereof, and authorize the sale of the same and the buildings thereon to the Young Men's Christian Association at Auckland for such sum and on such terms and conditions as he thinks fit.
- (2) The proceeds of such sale or such part of such proceeds as may be found necessary may be applied in providing another site and buildings for a boys' probation home.
- (3) The land to which this section applies is particularly described as follows:—

All that parcel of land in the North Auckland Land District, being Allotments 1 to 7 of subdivision of Lots 12, 13, 14, and 15 of Allotments 38 and 39 of the Parish of Titirangi, containing six acres and thirty-five perches, more or less, and having frontages to Great North Road, Burch Street, and Asquith Avenue, Mount Albert, Auckland.

16 Empowering Takapuna Borough Council to construct a sewer through O’Neill’s Point Cemetery

Notwithstanding anything to the contrary in the Cemeteries Act 1908, or any other Act, the Takapuna Borough Council, with the consent of the Devonport Borough Council, as the trustees of the cemetery situate in part of Allotment 13 of Section 1 of the Parish of Takapuna, and known as O’Neill’s Point Cemetery, may construct, use, and maintain a sewer through such cemetery, subject to such conditions as the Devonport Borough Council shall impose and to the provisions of section sixty-seven of the Cemeteries Act 1908.

17 Vesting in Roman Catholic Bishop of Auckland church-site at Tuakau

Whereas, under authority given by the agent of the General Government, the Roman Catholic Church, in or about the year eighteen hundred and seventy-five, entered into occupation of the lands hereinafter described and has continued to occupy the said lands for church purposes: And whereas a church has been erected thereon, but no title to the site has been issued, and it is desirable to authorize the issue of a title thereto: Be it therefore enacted as follows:—

- (1) The Governor-General may, by Warrant under his hand, authorize the District Land Registrar for the Land Registration District of Auckland to issue to the Roman Catholic Bishop of Auckland and his successors for ever, in perpetual succession as a corporation sole, a certificate of title in respect of the land hereinafter described, to be held in trust for the purposes of the said Church, with power to sell and dispose of the said land by public auction or private contract, to raise money by way of mortgage on the security of the said land, to exchange the said land for any other land within the Roman Catholic Diocese of Auckland, and to demise and lease the said land for any period, not exceeding sixty-six years, upon such terms as the Bishop may determine and to accept the surrender of any lease granted by him.
- (2) The land to which the last preceding subsection relates is particularly described as follows:—

All that area in the North Auckland Land District, containing by admeasurement one acre three roods eleven perches, more

or less, being Allotment 95, Suburbs of Tuakau: as the same is delineated on the plan marked L. and S. 22/3230, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

Section 17 was amended, as from 6 November 1924, by section 4 Reserves and other Lands Disposal and Public Bodies Empowering Act 1924 (1924 No 55) by substituting the words "All that area in the North Auckland Land District, containing by admeasurement one acre three roods eleven perches, more or less, being Allotment 95, Suburbs of Tuakau: as the same is delineated on the plan marked L. and S. 22/3230, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red." for the words "All that area in the North Auckland Land District, containing by admeasurement one acre three roods eight perches, more or less, being Allotments 1 to 24 of Section 13, Township of Tuakau: as the same is delineated on the plan marked L and S 22/3230, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red."

Auckland Land District

18 Empowering Governor-General to vest certain land in Town of Hamilton East in Hamilton High School Board as a site for a boys' high school

Whereas by notice published in the *Gazette* of the twenty-third day of February, nineteen hundred and twenty-two, Lots 6, 7, and 8 of Section 419, Town of Hamilton East, in the Auckland Land District, containing forty-seven acres one rood two perches, were permanently set apart as a site for a boys' high school: And whereas it is deemed expedient to authorize the vesting of the said reserve in the Hamilton High School Board: Be it therefore enacted as follows:—

The Governor-General is hereby authorized and empowered to vest the said reserve in the Hamilton High School Board in trust as a site for a boys' high school.

19 Adding to Hamilton Domain closed portion of Clyde Street in Borough of Hamilton

Whereas by a Proclamation published in the *Gazette* of the twelfth day of January, nineteen hundred and eleven, the portion of Clyde Street in the Borough of Hamilton, hereinafter described, was closed under the provisions in that behalf of section eleven of the Land Act 1908: And whereas it is desired that the land comprised in such

closed street should be added to the Hamilton Domain: Be it therefore enacted as follows:—

- (1) The parcel of land hereinafter described, being the closed portion of street hereinbefore referred to, is hereby declared to be permanently reserved for recreation purposes, to be subject to the provisions of Part 2 of the Public Reserves and Domains Act 1908, and to form part of the Hamilton Domain.
- (2) The parcel of land to which this section relates is particularly described as follows:—

All that area in the Auckland Land District, containing two roods twelve and two-fifths perches, more or less, being Section 424, Town of Hamilton East: bounded towards the north-west by Lots 2 and 3 of Lot 4 of Section 419, Town of Hamilton East, 757 links; towards the east by a public road 100 links wide, 82.8 and 41.4 links; towards the south-east by sections 371, 370, and 369, Town of Hamilton East, 422 links; and towards the south by Clyde Street, 293.6 links: as the same is delineated on the plan marked L and S 1911/123, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered green.

20 Apportioning between Councils of Borough of Te Kuiti and of counties of Waitomo and Otorohanga capital cost of maternity and cottage hospital at Te Kuiti

Whereas by section thirty-seven of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1918, special provision was made for the establishment at Te Kuiti by the Waikato Hospital Board of a maternity and cottage hospital, and for apportioning the estimated capital cost of such hospital between the Council of the Borough of Te Kuiti and the Councils of the counties of Waitomo and Awakino: And whereas such hospital has not yet been established: And whereas by the Waikato and King-country Counties Act 1921-22, the said counties were abolished and the Councils thereof were dissolved, and the existing counties of Waitomo and Otorohanga, comprising respectively the greater portions of the areas formerly comprised in the counties of Waitomo and Awakino, were constituted: And whereas, having regard to the alterations aforesaid and for other reasons, it is desirable to make new provisions for the

apportionment of the estimated capital cost of the said hospital: Be it therefore enacted as follows:—

- (1) The Waikato Hospital Board is hereby empowered to apportion, in manner hereinafter provided, between the Council of the Borough of Te Kuiti, the Council of the County of Waitomo, and the Council of the County of Otorohanga the estimated capital cost, as approved by the Minister charged with the administration of the Hospitals and Charitable Institutions Act 1909, of the establishment in the Borough of Te Kuiti of a maternity and cottage hospital, after deducting from such estimated cost the Government subsidy hereinafter provided.
- (2) The Board may include in such estimated capital cost the price heretofore paid by it for the purchase of land for the purposes of the said hospital, but such capital cost shall not exceed the sum of thirty thousand dollars.
- (3) The estimated capital cost as aforesaid, after deducting the amount of the Government subsidy as aforesaid, shall be apportioned between the said local authorities as follows—namely, thirty-four and thirty-four hundredths per centum thereof to be paid by the Council of the Borough of Te Kuiti, fifty-two and twelve-hundredths per centum thereof to be paid by the Council of the County of Waitomo, and thirteen and fifty-four hundredths per centum thereof to be paid by the Council of the County of Otorohanga and the Town District of Otorohanga.
- (4) The amount so apportioned to any local authority shall constitute a debt payable to the Board by that local authority and recoverable in the same manner as if it were a contribution levied from that local authority under the provisions of the Hospitals and Charitable Institutions Act 1909:
Provided that the sum of three thousand nine hundred and twenty dollars, being moneys heretofore paid by the Te Kuiti Borough Council to the Board, shall be taken into account and deemed to have been paid as part of the contribution of the said Council under this section.
- (5) Any such local authority may, without a poll of the ratepayers, raise by way of special loan under the Local Bodies Loans Act 1913, the amount payable by it under the said apportionment, and shall pay to the Board the amount so raised; and the

Board shall forthwith expend the same, together with the Government subsidy hereinafter provided, and any moneys theretofore received in respect of any apportioned contribution or as subsidy thereon and not already so expended, in meeting the capital cost of the establishment of the said hospital.

- (6) If the Otorohanga County Council pledges a special rate as security for any special loan as aforesaid, such special rate may be made only over those lands within the county which immediately before the coming into operation of the Waikato and King-county Counties Act 1921-22, formed part of the County of Waitomo abolished by that Act.
- (7) A subsidy under the Hospitals and Charitable Institutions Act 1909, shall be payable out of the Consolidated Fund, without further appropriation than this Act to the Board on the amount of the contributions received by it from the local authorities under this section, in the same manner, and at the same rate, and subject to the same provisions as if such contributions had been levied from those local authorities under the provisions of that Act:
- Provided that subsidy shall be payable on the said sum of three thousand nine hundred and twenty dollars at the rate provided by section thirty-eight of that Act in respect of voluntary contributions, and any amount heretofore paid at such rate as subsidy on that sum shall be deemed to have been lawfully so paid.
- (8) Section thirty-seven of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1918, is hereby repealed.

The words “thirty thousand dollars”, and “three thousand nine hundred and twenty dollars” were substituted, as from 10 July 1967, for the words “fifteen thousand pounds”, and “one thousand nine hundred and sixty pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

21 Cancelling reservation over and vesting of portion of Whaingaroa Domain, and authorizing disposal thereof

- (1) The reservation for recreation and thermal-springs purposes over that portion of the Whaingaroa Domain hereinafter described, the subjection of the said land to the provisions of Part 2 of the Public Reserves and Domains Act 1908, and the vesting of the control of the said land in the Whaingaroa Domain Board are hereby cancelled, and the said land is hereby de-

clared to be Crown land available for disposal under the Land Act 1948.

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

All that area in the Auckland Land District, containing seven acres and twenty-nine perches, more or less, being part of Section 86A, Block V, Newcastle Survey District, commencing at a point 50.9 links, and bearing $91^{\circ} 40'$, from road-peg No XCIVA shown on plan 22518, deposited in the office of the Chief Surveyor at Auckland: bounded on the west, north, and north-east by a public road, 206.9, 308.4, 168.9, 202.5, 312.4, 293.6, 284, and 392.3 links respectively; towards the south-east and south-west by other part of Section 86A, 331.4, 131.7, and 742.8 links respectively, to the point of commencement.

Also all that area in the Auckland Land District, containing one acre three roods seven perches, more or less, being parts of Sections 86 and 86A, Block V, Newcastle Survey District, commencing at a peg, No XCIII, on side of a road shown on plan 22518, deposited in the office of the Chief Surveyor at Auckland: bounded towards the south-east by a line bearing $221^{\circ} 36'$, 125 links; towards the west and north generally by the Waingaro Stream; again towards the south-east by a line bearing 195° , 99 links, to a peg, No XCII, on side of aforesaid road; towards the south and again the south-east by the said road, 61.8, 277.8, and 108.8 links respectively, to the place of commencement.

Be all the aforesaid bearings and linkages more or less: as the same is delineated on the plan marked L and S 1/157, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

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).

22 Limiting application of Mining Act 1908, to certain land at Kauaeranga

Whereas Edwin John Renshaw, ironmonger, and Mary Ellen Renshaw, spinster, both of Thames, are seised of an estate in fee-simple

in two third parts or shares of and in the whole of the land being part of Karaka No 1 (North) Block, situated at Kauaeranga, in the District of Hauraki, and being all the land comprised in certificate of title, Register-book, Volume 76, folio 51, in the Land Registry Office at Auckland: And whereas Cyrus Joseph Brown, of Thames, ironmonger, is seised of an estate in fee-simple in one undivided third part or share of and in the whole of the land, being part of Karaka No 1 (North) Block, situated at Kauaeranga, in the District of Hauraki, and being all the land comprised in certificate of title, Register-book, Volume 31, folio 75, in the Land Registry Office at Auckland: And whereas the said land is by virtue of the Auckland Goldfields Proclamations Validation Act 1869, subject to the Mining Act 1908: And whereas it is desirable to limit the application of the said Mining Act 1908, to the said land: Be it therefore enacted as follows:—

- (1) Notwithstanding anything in the said Auckland Goldfields Proclamations Validation Act 1869, nothing in the Mining Act 1908, shall so operate as to empower a Warden to grant residence and building site licenses under that Act in respect of the said land.
- (2) All mining rights heretofore granted by the Warden and still in existence over any part of the said land, and all rights, easements, or encumbrances appurtenant thereto, shall remain in full force and effect notwithstanding the limitation as aforesaid of the application of the Mining Act 1908, to the said land.
- (3) The District Land Registrar may make such endorsements on the said certificates of title as may be necessary to give full effect to the provisions of this section.

**23 Revoking forfeiture and reviving
occupation-with-right-of-purchase license over Section 3,
Block III, Wharepapa Survey District**

Whereas the Land Board of the Auckland Land District, by resolution dated the thirty-first day of May, nineteen hundred and twenty-three, forfeited the interest of Elizabeth Gibbs in an occupation license with right of purchase registered in Volume 298, folio 129, Auckland Land Registry Office, over Section 3, Block III, Wharepapa Survey District, in the said land district, for failure to comply with the conditions of the said license, and notice of such forfeiture was duly published in the *Gazette* of the fourteenth day of June, nineteen hundred and

twenty-three: And whereas it is deemed expedient to revoke the said forfeiture, and to revive the said license: Be it therefore enacted as follows:—

- (1) The said notice of forfeiture is hereby revoked.
- (2) The said occupation license with right of purchase is hereby revived, and shall be deemed to have continued to operate as if the said license had not been forfeited.
- (3) The District Land Registrar for the Land Registration District of Auckland is hereby empowered and directed to make such entries in the Register as may be necessary to give effect to the provisions of this section.

24 Applying section 2 of Land Laws Amendment Act 1922, to Section 1, Block IV, Tuhingamata East Survey District

- (1) The provisions of section two of the Land Laws Amendment Act 1922, may, notwithstanding any restriction contained in that section, be applied to the land hereinafter described.
- (2) The land to which this section relates is particularly described as follows:—

All that area in the Auckland Land District, containing two hundred acres, more or less, being Section 1, Block IV, Tuhingamata East Survey District: bounded, commencing at peg VIII, on the south-east boundary of Section 1, Block II, Tuhingamata East Survey District, bearing $215^{\circ} 48' 40''$, and distant 13695.3 links, from the north-east corner of last said section, as shown on plan 21172, deposited in the District Survey Office at Auckland; towards the north-east, south-east, and south-west by Section 2, Block IV, Tuhingamata East Survey District, 3000, 6666.6, and 3000 links respectively; and towards the north-west by Section 1, Block II, Tuhingamata East Survey District, 6666.6 links, to the point of commencement: be all the aforesaid linkages more or less: as the same is delineated on the plan marked L and S 12/15, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

25 Including in Tauranga Domain stopped portions of Brown and McLean Streets, Borough of Tauranga

Whereas the hereinafter described portions of Brown Street and McLean Street abutting on the Tauranga Domain have been duly stopped by the Tauranga Borough Council under the provisions in that behalf of the Municipal Corporations Act 1920: And whereas it is desired by the said Council that the land comprised in the portions of the said streets closed as aforesaid should be added to the Tauranga Domain: Be it therefore enacted as follows:—

- (1) The parcels of land hereinafter described, being the stopped portions of Brown Street and McLean Street hereinbefore referred to, are hereby declared to be subject to the provisions of Part 2 of the Public Reserves and Domains Act 1908, to form part of the Tauranga Domain, and to be subject to the control of the Tauranga Domain Board.
- (2) The parcels of land to which this section relates are particularly described as follows:—

All that area in the Auckland Land District, containing one acre one rood thirty-two perches, more or less, being portion of Brown Street (stopped) in the Borough of Tauranga: bounded towards the north-west by Section 394 of Section 1, Town of Tauranga, 940 links; towards the north-east by part Brown Street, 156 links; towards the south-east by Section 393 of Section 1 aforesaid, 1000 links; and towards the west by the Waikareao Estuary.

Also all that area in the Auckland Land District, containing one acre and sixteen perches, more or less, being portion of McLean Street (stopped) in the Borough of Tauranga: bounded towards the north by Section 393 of Section 1, Town of Tauranga, 1114 links; towards the north-east by Cameron Road, 100 links; towards the south by Section 273 of Section 1 aforesaid, 1098 links; and towards the west by the Waikareao Estuary.

Be all the aforesaid linkages more or less: as the same are delineated on the plan marked L and S 1/388, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

26 Cancelling reservation as a Maori-school site over certain land in Block IX, Galatea Survey District, and setting the same aside for benefit of certain Maori

Whereas the land hereinafter described was, pursuant to the provisions of the Native School Sites Act 1880, vested in the Crown as a site for a Maori school: And whereas the said land is not now required for the said purpose, and it is desirable that it should revert to the original Maori owners or their successors: Be it therefore enacted as follows:—

- (1) The reservation as a site for a Maori school over the land hereinafter described is hereby cancelled, and the said land is hereby set aside for the use and benefit of the original Maori owners thereof or their successors, and the provisions of section eleven of the Native Land Amendment Act 1912, as amended by section thirteen of the Native Land Amendment Act 1914, shall apply to the said land, and the Maori Land Court shall have jurisdiction accordingly.
- (2) The land to which this section relates is particularly described as follows:—

All the area in the Auckland Land District, containing by ad-measurement five acres, more or less, in Block IX, Galatea Survey District: bounded towards the north-east by the Rotorua-Galatea Road, 552.1 links; towards the east by the Te Whaiti-Galatea Road, 768.5 links; and towards the south-west and north-west by the Kioronui Maori Reserve, 1034.8 links and 682 links: be all the above linkages more or less: as the same is delineated upon the plan marked SG 29316, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged with 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).

The words “Maori Land Court” were substituted, as from 27 November 1947, for the words “Native Land Court” pursuant to section 4(2) Maori Purposes Act 1947.

27 Authorizing Governor-General to define boundaries of ridings of Waitomo County, and validating certain elections of Councillors

Whereas by a Proclamation under the Counties Act 1920, dated the sixteenth day of May, nineteen hundred and twenty-two, and published in the *Gazette* of the eighteenth day of the same month, the County of Waitomo was divided into ridings: And whereas the boundaries of such ridings as defined in the Schedule to that Proclamation were different from the boundaries intended by the Waitomo County Council: And whereas, the Council being unaware of that difference, the general election of members of the said Council, required in consequence of such division into ridings, and the next ensuing general election of Councillors were held in respect of such ridings with boundaries as originally intended by the Council and not as fixed by the Proclamation aforesaid: And whereas it is desirable that provision be made to enable the boundaries of the said ridings to be adjusted to bring them into conformity with those intended by the said Council, and to validate the elections of Councillors held as aforesaid: Be it therefore enacted as follows:—

- (1) The Governor-General shall, by Proclamation, define the boundaries of the said ridings in such manner as will bring them into conformity with the boundaries intended by the said Council, and the boundaries as so defined shall be deemed to have been the boundaries of the said ridings as on and from the taking-effect of the said Proclamation of the sixteenth day of May, nineteen hundred and twenty-two, instead of the boundaries set forth in the Schedule to that Proclamation.
- (2) All members of the Waitomo County Council elected since the taking-effect of the said Proclamation of the sixteenth day of May, nineteen hundred and twenty-two, shall for all purposes be deemed to have been duly elected, and those in office on the passing of this Act shall remain in office until the next general election of Councillors pursuant to section sixty-five of the Counties Act 1920.

**28 Reviving a lease under Part 5 of the Land Act 1908, of
Section 40, Selwyn Settlement, in Block XIV, Patetere
North Survey District**

Whereas Section 40, Selwyn Settlement (a small grazing-run in Block XIV, Patetere North Survey District), in the Auckland Land District, containing an area of four thousand four hundred and thirty acres, was selected on the thirty-first day of October, nineteen hundred and seven, on lease (hereinafter termed the original lease) for a term of twenty-one years, under Part 5 of the Land Act 1908: And whereas pursuant to an application made by the owners of the said lease to purchase portion of the said run under section thirty-one of the Land Laws Amendment Act 1913, as amended by section twenty-one of the Land Laws Amendment Act 1914, and to payment by the said lessees on the twenty-fourth day of August, nineteen hundred and twenty-one, of the required deposit of five per centum of the purchase-money, a license to occupy on deferred payments the portion of the run so purchased and a new lease under Part 5 of the Land Act 1908, of the remaining portion of the said run have been granted to the said lessees: And whereas for various reasons it is desired to revive the original lease which was determined on the twenty-fourth day of August, nineteen hundred and twenty-one, and to permit all moneys paid in respect of the aforesaid deferred-payment license or of the new lease for residue area to be applied towards the payment of any rent due or that may become due under the original lease as so revived, but there is no power to do so: Be it therefore enacted as follows:—

- (1) The deferred-payment license granted as aforesaid over portion of the said run and the new lease over the residue area of the said run granted as aforesaid are hereby declared to be cancelled, and the original lease of the said run is hereby revived as from the date of determination thereof, subject to all mortgages and encumbrances (if any) affecting the same.
- (2) Any moneys paid by the said lessees as purchase-money or interest in respect of the aforesaid deferred-payment license, or as rent in respect of the new lease hereinbefore mentioned, shall be applied towards the payment of any rent due or that may become due under the original lease as hereby revived.
- (3) The District Land Registrar for the Land Registration District of Auckland, on being requested to do so by the Commissioner

of Crown Lands for the Auckland Land District, shall make such entries in the Register as may be necessary to give effect to the provisions of this section.

29 Authorizing acquisition of certain lands at Piopio for saleyards in excess of areas prescribed by Part 13 of the Land Act 1908, and section 74 of the Native Land Amendment Act 1913

Whereas it is desirable in the public interest that Abraham and Williams (Limited), Dalgety and Company (Limited), the Farmers' Co-operative Auctioneering Company (Limited), and the New Zealand Loan and Mercantile Agency Company (Limited) should be permitted to acquire, for the purpose of saleyards, the lands hereinafter described: And whereas the said companies or some of them are precluded by law from acquiring such lands: Be it therefore enacted as follows:—

- (1) Notwithstanding any statutory enactment or provision to the contrary, the said companies may purchase, acquire, and hold the said lands, and the District Land Registrar is hereby empowered and directed to register a transfer or transfers of the said lands to the said companies, or to any one or more of them, without requiring any declaration or declarations which but for the provisions of this section would have been required.
- (2) The lands to which this section relates are—
 - (a) All that area of land known as Kinohaku East No 4B Section 3A, containing three acres one rood, more or less, and being all the land comprised in certificate of title, Volume 219, folio 134, in the Register-book of the District Land Registrar at Auckland.
 - (b) All that area of land known as Kinohaku East No 4B Section 3B No 2A, containing eight acres and nineteen and three-fifths perches, more or less, and being all the land comprised in certificate of title, Volume 327, folio 248, in the Register-book of the District Land Registrar at Auckland.

30 Empowering Taupiri Coal-mines (Limited) to acquire certain land

Whereas it is desirable that the Taupiri Coal-mines (Limited) should be permitted to acquire the land and the mines of coal and other minerals hereinafter described: And whereas the said company is precluded by law from acquiring such land and mines of coal and other minerals: Be it therefore enacted as follows:—

- (1) Nothing in Part 13 of the Land Act 1908, or in section seventy-four of the Native Land Amendment Act 1913, shall apply to the acquisition by the Taupiri Coal-mines (Limited) of the land or of the mines of coal and other minerals hereinafter described.
- (2) The land to which this section relates is—
 - (a) All those parcels of land, containing together forty-six acres three roods twenty-two perches, more or less, comprising portions of that part of Allotment 78 of the Parish of Pepepe called Lot 78B No 2, Parish of Pepepe, and being the whole of the land in certificate of title, Volume 296, folio 260, of the Register-book at Auckland.
 - (b) All that area of land, containing three roods ten and one-fifth perches, more or less, comprising portion of Section 78A, Parish of Pepepe, and being part of the land in certificate of title, Volume 338, folio 168, of the Register-book at Auckland.
 - (c) All that area of land in the Provincial District of Auckland, containing one hundred and twenty-eight acres two roods, more or less, and being part of Allotment 79, Parish of Pepepe, as more particularly described in conveyance registered in the Deeds Register Office at Auckland under No 204278.
- (3) The mines of coal and other minerals to which this section relates are all those the mines of coal and all other minerals whatsoever in and under all that area of land situated in the Provincial District of Auckland, being those undivided interests in Lot 167 in the Parish of Pepepe, representing approximately forty-seven acres, to which parts only of the said Lot 167 Part 13 of the Land Act 1908, and section seventy-four of the Native Land Amendment Act 1913, apply.

31 Authorizing sale by Thames County Council to Thames Borough Council of Thames Water-race, and validating a certain agreement between those Councils with respect to that race

Whereas the Thames Water-race as constructed by the Government, and, except the stream called Waikiekie, all lands, streams, buildings, and works belonging thereto or connected therewith, and all rights and privileges appurtenant or belonging thereto, were, under and by virtue of the Thames Water-supply Transfer Act 1880, absolutely vested in the Thames County Council for the same estate and interest and upon the same terms and conditions and subject to the same liabilities as the same were formerly held on the part of His Majesty: And whereas by deed of agreement bearing date the nineteenth day of October, nineteen hundred and twenty-two, and fully set forth in Schedule 2 of this Act, the Corporation of the County of Thames agreed to sell and transfer, and the Corporation of the Borough of Thames agreed to buy and accept, the said water-race and all and singular the rights and privileges appurtenant or belonging thereto at the price and upon the terms, conditions, and stipulations in such deed of agreement set forth: Be it therefore enacted as follows:—

- (1) The Thames County Council is hereby authorized to sell and transfer, and the Thames Borough Council is hereby authorized to buy and accept, the said water-race, and thereupon all and singular the rights and privileges appurtenant or in any manner appertaining thereto, and such water-race and such rights and privileges appurtenant or appertaining thereto, and all rights, privileges, and powers in respect of such water-race acquired by the Thames County Council pursuant to any lawful authority, shall absolutely vest in the Corporation of the Borough of Thames, subject to subsection six hereof.
- (2) The said deed of agreement is hereby validated, and the Thames County Council and the Thames Borough Council are hereby authorized to carry out, perform, fulfil, and keep each and all and every of the terms and conditions in such deed of agreement specifically set forth, anything in any Act to the contrary notwithstanding.
- (3) In order to fulfil its obligations under the said deed of agreement and to repay the cost of maintaining such race since the

date of the said agreement, and in order to repair the said water-race and all or any of its appurtenances and to restore the same to good order and condition and to extend, enlarge, and supplement its existing water-works and water-supply, the Thames Borough Council is hereby authorized, without taking any poll of ratepayers, to borrow, at such rate of interest and for such period as may be authorized by the Minister of Finance, such sum or sums of money not exceeding in the aggregate forty thousand dollars by way of special loan under the Local Bodies Loans Act 1913.

- (4) The power to borrow money hereby conferred upon the Thames Borough Council shall not be in any way limited or affected by the provisions of this section or by the exercise of any of the powers herein conferred.
- (5) It shall be competent for the Thames Borough Council, out of any moneys so borrowed, to refund to any of its existing accounts all or any moneys expended by such Borough Council in respect of such water-race, or the purchase, repair, maintenance, or restoration thereof, since the nineteenth day of October, nineteen hundred and twenty-two.
- (6)

Subsection 6 was repealed, as from 7 November 1934, by section 39 Mining Amendment Act 1934 (1934 No 26).

The words “forty thousand dollars” were substituted, as from 10 July 1967, for the words “twenty thousand pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

32 Making provision as to repayment of certain loans authorized to be raised by the Thames Borough Council

Whereas on the thirtieth day of November, nineteen hundred and twenty, the Thames Borough Council caused a poll of the ratepayers of the Borough of Thames to be taken on a proposal to borrow by way of special loan under the Local Bodies Loans Act 1913, a sum of one hundred and ninety-six thousand dollars for sewerage purposes, and such proposal was declared to be duly carried: And whereas on the thirtieth day of November, nineteen hundred and twenty, the Thames Borough Council caused a poll of the ratepayers of the Borough of Thames to be also taken on a proposal to borrow by way of special loan

under the Local Bodies Loans Act 1913, a sum of one hundred and forty thousand seven hundred dollars for street-improvements and other purposes, and such proposal was declared to be duly carried: And whereas doubts have arisen as to the meaning of the notice setting forth the provision for the repayment of both the aforesaid loans published as required by section nine of the Local Bodies Loans Act 1913, and it is not clear whether arrangements proposed to be entered into by the said Council for the raising of portion of the said loans for a fixed term may lawfully be entered into: And whereas it is desirable to empower the said Council to enter into such arrangements: Be it therefore enacted as follows:—

The Thames Borough Council is hereby authorized and shall be deemed to have been so authorized by the determination of the ratepayers at the polls aforesaid to raise the whole or any portion of the loans authorized to be raised by such polls on the terms as to repayment either that any sum so borrowed shall be repaid by annual instalments, or that any sum so borrowed shall be repaid at the end of a fixed term of not less than thirty-six years, provision being made by the said Council for sinking fund or sinking funds as set out in the said loan proposals.

The words “one hundred and ninety-six thousand dollars”, and “one hundred and forty thousand seven hundred dollars” were substituted, as from 10 July 1967, for the words “ninety-eight thousand pounds”, and “seventy thousand three hundred and fifty pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

33 Cancellling reservation as site for municipal buildings over Lot 46, Town of Hamilton West, and vesting same in Hamilton Borough Corporation as endowment for municipal buildings

Whereas by a notice published in the *Gazette* of the fourteenth day of August, eighteen hundred and seventy-nine, Lot 46 of the Town of Hamilton West, containing three roods twenty-one perches, was temporarily reserved as a site for municipal buildings: And whereas by Order in Council published in the *Gazette* of the sixteenth day of October, eighteen hundred and seventy-nine, the said piece of land was permanently reserved for the same purpose: And whereas it is desirable that the said piece of land should be vested in the Corpor-

ation of the Borough of Hamilton as an endowment for the purposes hereinafter described: Be it therefore enacted as follows:—

- (1) The reservation of a site for municipal buildings declared by the said notice and Order in Council in connection with the said piece of land is hereby cancelled.
- (2) The said piece of land is hereby declared to be an endowment for the purposes of the erection, maintenance, and improvement of municipal buildings either on the said land or on other lands in the borough, and to be vested in the Corporation of the Borough of Hamilton in trust for such purposes.

34 Empowering Coromandel County Council to purchase existing cattle-dips

- (1) The Coromandel County Council may, with the prior consent of the Minister of Agriculture, and upon such terms as he may determine, purchase any existing cattle-dip in its district and the land on which any such dip is constructed, and may make by-laws regulating the use thereof, and prescribing such fees and charges for such use as it thinks fit.
- (2) For the purpose of purchasing any such dip the said Council is hereby empowered to raise a special loan under the provisions of the Local Bodies Loans Act 1913, without taking the steps described in sections eight to twelve thereof.

35 Vesting part of Paeroa Domain in Paeroa Borough Corporation for municipal purposes

Whereas by notice published in the *Gazette* of the twenty-second day of March, nineteen hundred and six, the land hereinafter described was reserved for recreation purposes, and now forms part of the Paeroa Domain, the control of which is vested in the Paeroa Domain Board: And whereas the Paeroa Borough Council desires to acquire the said area as a site for the erection of a fire-brigade station and conveniences for sports clubs using the Paeroa Domain: Be it therefore enacted as follows:—

- (1) The reservation for recreation purposes over that portion of the Paeroa Domain hereinafter described and the vesting of the control of the said portion of Domain in the Paeroa Domain Board are hereby cancelled, and the said land is hereby

vested in the Corporation of the Borough of Paeroa in trust for municipal purposes.

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

All that area in the Auckland Land District, containing one rood twelve perches, more or less, being part of the Paeroa Domain, situate in the Borough of Paeroa: bounded towards the north by Te Arero-o-hutata No 2, 391.6 links; towards the south-east by Paeroa Domain, 310.1 links; towards the south generally by the junction of Arthur and Hall Streets, 106, 55, 94, and 57 links; towards the west by Section 1, Block X, Paeroa Borough, 68.7 links: be all the aforesaid linkages more or less: as the same is delineated on the plan marked L and S 1/17, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

36 Authorizing Governor-General to cancel reservation over an endowment for Maori schools, and to sell the same to Tauranga Borough Council for recreation purposes

Whereas by the Tauranga Educational Endowment Reserves Act 1896, the lands hereinafter described are vested in the Public Trustee for an estate in fee-simple as an endowment for Maori schools to be administered by him in the manner provided by that Act: And whereas the Tauranga Borough Council desires to acquire the said lands for recreation purposes: Be it therefore enacted as follows:—

- (1) The Governor-General, on the Minister of Education certifying to him that the lands hereinafter described are no longer required as an endowment as aforesaid, and on payment by the said Council of such amount as may be fixed by the Minister of Education, may cancel the reservation for the purposes aforesaid over the whole or portion of the said lands and the vesting of the same in the Public Trustee, and vest the same in the Corporation of the Borough of Tauranga in trust for the purposes of a recreation-ground, subject to such conditions as he may think fit.
- (2) The price fixed by the Minister for the said land shall be paid by the Tauranga Borough Council to the Maori Trustee, to be held by him in trust for the benefit of Maori schools. Such moneys shall form part of the Common Fund of the Maori

Trust Office, and the interest thereon shall be paid half-yearly to the Director-General of Education, or to such other person as the Minister of Education may in writing direct, for the purposes of Maori schools.

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

All that area in the Auckland Land District, being Allotments 604, 605, 606, 607, 608, 609, 610, 611, 612, and 613 in the Town of Tauranga, containing an area of ten acres, more or less.

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).

37 Authorizing Te Puke United Church Mission Board to sell certain land

Whereas by declaration of trust dated the fifteenth day of August, nineteen hundred, made by Samuel Crawford and four others, that piece of land, containing one rood thirty-three perches, being Lot 56 of Section 21, Block II, Maketu Survey District, was vested in the Te Puke United Church Mission Board (hereinafter called the said Board), incorporated under the Religious, Charitable, and Educational Trust Boards Incorporation Act 1884, for the use and benefit of the members of the Anglican, Presbyterian, and Wesleyan Methodist Churches at Tauranga: And whereas the members of the said churches at Tauranga and Te Puke have authorized the said Board to dispose of the said land by sale, but there is no power of sale in the said declaration of trust or by law, and it is desirable that the powers of the said Board should be extended: Be it therefore enacted as follows:—

The said Board is hereby authorized and empowered to sell the said land at such price and upon such terms as to the said Board shall seem meet, and to divide the proceeds from such sale equally between the Anglican, Presbyterian, and Methodist Churches at Te Puke, and for such purpose to execute transfers or other assurances of the said land.

**38 Section 127 of Reserves and other Lands Disposal and
Public Bodies Empowering Act 1913, amended**

Section one hundred twenty-seven of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1913, is hereby amended by omitting all words after the words “an area of twelve acres three roods twenty-four perches.”

Gisborne Land District.

**39 Authorizing Waiapu County Council to pay out of its
General Account interest and other charges in respect of
Rotokautuku Bridge Loan No 2**

Whereas a special loan of ten thousand dollars, under the Local Bodies Loans Act 1913, was raised by the Waiapu County Council for the purpose of meeting the cost of erecting a bridge across the Waiapu River at Rotokautuku, which loan was called the Rotokautuku Bridge Loan No 2, and was secured by a rate over the special-rating district for that purpose created: And whereas the erection of the said bridge at Rotokautuku was undertaken by the Crown, subject to the payment of ten thousand dollars by the Waiapu County Council, the said bridge being now in the course of construction: And whereas the sum of ten thousand dollars to be so paid by the Waiapu County Council to the Crown is the sum of money represented by the said Rotokautuku Bridge Loan No 2: And whereas it is just and equitable that the Waiapu County Council should pay the interest and other annual charges on the said Rotokautuku Bridge Loan No 2 out of the General Account of the said Council: And whereas it is the desire of the said Waiapu County Council that the said interest and other annual charges should be so paid: Be it therefore enacted as follows:—

- (1) Notwithstanding anything to the contrary in the Local Bodies Loans Act 1913, or any other Act, the Waiapu County Council is hereby empowered to pay out of its General Account as from the first day of September, nineteen hundred and nineteen, the interest and other annual charges payable in respect of the Rotokautuku Bridge Loan No 2 until the said loan is extinguished.
- (2) So long as payment is made as aforesaid out of the General Account of the said County Council it shall not be necessary

to collect any portion of the special rate made as security for the said loan.

The words “ten thousand dollars” were substituted, as from 10 July 1967, for the words “five thousand pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

40 Setting apart as permanent State forest certain land in Gisborne Land District

Whereas by a Proclamation published in the *Gazette* of the twenty-second day of February, nineteen hundred, a parcel of land stated in the said Proclamation to contain one thousand two hundred and fifty acres was set apart as and for a State forest: And whereas the boundaries of the Crown land to the north and north-east of the said land were not defined at the date of the said Proclamation, but have since been defined by survey, and the actual area of the said State forest computed within the defined boundaries is found to be one thousand eight hundred and sixty acres two roods approximately: And whereas it is desirable that the said area of one thousand eight hundred and sixty acres two roods, together with two adjoining areas of Crown land, containing five hundred and fifty-seven acres two roods, should be so set apart and described as hereinafter appears: Be it therefore enacted as follows:—

- (1) The aforesaid Proclamation is hereby revoked, and the land hereinafter described is hereby set apart as and for a permanent State forest.
- (2) The land hereby set apart as a permanent State forest is particularly described as follows:—

All that area in the Gisborne Land District, containing by admeasurement two thousand four hundred and twenty-one acres, bounded as follows: commencing at the most northerly point, being the intersection of the south-eastern boundary of Section 1, Block I, Ngatapa Survey District, and the south-western boundary of Section 3, Block I, of the aforesaid survey district; thence in an easterly direction generally to the Koranga Road, being bounded on the north by Provisional State Forest No 30 as described in *Gazette*, 1922, page 409; thence by a public road and Section 1, Block II, of the aforesaid survey district; thence generally in a south-westerly and north-westerly direction by the Koranga Road to its intersec-

tion with the north-western boundary of Section 6, Block VI, Ngatapa Survey District; thence running in a south-westerly direction by the last-mentioned boundary for a distance of 11875 links; thence north-westerly for a distance of 6018.1 links to the Mangatapere Trig; thence in a northerly direction generally for a distance of 9932.7 links by the eastern boundary of the Tahora Block to the Koranga Road; thence by that road and in a north-easterly direction generally for a distance of 7172.8 links by the eastern boundary of Section 1 aforesaid to the point of commencement: save and excepting roads and river-bank reserves traversing the said area: as the same is more particularly delineated on plan marked X/102/1, deposited in the Head Office of the Department of Lands and Survey, at Wellington, and thereon bordered pink.

**41 Authorizing acceptance of surrender of part of land
comprised in lease of Section 1, Block V, Urutawa Survey
District**

Whereas Section 1, Block V, Urutawa Survey District, Opotiki County, in the Gisborne Land District, containing one thousand nine hundred and three acres, being part of the national endowment, is held by Alexander Archibald Campbell, of Opotiki, sheep-farmer, under renewable lease dated the twenty-first day of November, nineteen hundred and nineteen, granted under Part 3 of the Land Act 1908, and registered in Volume 301, folio 114, Auckland Land Registry, as No 1430: And whereas, by reason of the hilly and broken nature of part of the section and the liability of the surface to slip, it is desirable to withdraw such part from the lease and make provision for the preservation of the bush on the steep slopes and tops of the hills included therein: Be it therefore enacted as follows:—

- (1) Notwithstanding anything to the contrary in the Land Act 1908, the Minister of Lands, on the recommendation of the Gisborne Land Board, may authorize the said Land Board to accept a surrender of that portion of the above section included in the aforesaid lease, containing one thousand five hundred and fifty-seven acres, situated on the west side of the road along the Tokanui Stream.

- (2) On the acceptance of a surrender as aforesaid the lessee shall continue to hold the remainder of the land comprised in the aforesaid lease on the same terms and conditions and subject to the same mortgages and encumbrances as those upon which he held the land comprised in the original lease, save that the rent payable under the lease shall be abated by such amount as the Minister of Lands may approve.
- (3) The District Land Registrar for the Land Registration District of Auckland, on being requested so to do by the Commissioner of Crown Lands for the Auckland Land District, shall make such entries in the Register as may be necessary to give effect to the provisions of this section.

42 Authorizing payment of compensation for improvements by late lessee of Primary-education Reserves 47 and 48, Town of Gisborne

Whereas on the tenth day of August, eighteen hundred and ninety-nine, the School Commissioners for the Auckland Provincial District granted to John Alfred Harding, of Gisborne, hotelkeeper, a lease of Sections 47 and 48, Town of Gisborne, a primary-education reserve, containing two roods, for a term of twenty-one years from the first day of July, eighteen hundred and ninety-nine, with the right of renewal for one further term of twenty-one years, subject to the lessee paying to the lessors on such renewal the sum of six hundred dollars, the value of buildings standing on premises on the date last mentioned: And whereas the said lease was subject to the following conditions—

(a) That in the event of the lessee declining to accept a renewal of his lease as aforesaid the lessors might, if they thought fit, pay to the lessee the value of the buildings and improvements on the said reserve as fixed by appraisalment in the manner prescribed by the said lease; (b) that if the lessors did not pay to the lessee on the expiration of the original lease such valuation for buildings and improvements a new lease of the said reserve for a further term of twenty-one years should be put up by the lessors to public auction or public tender, subject to the value of the said buildings and improvements being paid in cash by the purchaser thereof for the benefit of the original lessee; (c)

that in the event of there being no bid or tender of or over the upset rent on such re-offering, the said land, together with all buildings and improvements thereon, should absolutely revert to the lessors free from any payment or compensation whatever: And whereas Frederick Hall, of Gisborne, painter, the successor in title of the aforesaid John Alfred Harding, having declined to accept a renewal of the aforesaid lease when offered to him, and no bid having been received for a new lease when the same was offered for auction on the nineteenth day of October, nineteen hundred and twenty, the said land, together with the buildings and improvements thereon, has absolutely reverted to His Majesty in trust for primary-education purposes, free from any liability for the payment of compensation in respect of such reversion: And whereas it is deemed equitable that the said Frederick Hall should receive compensation for the improvements existing on the said reserve to the extent and in the manner as hereinafter provided: Be it therefore enacted as follows:—

It shall be lawful to pay to the said Frederick Hall, or to his heirs or assigns, as and when received, all moneys (whether consisting of principal or interest) that may be paid by the purchaser of a new lease of the aforesaid reserve in respect of the improvements existing thereon at the time of such purchase after there has been deducted from such moneys, for payment into the Primary Education Endowment Deposits Account, the sum of six hundred dollars, together with interest thereon at the rate of five per centum per annum until so deducted, calculated from the first day of July, nineteen hundred and twenty, and also such sums as the Minister of Education may direct as being sufficient to cover the cost of collection and disbursement of such moneys.

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

Hawke’s Bay Land District.

43 Exchanging portion of rabbit-proof fence reserve for portion of Mangatoitoi Domain

Whereas by a notice published in the *Gazette* of the tenth day of November, eighteen hundred and ninety-two, Subdivision 2 of Section 5, Block VIII, Weber Survey District, containing ten acres, was permanently reserved for the purposes of a rabbit-proof fence: And whereas by notice published in the *Gazette* of the fourth day of January, nineteen hundred, Subdivision 5 of Section 5, Block VIII, Weber Survey District, containing forty-six acres and three perches, was permanently reserved for recreation purposes: And whereas by an Order in Council published in the *Gazette* of the twenty-second day of October, nineteen hundred and eight, the said recreation reserve was declared to be subject to the provisions of Part 2 of the Public Reserves and Domains Act 1908, as the Mangatoitoi Domain: And whereas it is desired that the part of the said rabbit-proof fence reserve described in subsection three hereof should be exchanged for that part of the said Mangatoitoi Domain described in subsection four hereof: Be it therefore enacted as follows:—

- (1) The reservation for the purposes of a rabbit-proof fence over the land described in subsection three hereof is hereby cancelled, and the said land is hereby declared to be reserved for recreation purposes, to be subject to the provisions of Part 2 of the Public Reserves and Domains Act 1908, and to be part of the Mangatoitoi Domain.
- (2) The reservation for the purposes of recreation and domain over that part of the Mangatoitoi Domain described in subsection four hereof is hereby cancelled, and the said land is hereby declared to be permanently reserved for the purpose of a rabbit-proof fence.
- (3) The land to which subsection one hereof relates is particularly described as follows:—

All that area of land in the Hawke’s Bay Land District, containing by admeasurement three acres two roods, more or less, and being part of Subdivision 2 of Section 5, Block VIII, Weber

Survey District, commencing at a point 1.6 links in an easterly direction from the south-eastern corner of Lot 1, Subdivision 1, of Section 5: bounded towards the north by school reserve, Subdivision 4 of Section 5, a distance of 518.4 links; towards the east by Subdivision 5 of Section 5, a distance of 675 links; towards the south by other part of Subdivision 5 of Section 5, a distance of 518.4 links; and towards the west by other part of Subdivision 2 of Section 5, a distance of 675.3 links: be all the aforesaid distances more or less: as the same is delineated on the plan marked 1/140, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured blue.

- (4) The land to which subsection two hereof relates is particularly described as follows:—

All that area of land in the Hawke's Bay Land District, containing by admeasurement three acres two roods, more or less, and being part of Subdivision 5 of Section 5, Block VIII, Weber Survey District, commencing at a point on the southern boundary of Subdivision 2 of Section 5, a distance of 908.6 links from Esdaile Road: bounded towards the north by Subdivision 2 of Section 5, a distance of 550 links; towards the east by other part of Subdivision 5 of Section 5, a distance of 846.8 links; towards the south by a rabbit-proof fence reserve, a distance of 447.2 links; and towards the west by Subdivision 3 of Section 5, a distance of 623 links: be all the aforesaid distances more or less: as the same is delineated on the plan marked 1/440, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured red.

44 Authorizing Hastings Borough Council to establish a new abattoir or to delegate its powers in respect thereto

[Repealed]

Section 44 was repealed, as from 1 April 1940, by section 73(1) Meat Act 1939 (1939 No 19).

45 Extending to under-lessees of certain lands in Hawke's Bay Land District rights of lessees under section 110 of Native Land Amendment Act 1913

Whereas by deed of lease bearing date the second day of June, nineteen hundred and nine, registered in the Deeds Register Office at Napier under No 42281, and made between the Board of the Ikaroa Maori Land District and Anne Lindsay Guthrie Smith, of Aukengrower, Killearn, in the County of Stirlingshire, Scotland, spinster (hereinafter called the lessee), the lands and premises described therein were demised and leased unto the lessee for the term of thirty years from the fifth day of August, nineteen hundred and seven, subject to the covenants, conditions, and agreements by the said deed of lease reserved, contained, and implied: And whereas the lessee has granted to William Herbert Guthrie Smith, of Tutira, sheep-farmer (hereinafter called the sublessee), a sublease of the said lands for the term from the said fifth day of August, nineteen hundred and seven, until and inclusive of the second day of August, nineteen hundred and thirty-seven: And whereas the sublessee has granted to certain persons (hereinafter called the under-lessees) under-leases of portions of the said land and premises for various terms which expire on the thirty-first day of July, nineteen hundred and thirty-seven, subject to the covenants and conditions by the said under-leases reserved, contained, and implied: And whereas it is desirable that the provisions of section one hundred and ten of the Native Land Amendment Act 1913, should in certain contingencies be made applicable to the said under-lessees: Be it therefore enacted as follows:—

In the event of any of the lands hereinbefore mentioned being acquired by the Crown the following provisions shall have effect:—

- (a) The owner of any under-lease hereinbefore mentioned shall with the consent in writing of the lessee and of the sublessee, be deemed to have at any time during the currency of his under-lease all the rights conferred on tenants by section one hundred and ten of the Native Land

Amendment Act 1913, as modified by section eight of the Native Land Amendment Act 1914:

Provided that it shall be a condition precedent to the exercise of such rights that an owner of such an under-lease shall cause to be provided such evidence as the Commissioner of Crown Lands may require of his having satisfied the claims of the lessee and of all other persons holding any interest in the lands over which such rights are proposed to be exercised.

- (b) Each of the aforesaid under-leases in existence on the said thirty-first day of July, nineteen hundred and thirty-seven, shall be deemed to be extended for a period of six months from that date, and throughout that period shall have full force and effect as if it were part of the agreed term of the under-lease.
- (c) In the event of the lease granted by the said deed of lease being surrendered or otherwise determined at any date earlier than the said thirty-first day of July, nineteen hundred and thirty-seven, each of the said under-leases in existence at such earlier date shall, notwithstanding such determination, continue to subsist until the said thirty-first day of July, nineteen hundred and thirty-seven, and there-after shall be deemed to be extended for a period of six months from that date, and throughout such periods shall have force and effect as if the said lease was still in existence.
- (d) The owner of any under-lease so extended shall, at any time during its currency, subsequent to the surrender or other determination or expiration of the lease granted by the said deed of lease, as the case may be, have all the rights conferred on tenants by section one hundred and ten of the Native Land Amendment Act 1913, as modified by section eight of the Native Land Amendment Act 1914.

Paragraphs (b) and (c) were substituted and (d) inserted, as from 6 November 1924, by section 86(1) Reserves and other Lands Disposal and Public Bodies Empowering Act 1924 (1924 No 55).

**46 Extending to sublessees of certain lands in Hawke's Bay
Land District rights of lessees under section 110 of Native
Land Amendment Act 1913**

Whereas by deed of lease bearing date the second day of June, nineteen hundred and nine, registered in the Deeds Register Office at Napier under No 42280, and made between the Board of the Ikaroa Maori Land District and William Herbert Guthrie Smith, of Tutira, in the Provincial District of Hawke's Bay, sheep-farmer (hereinafter called the lessee), the lands and premises described therein were demised and leased unto the lessee for the term of thirty years from the fifth day of August, nineteen hundred and seven, subject to the covenants, conditions, and agreements by the said deed of lease reserved, contained, and implied: And whereas the lessee has granted to certain persons (hereinafter called the sublessees) subleases of portions of the said lands and premises for various terms which expire on the thirty-first day of July, nineteen hundred and thirty-seven, subject to the covenants and conditions by the said subleases reserved, contained, and implied: And whereas it is desirable that the provisions of section one hundred and ten of the Native Land Amendment Act 1913, should, in certain contingencies, be made applicable to the said sublessees: Be it therefore enacted as follows:—

In the event of the lands hereinbefore mentioned being acquired by the Crown the following provisions shall have effect:—

- (a) The owner of any sublease hereinbefore mentioned shall, with the consent in writing of the lessee, be deemed to have at any time during the currency of his sublease all the rights conferred on tenants by section one hundred and ten of the Native Land Amendment Act 1913, as modified by section eight of the Native Land Amendment Act 1914:

Provided that it shall be a condition precedent to the exercise of such rights that an owner of such a sublease shall cause to be provided such evidence as the Commissioner of Crown Lands may require of his having satisfied the claims of the lessee.

- (b) Each of the aforesaid subleases in existence on the said thirty-first day of July, nineteen hundred and thirty-seven, shall be deemed to be extended for a period of six months from that date, and throughout that period shall have full force and effect as if it were part of the agreed term of the sublease.
- (c) In the event of the lease granted by the said deed of lease being surrendered or otherwise determined at any date earlier than the said thirty-first day of July, nineteen hundred and thirty-seven, each of the said subleases in existence at such earlier date shall, notwithstanding such determination, continue to subsist until the said thirty-first day of July, nineteen hundred and thirty-seven, and thereafter shall be deemed to be extended for a period of six months from that date, and throughout such periods shall have force and effect as if the said lease was still in existence.
- (d) The owner of any sublease so extended shall, at any time during its currency, subsequent to the surrender or other determination or expiration of the lease granted by the said deed of lease, as the case may be, have all the rights conferred on tenants by section one hundred and ten of the Native Land Amendment Act 1913, as modified by section eight of the Native Land Amendment Act 1914.

Paragraphs (b) and (c) were substituted and (d) inserted, as from 6 November 1924, by section 87(1) Reserves and other Lands Disposal and Public Bodies Empowering Act 1924 (1924 No 55).

47 Extending powers of Hawke's Bay County Council with respect to the destruction of rooks

[Repealed]

Section 47 was repealed, as from 1 April 1954, by section 73(1) Wildlife Act 1953 (1953 No 31).

Taranaki Land District.

48 Reserving Section 114, Town of Lepperton, as a site for a public school

The reservation for recreation purposes over Section 114, Town of Lepperton, in the Taranaki Land District, containing

one rood, is hereby cancelled, and the said land is hereby permanently reserved as a site for a public school.

49 Validating proceedings in connection with a loan of \$1,000 raised by Inglewood County Council

Whereas under the provisions of section sixteen of the Local Bodies Loans Act 1913, the Inglewood County Council, by special order made at a special meeting of the Council held on the ninth day of August, nineteen hundred and twenty-one, and confirmed at a subsequent special meeting thereof held on the twelfth day of October, nineteen hundred and twenty-one, raised a special loan of one thousand dollars from the State Advances Superintendent for the purposes of constructing a bridge across the Ngatoro-iti River on the Bedford Road within the Ngatoro-iti Special-rating Area of the County of Inglewood: And whereas, subsequent to the confirmation of such special order and to the advance of the loan-moneys to the said Council, it was discovered that the proceedings in connection with the raising of such loan were irregular or defective in that the consent of the ratepayers of the district to such special loan had not been testified by their signatures in writing in the manner prescribed by regulations under the said Act: And whereas it is desirable to validate such proceedings: Be it therefore enacted as follows:—

- (1) All proceedings in connection with the raising of the said loan of one thousand dollars are hereby validated, and the said loan is hereby declared to have been lawfully raised.
- (2) The said Council may, out of the proceeds of the said loan, repay to its General Account such sum as was expended thereout in anticipation of the said loan for the purposes for which the said loan was raised.

The words “one thousand dollars” were substituted, as from 10 July 1967, for the words “five hundred pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

50 Cancelling reservation over portions of education endowment at New Plymouth, and vesting same in New Plymouth Borough Corporation for a public street

Whereas Sections 572 and 573, Town of New Plymouth, and part Section V, Town Belt, New Plymouth, are vested in the Crown in trust as an endowment for educational purposes by section two of the Edu-

cation Reserves Amendment Act 1910: And whereas the portions of such sections hereinafter described are required for the purposes of a public street: Be it therefore enacted as follows:—

- (1) The vesting as aforesaid in the Crown of the lands hereinafter described is hereby cancelled, and the said lands are hereby vested in the Corporation of the Borough of New Plymouth for the purposes of a public street discharged from all mortgages, charges, estates, and interests of any kind whatsoever.
- (2) Compensation for the land so vested shall be recoverable from the said Corporation, and the amount thereof shall be determined in the manner set out in Part 3 of the Public Works Act 1908, with respect to compensation for land taken under that Act, and all the provisions of that Part of that Act shall, so far as applicable, but subject to the provisions of this section, extend and apply accordingly.
- (3) The lands vested as aforesaid in the said Corporation are particularly described as follows:—

All that piece of land, containing six and seven-twentieths perches, being parts of Sections 572 and 573 on the public maps of the Town of New Plymouth as shown on the plan numbered 6164, deposited in the office of the Lands and Survey Department, at New Plymouth, and thereon coloured pink and yellow.

Also all that piece of land, containing sixteen perches, being part of Section V on the public map of the Town Belt of the Town of New Plymouth as shown on the plan numbered 6164, deposited in the office of the Lands and Survey Department, at New Plymouth, and thereon coloured blue.

51 Closing portion of road along Waiongona River, and reserving the same as a site for a school

Whereas that portion of the unformed and unused road along the Waiongona River in Lepperton Township hereinafter described is not likely to be required for the purpose for which it was intended: And whereas it is desirable that the said portion of the said road should be closed and the land comprised therein permanently reserved as a site for a school: And whereas the proposal to close the said portion has been consented to by the Taranaki County Council and by the

owners of the land abutting on the said road: Be it therefore enacted as follows:—

- (1) Notwithstanding anything contained in section one hundred and thirty of the Public Works Act 1908, the portion of a river-bank road hereinafter described is hereby closed, and the land comprised therein is hereby permanently reserved as a site for a school.
- (2) The portion of the aforesaid road to which this section relates is particularly described as follows:—

All that area in the Taranaki Land District, containing by ad-measurement four acres and twenty-three perches, more or less, situated in the Township of Lepperton, Block VII, Paritutu Survey District, being portion of a road reserve known as Sisson Terrace along the Waiongona Stream: bounded towards the north-west by Roby Street, 285 links; towards the north-east by Sections 76 and 90, 688.12 links; Whitcombe Street, 130.35 links; Sections 103 and 114, 793.77 links; towards the south by Old Road, 280 links (all of Lepperton Township); towards the south-west by Waiongona Stream: be all the aforesaid linkages a little more or less: as the same is delineated on plan marked L and S 1/729, deposited at the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered blue.

52 Authorizing Clifton County Council to sell portion of a gravel reserve to North Taranaki Co-operative Dairy Company (Limited)

Whereas the land hereinafter described, containing one acre one rood fourteen perches, forms part of an area of seven acres two roods sixteen perches which is vested in the Corporation of the County of Clifton in trust for a gravel reserve: And whereas the said land was on the fourteenth day of April, nineteen hundred and fifteen, leased by the Clifton County Council to the North Taranaki Co-operative Dairy Factory Company (Limited) for a term of twenty-one years from the first day of January, nineteen hundred and fifteen, with a right of renewal for one further term of twenty-one years: And whereas the said company some years ago erected a dairy factory on the said land and now proposes to rebuild the said factory on a larger scale and to construct the same in concrete: And whereas the said land is no longer

required by the said Council as a gravel reserve or for any other purpose, and it is desirable that the said Council be empowered to sell the same to the said company: Be it therefore enacted as follows:—

- (1) The reservation as aforesaid over the land hereinafter described is hereby cancelled, and it shall be lawful for the Council of the said county to sell the said land to the said company, at such price and upon such terms as the said Council shall think fit, and to execute a transfer of the fee-simple thereof to the said company accordingly.
- (2) The District Land Registrar at New Plymouth is hereby empowered, on presentation to him of such transfer, to issue to the said company a certificate of title in respect of such land.
- (3) The land to which this section relates is more particularly described as follows:—

All that piece of land, containing one acre one rood fourteen perches, more or less, being Subdivision 1, part of Section 6, Block III, Waitara Survey District, Taranaki Provincial District; as the same is more particularly delineated on plan No 3314, deposited in the Land Transfer Office, at New Plymouth, and thereon edged green.

53 Authorizing Opunake Electric-power Board to vary application of portion of proceeds of loan of \$140,000

Whereas the Opunake Electric-power Board was on the sixteenth day of November, nineteen hundred and twenty-one, duly authorized by the ratepayers of the Opunake Electric-power District to raise a loan of one hundred and forty thousand dollars for certain purposes set out in proposals submitted to such ratepayers: And whereas it is expedient that the said Opunake Electric-power Board should be authorized to expend part of the said loan-moneys up to the extent of six thousand dollars in exercising the powers conferred upon the Opunake Electric-power Board by sections eighty-eight and ninety of the Electric-power Boards Act 1918: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in the Local Bodies Loans Act 1913, or in any other Act, it shall be lawful for the Opunake Electric-power Board to expend from time to time

any portions, not exceeding in all the sum of six thousand dollars, of the sums borrowed in respect of the said loan of one hundred and forty thousand dollars in such manner as the said Opunake Electric-power Board may deem necessary or proper in doing and completing any of the acts, matters, and things which the said Board is empowered or authorized to do by sections eighty-eight and ninety of the Electric-power Boards Act 1918.

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

Wellington Land District.

54 Validating payment of certain moneys out of special-roading district accounts to Kaitieke County Council

Whereas by notices published in the *Gazette*, pursuant to subsection six of section fifty of the Land Laws Amendment Act 1913, the Mangaohutu, Kawautahi, Kokakoriki, and Pokatea-Kokakonui Special-roading Districts constituted under the aforesaid section were abolished as from and including the first day of July, nineteen hundred and twenty-two: And whereas, notwithstanding the provision of the aforesaid subsection six, which prescribes that all moneys in a special-roading district deposit account on the date of the abolition of such district shall be paid into the appropriate account as therein prescribed, moneys to the amounts hereinafter specified were paid to the Kaitieke County Council out of the deposit accounts of the said districts to be applied towards the cost of construction of roads and bridges completed prior to the abolition of such districts: And whereas it is desired that the payment of moneys to the Kaitieke County Council as aforesaid should be validated: Be it therefore enacted as follows:—

- (1) Notwithstanding anything contained in section fifty of the Land Laws Amendment Act 1913, the payment to the Kaitieke County Council, after the date of the abolition of the aforesaid special-roading districts, of the moneys hereinafter specified and the application of the said moneys towards the cost of

construction of roads and bridges in the County of Kaitieke are hereby validated.

- (2) The moneys to which the last preceding subsection relates are as follow: The sum of three hundred and sixty-six dollars and eight and a third cents out of the Mangaohutu Special-roading District Account; the sum of twenty-four dollars out of the Kawautahi Special-roading District Account; the sum of five hundred and eleven dollars and thirty-five cents out of the Kokakoriki Special-roading District Account; and the sum of one thousand one hundred and ninety-six dollars and three and a third cents out of the Pokatea-Kokakonui Special-roading District Account.

The words “three hundred and sixty-six dollars and eight and a third cents”, “twenty-four dollars”, “five hundred and eleven dollars and thirty-five cents”, and “one thousand one hundred and ninety-six dollars and three and a third cents” were substituted, as from 10 July 1967, for the words “one hundred and eighty-three pounds tenpence”, “twelve pounds”, “two hundred and fifty-five pounds thirteen shillings and sixpence”, and “five hundred and ninety-eight pounds and fourpence” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

55 Authorizing exchange of Section 22, Block XI, Retaruke Survey District, for certain private land

Whereas for the purpose of improving fencing boundaries it is desired to exchange the Crown land described in subsection three hereof for that part, described in subsection four hereof, of Section 1, Block XI, Retaruke Survey District, held on occupation with right of purchase: Be it therefore enacted as follows:—

- (1) Upon the surrender to the Crown by the licensee thereof of the land described in subsection four hereof the land described in subsection three hereof may be disposed of to the said licensee under section fourteen of the Land Laws Amendment Act 1912, notwithstanding anything to the contrary in that or in any other enactment.
- (2) Any sum payable by the Crown by way of equality of exchange shall be paid out of moneys to be appropriated by Parliament.
- (3) The Crown land hereinbefore referred to is particularly described as follows:—

All that area in the Wellington Land District, containing by admeasurement fifty-one acres, more or less, being Section 22, Block XI, Retaruke Survey District.

- (4) The land referred to herein to be surrendered to the Crown is particularly described as follows:—

All that area in the Wellington Land District, containing by admeasurement seventy-seven acres, more or less, being part of Section 1, Block XI, Retaruke Survey District: as the same is more particularly delineated on a plan marked 90/28R, deposited in the office of the Chief Surveyor at Wellington, and thereon bordered red.

**56 Validating disposal to Manawatu Race Course Board by
Foxton Borough Council of certain land**

Whereas the Corporation of the Borough of Foxton, being registered proprietors of an estate in fee-simple in the land hereinafter described for valuable consideration, disposed of the said land to the Manawatu Race Course Board, a Board duly incorporated under an Act of the Superintendent and Provincial Council of the Province of Wellington intituled the Manawatu Race Course Act 1869 (hereinafter referred to as the Board): And whereas the said land was (with certain other land) vested in the Corporation upon trust for a public park and recreation-ground and rifle range for the inhabitants of Foxton and its vicinity, and is subject to the provisions of the Public Reserves and Domains Act 1908: And whereas, in pursuance of the said transaction, the said Corporation, by memorandum of transfer dated the twenty-sixth day of May, nineteen hundred and nineteen, transferred to the Board all its estate and interest in the said land: And whereas, upon presentation for registration of such transfer at the Land Transfer Office at Wellington, the District Land Registrar declined to register such transfer upon the grounds that under the provisions of the said Public Reserves and Domains Act 1908, the Corporation had no power to alienate the said land except by way of lease: And whereas it has been established that the inhabitants of Foxton and its vicinity will not be in any way prejudicially affected by the transfer of the said land to the Board, and it is desirable that the disposal of the said land be validated: Be it therefore enacted as follows:—

- (1) Notwithstanding anything to the contrary in the Public Reserves and Domains Act 1908, or any other Act the disposal

by the Corporation of the Borough of Foxton to the Manawatu Race Course Board of the land hereinafter described is hereby validated and declared to have been lawfully made.

- (2) The District Land Registrar for the Land Registration District of Wellington is hereby empowered and directed, on presentation to him of the aforesaid memorandum of transfer, to make such endorsements on the certificate of title in respect of the said land, or to cancel such certificate and issue such other certificate of title as may be necessary to give effect to the provisions of this section.
- (3) The land to which this section relates is particularly described as follows:—

All those pieces or parcels of land situated in the Wellington Land District, containing four acres two roods sixteen and four-fifths perches, more or less, being Lots 1 and 2 on deposited plan No 5707 of the subdivision of Section 410 on the plan of the Township of Foxton, and being part of the land comprised in certificate of title, Volume 251, folio 201, Wellington Registry.

57 Setting apart for scenery-preservation purposes part of Lot 2, Section 27, Block IX, Hunua Survey District

Whereas by notice published in the *Gazette* of the ninth day of September, nineteen hundred and fifteen, Section 27, Block IX, Hunua Survey District, containing an area of six acres one rood twenty-three perches, was permanently reserved as a site for a public school: And whereas the Scenery Preservation Board, constituted under the Reserves Act 1977, has recommended that the portion of the said land hereinafter described should be permanently set apart as a scenic reserve under the provisions of the said Act: And whereas, through the area of the said school-site having been increased, the land hereinafter described is not now required for the purposes of that site, and it is desirable that effect be given to the recommendation of the Scenery Preservation Board: Be it therefore enacted as follows:—

- (1) The reservation for the purposes of a site for a public school over the land hereinafter described is hereby cancelled, and the said land is hereby declared to be a scenic reserve subject to the provisions of the Reserves Act 1977.

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

All that parcel of land in the Wellington Land District, containing by admeasurement two acres three roods twenty-one perches, more or less, being that part of Lot 2 of Section 27, Block IX, Hunua Survey District, which lies between the middle-line of the Hikimutu Stream and the public road as shown on the plan numbered 216/18, deposited in the office of the Chief Surveyor at Wellington, and thereon coloured red.

The “Scenery Preservation Act 1908” was repealed, as from 1 April 1954, by section 107(1) Reserves and Domains Act 1953 (1953 No 69). That Act was in turn repealed, as from 1 April 1978, by section 125(1) Reserves Act 1977 (1977 No 66).

58 Authorizing Petone and Lower Hutt Gas-lighting Board to pay \$3,170 to Lower Hutt Borough Council

Whereas pursuant to the provisions of the Petone and Lower Hutt Gas-lighting Act 1922, the Petone and Lower Hutt Gas-lighting Board was established for the purpose of undertaking the supply of gas within the limits prescribed by section two of the said Act which limits include the Borough of Lower Hutt: And whereas a certain liability amounting to three thousand one hundred and seventy dollars was paid by the Lower Hutt Borough Council in respect of an action brought by one Albert Ford, of Wellington, Consulting Gas Engineer, for damages for breach of contract of employment: And whereas no provision was made by the said Act and no authority exists for payment by the Board to the said Council of this amount: And whereas the said Board has decided that it would be equitable that such amount should be paid by the Board: And whereas the Board, under section twenty of the said Act, was authorized to issue certain debentures in payment of the said Council's gas undertaking: Be it therefore enacted as follows:—

It shall be lawful for the Petone and Lower Hutt Gas-lighting Board to issue to the said Lower Hutt Borough Council, in addition to the debentures authorized by section twenty of the said Act further similar debentures to the value of the said sum of three thousand one hundred and seventy dollars, and with respect to such further debentures and the redemption thereof the provisions of the said section twenty of the said Act, shall

apply as if they had been authorized to be issued under that section.

The words “three thousand one hundred and seventy dollars” were substituted, as from 10 July 1967, for the words “one thousand five hundred and eighty-five pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

59 Appointing Wellington Ladies’ Christian Association to carry out trusts of will of the late Dr Edith Ara Huntley

Whereas the late Edith Ara Huntley, of the City of Wellington, medical practitioner, by her last will and testament bearing date the fifteenth day of November, nineteen hundred and nineteen (probate of which was on the twenty-fifth day of November, nineteen hundred and nineteen, granted to John William Davys, of the City of Wellington, merchant, and Annie McVicar, wife of Alexander McVicar of the said city, architect, the executors and trustees therein named), gave the residue of her estate unto the trustees upon trust for the creation, maintenance, and endowment of an institution for the care and treatment of expectant mothers, the promotion of research into the means of alleviating the conditions of motherhood, and the teaching and training of pupils in midwifery, as the said trusts are more particularly set out in the said will: And whereas by the said will the said trustees are empowered, should they in their absolute discretion consider that the said trusts may be more conveniently and effectively performed by a specially appointed Board of trustees, to nominate, constitute, and appoint such Board accordingly: And whereas the trustees are satisfied that the said trusts can be conveniently and effectively performed by the Wellington Ladies’ Christian Association (a separate institution under the Hospitals and Charitable Institutions Act 1909) through that department of the said association’s work known as the Alexandra Home for Women, and are desirous of appointing the said Wellington Ladies’ Christian Association to exercise the functions of the Board of trustees contemplated by the said will: And whereas, in order to remove any doubt as to the power of the said trustees in that behalf, it is expedient that the said Wellington Ladies’ Christian Association be appointed to act in the premises accordingly: Be it therefore enacted as follows:—

- (1) The Wellington Ladies’ Christian Association, a separate institution under the Hospitals and Charitable Institutions Act 1909, is hereby nominated, constituted, and appointed to carry out and perform the trusts of the will of the said Edith Ara

Huntley (deceased) affecting the residue of her estate as fully and effectually as though the said association were a duly appointed Board of trustees for the purposes of the said will.

- (2) The trustees of the estate of the said deceased shall execute all deeds and instruments necessary to vest the trust property comprising such residue in the said Wellington Ladies' Christian Association accordingly:

Provided, however, that the said trustees shall, during the lifetime of the person entitled under the said will to an annuity of two hundred dollars, be entitled to retain in their hands a sufficient fund to answer the said annuity by the income thereof and to vest such fund in the said association upon the falling of the annuity.

- (3) The said Wellington Ladies' Christian Association shall, upon such vesting as aforesaid, hold and administer the trust estate for extension purposes in connection with the Alexandra Home for Women and in accordance with the trusts of the said will.

The words "two hundred dollars" were substituted, as from 10 July 1967, for the words "one hundred pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

60 Amending Wanganui River Trust Amendment Act 1922
[Repealed]

Section 60 was repealed, as from 30 August 1940, by section 28(10) Reserves and other Lands Disposal Act 1940 (1940 No 13).

61 Authorizing renewal of timber-cutting license granted to Christian le Fevre Honoré

Whereas by license dated the eighth day of September, nineteen hundred and fourteen, issued under the hand of the Minister of Lands, Christian le Fevre Honoré was licensed to cut and remove from Crown land in Block XVI, Manganui Survey District, in the Wellington Land District, certain timber standing thereon: And whereas the said Christian le Fevre Honoré failed to apply before the expiry of the said license for an extension of time for the removal of such milling-timber covered by the said license as still remains uncut, and the said uncut milling-timber has consequently reverted to the Crown: And

whereas it is desirable that the said timber should be restored to the said Christian le Fevre Honoré, who has paid for it in full: Be it therefore enacted as follows:—

Notwithstanding anything in the Land Act 1948, or the forest regulations thereunder, the Minister of Lands may renew the said license as from the date of expiry thereof for such term and subject to such conditions as he may think fit.

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).

62 Empowering Manawatu County Council to carry on business of sawmilling

Whereas the Manawatu County Council has arranged with the State Forest Service for the issue of a sawmill license over an area of four hundred acres in Block XII, Manganui Survey District, Wellington Conservation Region, and has previously held a similar license over other lands vested in the Crown: And whereas there is no statutory authority under which the said Manawatu County Council can legally obtain a license and enter into a contract with the Commissioner of State Forests to mill the forest on the said area, or dispose of timber and by-products: And whereas it is deemed expedient to authorize the said Manawatu County Council to obtain from the Commissioner of State Forests, and hold, a sawmill license over the said area, and to comply with the conditions thereof, and to conduct sawmilling operations on the said area and dispose of the timber and by-products: Be it therefore enacted as follows:—

- (1) The Manawatu County Council is hereby authorized to carry on the business of sawmilling (including therein the disposal of timber and by-products) in any State forest (whether within or without its district), and for that purpose may obtain a sawmill license or licenses from the Commissioner of State Forests.
- (2) Any license formerly acquired by the Council to mill timber on lands vested in the Crown is hereby declared to have been lawfully acquired, and all operations entered into and carried out pursuant to that license are hereby declared to have been lawfully entered into and carried out.

63 Empowering Hutt County Council to acquire land as a site for a public hall and other purposes

The Hutt County Council is hereby empowered and shall for all purposes be deemed to have been so empowered as on and from the fourteenth day of November, nineteen hundred and twenty-two, to take under the Public Works Act 1981, or otherwise acquire, land in that locality in the County of Hutt, known as Plimmerton, and to erect on such land a public hall, bathing-sheds, and conveniences for the use of the inhabitants of that locality.

64 Authorizing Taihape Borough Council to borrow \$8,000 for improving Taihape Oval Domain

- (1) Notwithstanding anything to the contrary in any Act, the Taihape Borough Council may—
 - (a) By way of special loan, under the Local Bodies Loans Act 1913, but subject to the consent of the ratepayers of the borough obtained in the manner provided by that Act, borrow a sum not exceeding eight thousand dollars, and may expend the same in its capacity as the Domain Board having control of the Taihape Oval Domain for the purpose of improving and equipping the said domain.
 - (b) Pledge as security for the said loan either or both of the following:—
 - (i) All annual revenues and other receipts received by it in its capacity as such Domain Board as aforesaid:
 - (ii) A special rate over the whole or any portion of the rateable property within the Borough of Taihape.
- (2) Section one hundred and forty-nine of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1922, is hereby repealed.

The words “eight thousand dollars” were substituted, as from 10 July 1967, for the words “four thousand pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

**65 Vesting part of Mount View Reserve in Wellington College
Governors as a site for an observatory**

Whereas by the Wellington Asylum, Home, Hospital, and Orphanage Reserves Act 1888, the land hereinafter described, which forms part of the Mount View Reserve, is vested in His Majesty for the purposes of a lunatic asylum: And whereas it is desirable that the said land should be vested in the Governors of the Wellington College and Girls' High School as a site for an observatory: Be it therefore enacted as follows:—

- (1) The reservation for the purposes of a lunatic asylum over the land hereinafter described is hereby cancelled, and the said land is hereby vested in the Governors of the Wellington College and Girls' High School in trust as a site for an observatory.
- (2) The land to which this section relates is particularly described as follows:—

All that area in the City of Wellington, containing by admeasurement twenty-seven and thirteen-fiftieths perches, be the same a little more or less, being portion of the Mount View Reserve, and bounded on the north by the Wellington College Reserve, and on the east, south, and west by other part of the Mount View Reserve; as the same is more particularly delineated on the plan deposited in the office of the Chief Surveyor at Wellington, numbered 256/9, and thereon bordered red.

**66 Authorizing Lower Hutt Borough Council to acquire
certain land for recreation purposes**

Whereas the Lower Hutt Borough Council is desirous of acquiring, for the use, enjoyment, or recreation of the inhabitants of the Borough of Lower Hutt, all that piece or parcel of land consisting of three acres and twenty-one and seven-tenths perches, which, together with Lots 1 and 2 on deposited plan No 3804, consisting of three roods twenty-four and one-half perches, comprises all the land in certificate of title, Volume 298, folio 89, Wellington Registry: And whereas the whole of the said land is vested in the Public Trustee as trustee in the estate of one Edmond Hayes (deceased) and Patrick Casey as registered owners as tenants in common: And whereas the Public Trustee, the said Patrick Casey, and the beneficiaries interested in the said estate have offered to sell to the Council the whole of the said land for the sum of twenty-eight thousand dollars: And whereas the

said Lower Hutt Borough Council is desirous of acquiring the said land at or for that amount and of disposing of the said Lots 1 and 2 thereof by way of sale and of retaining the balance of the land for the purposes above expressed: Be it therefore enacted as follows:—

- (1) It shall be lawful for the Council to purchase the whole of the land in certificate of title, Volume 298, folio 89, Wellington Registry, and to sell, either for cash or upon terms, Lots 1 and 2 thereof, and to apply the proceeds therefrom in or towards payment of the purchase-money of the whole of the said land, and to hold and retain the balance of the said land for the use, enjoyment, or recreation of the inhabitants of the borough.
- (2) The said Council may borrow by way of special loan under the Local Bodies Loans Act 1913, any moneys required for the completion of the said purchase, and any steps heretofore taken for the purpose of obtaining the consent of the ratepayers of the borough to any loan for such purpose are hereby validated and declared to have been lawfully taken.

The words “twenty-eight thousand dollars” were substituted, as from 10 July 1967, for the words “fourteen thousand pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

67 Extinguishing certain rights of way, and closing certain crossings over the railway-line at Ngaio, Wellington

Whereas certain lands, being portions of Section 5, Kaiwarra District, Wellington Land District, as such lands are shown coloured in red on a plan deposited in the office of the Minister of Railways, at Wellington, and marked WR 32529 (hereinafter referred to as the said plan), were by Proclamation published in the Gazettes of the twenty-third day of June, eighteen hundred and eighty-one, and the fifth day of January, eighteen hundred and eighty-two, respectively, taken for the purposes of the Wellington-Foxton Railway: And whereas the said Section 5 was severed by the taking of the said lands for the railway: And whereas the Compensation Court, in part satisfaction of the compensation claimed for the lands taken as aforesaid from the portion of Section 5 shown bordered in blue colour on the said plan, awarded a right of way over the railway: And whereas, in pursuance of the said award, the Crown by grant dated the sixteenth day of February, eighteen hundred and eighty-two, and registered in the Deeds Register Office at Wellington as No 95381, granted to the then owner, his

heirs and assigns, owners for the time being of the portion of the said Section 5 lastly hereinbefore described, a right of way over the line of railway in the position shown cross-hatched in red colour and marked with the letters A and B on the said plan: And whereas by a contract dated the twentieth day of March, eighteen hundred and eighty-two, and entered into between the Crown and the Wellington and Manawatu Railway Company (Limited), for the construction of a line of railway from the City of Wellington to a point on the northern side of the Manawatu River, the lands taken under the said Proclamations were agreed to be given into the possession of the said company: And whereas the ownership of certain portions of that part of the said Section 5 shown bordered in blue colour on the said plan is now vested in different persons, but without any specific right to use the right of way granted by the said Crown grant: And whereas the right to use the said right of way is endorsed on the certificate of title (Volume 157, folio 179) for the residue (the land shown bordered in green colour and marked A/2243 on the said plan) of that portion of Section 5 shown bordered in blue colour on the said plan: And whereas since eighteen hundred and eighty-four the said right of way has not been used by any person: And whereas in eighteen hundred and eighty-four the said company formed a road approach 26 ft wide through the railway-yard at Ngaio Station (such road approach being between the points marked with the letters C and D respectively on the said plan) and erected a gate on the railway boundary at each end of the said road approach: And whereas the said road approach has been, and is now, in use by the public as a crossing between public highways abutting on either side of the railway: And whereas the lands comprised in certificate of title, Volume, 147, folio 203, and Volume 63, folio 273 (Wellington Registry), are subject to a right of way (shown coloured yellow on the said plan), 25 links wide, at all times and for all purposes, appurtenant to part Section 5, being portion of the land comprised in certificate of title, Volume 84, folio 76: And whereas the use of the last-mentioned right of way necessitates crossing the line of railway between the points marked E and F respectively on the said plan: And whereas by section 2 of the Wellington and Manawatu Railway Purchase Act 1908, the railway of the said company between Wellington and Longburn, together with all the land and other property described in the Schedule to the said Act were absolutely vested in His Majesty the King free (except

as otherwise expressly provided in the said Act) from any right, title, estate, or interest vested in any other person: And whereas it is desirable in the interests of public safety that the said crossing or way, and the right of way hereinbefore mentioned, should be closed: And whereas the Minister of Railways and the Corporation of the City of Wellington have mutually agreed to construct forthwith (at a point as indicated by the letter Y on the said plan) a subway under the railway, with road approaches thereto, for all classes of public traffic, to take the place of the said crossing and right of ways: And whereas the said subway provides a reasonably convenient means of access to the lands comprised in the said certificates of title: Be it therefore enacted as follows:—

- (1) The right of way granted by Crown grant No 95381 (Wellington Deeds Registry) and appurtenant to the land (Part Section 5, Kaiwarra district) comprised in certificate of title, Volume 157, folio 179, is hereby extinguished.
- (2) The right of way appurtenant to part Section 5, being portion of the land comprised in certificate of title, Volume 84, folio 76, is hereby extinguished in so far as such right of way affects the railway land and the lands comprised in certificate of title, Volume 147, folio 203.
- (3) The approach road, crossing, or way (as hereinbefore described) through the railway-station yard at Ngaio is hereby closed.
- (4) As soon as conveniently may be after the passing of this Act the District Land Registrar at Wellington shall cause certificates of title, Volume 157, folio 179, Volume 147, folio 203, Volume 84, folio 76, and Volume 78, folio 105, to be amended in accordance with the provisions of subsections one and two hereof.

The preamble was amended, as from 6 November 1924, by section 119(a) Reserves and other Lands Disposal and Public Bodies Empowering Act 1924 (1924 No 55) by substituting the reference to “Volume 63, folio 273 (Wellington Registry)” for the reference to “Volume 78, folio 105 (Wellington Registry)”.

Subsection (2) was amended, as from 6 November 1924, by section 119(b) Reserves and other Lands Disposal and Public Bodies Empowering Act 1924 (1924 No 55) by adding the words “in so far as such right of way affects the railway land and the lands comprised in certificate of title, Volume 147, folio 203.”

68 Authorizing Lower Hutt Borough Council to expend certain moneys for the relief of unemployment

Whereas certain voluntary contributions for the relief of sufferers during the influenza epidemic of the year nineteen hundred and eighteen were vested in the Council of the Borough of Lower Hutt: And whereas there remains a surplus unexpended of the said contributions amounting to three hundred and fifty-six dollars, and the Council desires to expend the said surplus for the relief of unemployment in the said borough: Be it therefore enacted as follows:—

The Council of the Borough of Lower Hutt is hereby authorized to expend the whole of the sum of three hundred and fifty-six dollars in or towards the relief of unemployment within the said borough.

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

69 Cancelling reservation as a domain over Lot A, Block I, Hunua Survey District, and declaring the same to be a scenic reserve

Whereas by section nine of the Wanganui River Trust Act 1891, the Governor-General is empowered to declare by Proclamation any lands within the district under the jurisdiction of the Wanganui River Trust to be a public domain: And whereas by Proclamation published in the *Gazette* of the twenty-ninth day of December, eighteen hundred and ninety-two, the lands described in the Schedule to the said Proclamation, comprising thirty-three thousand and thirty-three acres, more or less, were set apart as a public domain and placed under the control of the said Trust: And whereas it is expedient that the part of the said public domain hereinafter described should be reserved for scenery purposes and brought under the operation of the Scenery Preservation Act 1908: Be it therefore enacted as follows:—

- (1) The reservation as a public domain over the land hereinafter described and the vesting of control thereof in the Wanganui River Trust are hereby cancelled, and the said land is hereby declared to be reserved for scenic purposes and to be subject to the provisions of the Scenery Preservation Act 1908.

- (2) The land so declared to be reserved for scenic purposes is particularly described as follows:—

All that parcel of land in the Wellington Land District, containing an area of twenty-four acres two roods thirty perches, more or less, being Lot A, Block I, Hunua Survey District; as the same is delineated on a plan marked L and S 1/440, deposited at the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured red.

The Local Bodies Loans Act 1913 (1913 No 30) was repealed, as from 1 October 1926, by section 126(1) Local Bodies' Loans Act 1926 (1926 No 14). That Act was in turn repealed, as from 1 April 1957, by section 135(1) Local Authorities Loans Act 1956 (1956 No 63). That Act was in turn repealed, as 1 July 1998, by section 17(1) Local Government Amendment Act (No 3) 1996 (1996 No 83).

**70 Authorizing Palmerston North Borough Council to
expend for certain purposes unexpended balance of
certain loan-moneys**

Whereas by a poll of ratepayers under the Local Bodies Loans Act 1913, held on the twenty-eighth day of January, nineteen hundred and twenty, the Palmerston North Borough Council (hereinafter called the Council) was authorized to raise a special loan of twenty thousand dollars under the said Act: And whereas part of such loan—namely, the sum of ten thousand dollars—was to be used for the purpose of acquiring sufficient land at Terrace End for a recreation-ground and for laying out the same: And whereas the Council has raised the said sum of ten thousand dollars, acquired such land, and laid out the same at a cost of seven thousand five hundred dollars, and there remains in the hands of the Council, after the purposes for which the said sum of ten thousand dollars was borrowed have been duly completed, a surplus of two thousand five hundred dollars, and it is deemed expedient to authorize the Council to expend such surplus in manner hereinafter appearing: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in any Act, the Council is hereby authorized and empowered to expend such surplus of two thousand five hundred dollars as follows, namely: An amount of one thousand eight hundred dollars in erecting and completing a cottage on the said acquired land for the residence of a caretaker of the said land, and an

amount of seven hundred dollars in the purchase of a motor lawn-mower for use on the said land, and such expenditure shall be deemed to be made in respect of purposes for which the said sum of ten thousand dollars was raised.

The words “twenty thousand dollars”, “ten thousand dollars”, “seven thousand five hundred dollars”, “two thousand five hundred dollars”, “one thousand eight hundred dollars”, and “seven hundred dollars” were substituted, as from 10 July 1967, for the words “ten thousand pounds”, “five thousand pounds”, “three thousand seven hundred and fifty pounds”, “one thousand two hundred and fifty pounds”, “nine hundred pounds”, and “three hundred and fifty pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

71 Empowering Tongariro National Park Board to permit cutting of timber on a portion of Tongariro National Park for prison purposes

Whereas, with the consent of the State Forest Service, timber has been cut on and removed from the land hereinafter described since the month of November, nineteen hundred and twenty-one, for prison purposes: And whereas the said land was then part of a State forest known as the Ruapehu State Forest, but is now part of the Tongariro National Park: And whereas there is no authority at law for the Tongariro National Park Board to allow of timber being cut on and removed from any lands under its control: And whereas it is desirable to empower the said Board to grant permission for the cutting and removal of timber as hereinafter provided: Be it therefore enacted as follows:—

- (1) The Tongariro National Park Board is hereby empowered to grant to the Minister of Justice a permit to cut timber on that portion of the Tongariro National Park hereinafter described and to remove the same therefrom for prison purposes, for such term, dating from the first day of January, nineteen hundred and twenty-three, at such royalties, and subject to such conditions as it may see fit.

- (2) The portion of the Tongariro National Park to which this section relates is particularly described as follows:—

All that area in the Wellington Land District, containing by admeasurement three hundred and thirty-one acres, more or less, situated in Block IV, Manganui Survey District, and Block I, Ruapehu Survey District, and bounded as follows: commencing at survey peg XLI, which is the junction of

the southern boundary of the Waimarino Military Reserve with the eastern boundary of Waimarino 4A No 5 Block, and running in an easterly direction generally by bearing $58^{\circ} 59' 30''$, distance 1702.3 links, and bearing $99^{\circ} 2' 30''$, distance 1000 links; thence running in a southerly direction generally to a stream bearing 171° , distance 4555 links, and bearing $204^{\circ} 30'$, distance 5171 links; thence in a westerly direction generally by the aforementioned stream to its intersection with the Waimarino-Taumarunui Road; thence in a northerly direction generally by the said road to its intersection with the southern boundary of Waimarino 4A No 5 Block, and running in an easterly and north-easterly direction generally by bearing 270° , distance 312.6 links, and bearing 212° , distance 2566.5 links, to the point of commencement: as the same is more particularly delineated on plan No 62/1, deposited in the Head Office of the State Forest Service, at Wellington, and thereon bordered red.

72 Authorizing Wellington City Council to pay \$1000 to Mrs HB Browne as compensation for loss of business arising out of operation of Wellington City Milk-supply Act

Whereas Mrs Helen Mitchell Browne, of Kaitoke (hereinafter referred to as the claimant), has claimed compensation from the Wellington City Council for the alleged loss of her means of livelihood through the operation of the Wellington City Milk-supply Act 1919: And whereas her claim has been inquired into by the Agricultural and Pastoral Industries, Stock, and Commerce Committee of the House of Representatives, which has recommended that legislation be passed empowering the Wellington City Council to fully compensate the claimant: And whereas it is desired to empower the said Council accordingly: Be it therefore enacted as follows:—

The Wellington City Council is hereby empowered and directed to pay to the claimant, out of the Milk Account established by the Wellington City Milk-supply Act 1919, the sum of one thousand dollars as full compensation for all loss sustained by her through the operation of the Wellington City Milk-supply Act 1919.

The words “one thousand dollars” were substituted, as from 10 July 1967, for the words “five hundred pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

73 Validating application of certain moneys to general purposes by Johnsonville Town Board

Whereas the Johnsonville Town Board prior to the thirty-first day of March, nineteen hundred and twelve, effected sales of various sections situated at Johnsonville, forming parts of the property known as the Johnsonville Recreation-ground, and received sums on account of the purchase-money therefor: And whereas on the thirty-first day of March, nineteen hundred and twelve, the sum of nine hundred and nineteen dollars and sixty-two and a half cents stood to the credit of the sales of such sections in the books of the Johnsonville Town Board: And whereas such sum should have been applied to purposes connected with such recreation-ground, and in particular towards the repayment of a loan raised on the security of such recreation-ground: And whereas prior to the said thirty-first day of March, nineteen hundred and twelve, the Johnsonville Town Board had expended out of its General Account sundry sums on the improvement of the said recreation-ground, and it seemed reasonable to apply the sum of nine hundred and nineteen dollars and sixty-two and a half cents aforesaid to general purposes and such sum was so applied, but without lawful authority: And whereas further improvements have been effected to the said recreation-ground out of public subscriptions, and adequate provision has now been made for a sinking fund for the loan raised thereon: And whereas it is desirable to relieve the said Board’s General Account by validating the application of the said sum of nine hundred and nineteen dollars and sixty-two and a half cents as hereinbefore set out: Be it therefore enacted as follows:—

The expenditure by the Johnsonville Town Board of the said sum of nine hundred and nineteen dollars and sixty-two and a half cents for purposes other than the repayment of the existing mortgage on the said property is hereby validated and declared to have been lawfully made.

The words “nine hundred and nineteen dollars and sixty-two and a half cents” were substituted, as from 10 July 1967, for the words “four hundred and fifty-

nine pounds sixteen shillings and threepence” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

**74 Vesting part of Somes Island in Wellington Harbour
Board as a site for a lighthouse**

[Repealed]

Section 74: repealed, on 5 August 2009, by section 82(a) of the Port Nicholson Block (Taranaki Whānui ki Te Upoko o Te Ika) Claims Settlement Act 2009 (2009 No 26).

**75 Authorizing issue of tramway-site license over portion of
Ngaurukehu Scenic Reserve**

Whereas it is desirable to grant to the Rangataua Timber Company (Limited) a license for a site for a tramway over portion of the Ngaurukehu Scenic Reserve, situated in Blocks V and IX, Ohinewairua Survey District, in the Wellington Land District: And whereas there is no power to grant a license for a site for a tramway over any portion of the said reserve: Be it therefore enacted as follows:—

The Wellington Land Board may issue to the Rangataua Timber Company (Limited) a license to occupy a portion of the reserve hereinbefore referred to as a site for a tramway in the manner and subject to the same terms and conditions as if the license were a license issued under section three hundred and seven of the Land Act 1908.

**76 Making special provision with respect to land taken for
widening of Luxford Street and South Road in City of
Wellington**

Whereas by a Proclamation under the hand of His Excellency the Governor-General dated the eighth day of August, nineteen hundred and seventeen, published in the *Gazette* of the sixteenth day of the same month, and registered in the Lands Registry Office at Wellington as No 1100, part of Section 1022, Town of Wellington, containing sixteen and thirty-nine hundredths perches, be the same a little more or less, being part of the land comprised in certificate of title, Volume 81, folio 186 (as the same is delineated on the plan marked PWD 42669, deposited in the office of the Minister of Public Works, at Wellington, and therein coloured edged red), was vested in the

Mayor, Councillors, and Citizens of the City of Wellington (hereinafter termed the Corporation) on and after the first day of September, nineteen hundred and seventeen, for the purpose of widening Luxford Street and South Road in the City of Wellington: And whereas the owner of the fee-simple of the said land, James Rodgers Foster, of 16 Majoribanks Street in the City of Wellington, has failed to make a claim for compensation within the period prescribed in that behalf by the Public Works Act 1908, and all his right and title to any compensation in respect of such lands has absolutely ceased by virtue of the provisions of the said Act: And whereas the Corporation has effected the necessary street-widening, and shifted back from the land required for street purposes, and improved and repaired, the buildings that existed on the said land at the date of the said Proclamation; and the Corporation and the said James Rodgers Foster have agreed that the land firstly hereinafter described should be vested in the Corporation for the purposes of a street, and that the land secondly hereinafter described should be re-vested in the said James Rodgers Foster for an estate in fee-simple in possession as from the date of the passing of this Act and that the Corporation should be freed and discharged from all actions, suits, and proceedings in respect of the said taking: Be it therefore enacted as follows:—

- (1) The land described in subsection four of this section is hereby vested in the Corporation for the purpose of widening Luxford Street and South Road.
- (2) The land described in subsection five of this section is hereby vested in James Rodgers Foster, of 16 Majoribanks Street, Wellington, settler, for an estate in fee-simple in possession, freed and absolutely discharged from the effect of the said Proclamation No 1100.
- (3) The Corporation is hereby freed and discharged from all actions, suits, proceedings, claims, and demands in respect of the said taking of the land comprised in certificate of title, Volume 81, folio 186.
- (4) The land referred to in subsection one of this section is particularly described as follows:—

All that piece of land, containing one and seven-tenths perches, be the same a little more or less, being part Section 1022, Town of Wellington, and part of the land comprised in certificate of title, Volume 81, folio 186, being the land

coloured yellow on a plan deposited in the office of the Minister of Public Works, at Wellington, as PWD No 57669.

- (5) The land referred to in subsection two of this section is particularly described as follows:—

All that piece of land, containing fourteen and sixty-nine hundredths perches, be the same a little more or less, being part Section 1022, Town of Wellington, being part of the land comprised in certificate of title, Volume 81, folio 186, being the land coloured blue on a plan deposited in the office of the Minister of Public Works, at Wellington, as PWD No 57669.

Marlborough Land District.

77 Authorizing issue to Nelson Diocesan Board of certificate of title in respect of Tyntesfield Cemetery

Whereas the land hereinafter described and known as the Tyntesfield Cemetery was, *inter alia*, by deed of conveyance dated the sixth day of May, eighteen hundred and sixty-two, conveyed by the then owner, one Arthur Penrose Seymour, to trustees upon trust for the burial of the dead according to the rites of the United Church of England and Ireland, and was consecrated to such purpose: And whereas certain persons were buried upon the said land: And whereas the said land was by deed of conveyance dated the first day of August, nineteen hundred and seventeen, conveyed by the said trustees to the Nelson Diocesan Trust Board: And whereas neither of the said conveyances was ever registered: And whereas the said land was by reason of such omission to register the said conveyances included in a certificate of title issued pursuant to the Land Transfer Act 1952, on the twenty-third day of October, nineteen hundred and seventeen, to Alan Latter, Robert Latter, and Robert Heaton Rhodes: And whereas the said registered proprietors have consented to the said land being vested in the said Board: And whereas the said land has no access to a public road, and there is no authority at law to register a transfer thereof: Be it therefore enacted as follows:—

- (1) The District Land Registrar at Blenheim is hereby empowered and directed to issue to the said Board a certificate of title in respect of the said land.
- (2) The land to which this section relates is particularly described as follows:—

All that area in the Marlborough Land District known as the Tyntesfield Cemetery, containing by admeasurement four perches, being portion of Section 31 of Block I, Omaka, situated in Block XV, Avon Survey District, and being part of the land described in certificate of title, Volume 24, folio 233, of the Land Transfer Register-book at Blenheim, and in the aforesaid deeds of conveyance.

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

78 Validating proceedings taken by Havelock Town Board in connection with a loan of \$4,400, and authorizing a special loan for repayment thereof

Whereas in the years nineteen hundred and eighteen and nineteen hundred and nineteen the Havelock Town Board, purporting to act under the provisions of paragraph (e) of section sixteen of the Local Bodies Loans Act 1913, borrowed, by way of special loan under that Act, moneys amounting in all to the sum of four thousand four hundred dollars for the purpose of installing an electric-lighting system for the Havelock Town District: And whereas doubts have arisen as to whether the proceedings in connection with the obtaining of authority for the borrowing of the said loan were duly taken in accordance with law: And whereas the moneys so borrowed have become due, and it is expedient that the said Town Board should be authorized to borrow for the purpose of repaying the said sum of four thousand four hundred dollars: Be it therefore enacted as follows:—

The Havelock Town Board is hereby authorized to borrow by way of special loan under the provisions of the Local Bodies Loans Act 1913, and without taking the steps described in sections eight to twelve of the said Act, a sufficient amount for the purpose of paying off the said sum of four thousand four hundred dollars so borrowed by the said Board as aforesaid.

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

Nelson Land District.

79 Cancelling existing reservation over Section 30, Block III, Kawatiri Survey District, and setting it apart as a public domain

Whereas Section 30, Block III, Kawatiri Survey District, in the Nelson Land District, containing five acres two roods twenty-five and one-tenth perches, is part of the Westport Colliery Reserve which has been set apart by the Westland and Nelson Coalfields Administration Act 1877, and the Westland and Nelson Coalfields Administration Act 1901, to be administered in accordance with the provisions of those Acts: And whereas it is desirable that the said Section 30 should be set apart as a public domain: Be it therefore enacted as follows:—
The setting-apart of Section 30, Block III, Kawatiri Survey District, to be administered in accordance with the provisions of the Acts hereinbefore mentioned in this section is hereby cancelled, and the said land is hereby declared to be set apart as a public domain subject to the provisions of Part 2 of the Public Reserves and Domains Act 1908.

80 Authorizing Governor-General to cancel reservation over portion of Murchison Domain

The Governor-General may, by Order in Council, cancel the reservation for recreation purposes over such portion of the Murchison Domain, not exceeding in area one acre, as he thinks fit, revoke the vesting of the control of such portion in the Murchison Domain Board, and declare the land over which such reservation is cancelled to be available for disposal under the Land Act 1908.

81 Authorizing exchange of Section 72, Town of Denniston (a reserve for police purposes), for certain private land

Whereas by notice in the *Gazette* of the eighth day of March, eighteen hundred and ninety-four, the land described in subsection three hereof was permanently reserved for police purposes: And whereas

the said land is now found to be unsuitable for the purposes for which it was reserved, and it is desired to exchange it for the area of private land described in subsection four hereof: Be it therefore enacted as follows:—

- (1) Upon the transfer to His Majesty of the private land described in subsection four hereof, and on payment to the Receiver of Land Revenue of the sum of two hundred dollars by way of equality of exchange, the Governor-General may, by Warrant under his hand, cancel the reservation as a reserve for police purposes over the land described in subsection three hereof; and may, notwithstanding anything to the contrary in any Act, by the same or a subsequent Warrant under his hand, authorize the issue of a certificate of title to the present owner or owners of the private land aforesaid in respect of the land over which the reservation is cancelled pursuant to this section.
- (2) Upon the transfer to His Majesty of the land described in subsection four hereof that land shall thereupon be deemed to be permanently reserved as a site for police purposes.
- (3) The land over which the reservation may be cancelled pursuant to subsection one hereof is particularly described as follows:—
All that parcel of land in the Nelson Land District, being Section 72, Town of Denniston, containing one rood twelve and seven-tenths perches, and bounded as follows: on the north by Dickson Street, for a distance of 125.8 links; on the east by Young Street, for a distance of 250.3 links; on the south by Section 76, for a distance of 138.1 links; and on the west by Section 71, for a distance of 250 links, to the point of commencement: be all the aforesaid distances a little more or less: as the same is delineated on a plan marked L and S 6/7/119, and deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.
- (4) The land to which subsection two hereof relates is particularly described as follows: all that parcel of land in the Nelson Land District, being the eastern portion of Section 90, Town of Denniston, containing twenty perches, and bounded as follows—on the north by Gillies Street, for a distance of 50 links; on the east by Section 91, for a distance of 250 links; on the south by Section 95, for a distance of 50 links; and on the west by the remaining portion of the aforesaid Section 90, for a dis-

tance of 250 links, to the point of commencement: be all the aforesaid distances a little more or less: as the same is delineated on a plan marked L and S 6/7/119, and deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered green.

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

82 Validating transfer of certain land for general purposes in City of Nelson

Whereas the land hereinafter described was by deed dated the seventeenth day of July, eighteen hundred and fifty, conveyed by the Honourable Algernon Gray Tollemache unto certain persons therein described upon trust to permit and suffer the said acre of land to be used and occupied as glebe land and parsonage by and for the resident clergymen in the Town of Nelson in connection with the United Church of England and Ireland as then by law established in England: And whereas the said land is now vested in the Nelson Diocesan Trust Board (Incorporated): And whereas the said land is situate in the Parish of Christ Church in the City of Nelson, and has for many years past been used for the residence of the vicar of such parish: And whereas it is expedient that the trusts of the said land shall be varied and the same held for the general purposes of the said parish: Be it therefore enacted as follows:—

- (1) The vesting of the said land for the purposes aforesaid in the Nelson Diocesan Trust Board is hereby cancelled, and the said land is hereby vested in the said Board for the general purposes of the Parish of Christ Church in the City of Nelson.
- (2) The land to which this section relates is particularly described as follows:—

All that parcel of land containing three roods thirty-four and two-fifths perches, being part of Section 436 on the plan of the City of Nelson and the whole of the land described in certificate of title, Volume 48, folio 47, of the Land Transfer Office Register-book at Nelson.

83 Section 47 of Reserves and other Lands Disposal and Public Bodies Empowering Act 1922, amended

Section forty-seven of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1922, is hereby amended by repealing subsection two thereof.

84 Altering boundaries of Nelson and Motueka Harbour Districts

- (1) The boundaries of the Nelson Harbour District as defined by section seven of the Nelson Harbour Act 1905, are hereby altered by including in that district, and the boundaries of the Motueka Harbour District as constituted by section three of the Motueka Harbour Board Act 1905, are hereby altered by excluding from that district, all that area bounded by a line commencing at a point at high-water mark on the western shore of Tasman Bay at the north-eastern corner of Section 90, Moutere Hills, Block II, Moutere Survey District; thence by high-water mark in a southerly and south-easterly direction to the mouth of the western entrance; thence by high-water mark generally in a south-westerly, north-westerly, southerly, and westerly direction along the shores of the Waimea Inlet to the north-west corner of the said inlet; thence in a north-westerly direction to the Upper Moutere to Mapua Road; thence north-westerly across the said road; thence by way of a public road along the southern boundaries of Sections 29 and 31A, Moutere Hills, Block II, Moutere Survey District; thence along a public road by the western boundaries of Sections 31A, 21, 22, and 22A, Moutere Hills, Block II, Moutere Survey District; thence by the said road along the western boundaries of Sections 86 and 86A, Moutere Hills, Block XII, Motueka Survey District; thence by the northern boundaries of Section 86A, Moutere Hills, Block XII, Motueka Survey District, and Section 90, Moutere Hills, Block II, Moutere Survey District, to the point of commencement: as shown edged red on plan MD 5702, deposited in the office of the Marine Department, at Wellington.
- (2) This section shall come into force on the tenth day of December, nineteen hundred and twenty-three, and thereafter the said area shall for all purposes form part of the Nelson Harbour District, and shall not form part of the Motueka Harbour District.

- (3) The Nelson Harbour Board is hereby authorized to pay to the Motueka Harbour Board the sum of one thousand five hundred dollars, being the amount agreed to be paid upon the alteration of the boundaries of the said districts as aforesaid.

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

**85 Stopping portion of High Street in Borough of Motueka,
and authorizing sale of land comprised therein**

Whereas the lands hereinafter described were, upon the subdivision for sale of certain adjacent lands, dedicated to the Corporation of the Borough of Motueka as a part of High Street in that borough: And whereas certain concrete buildings have been erected upon portions of the said lands so dedicated, and the lands dedicated cannot be used as part of High Street or as part of a public street or road, and the Motueka Borough Council desires to stop that portion of High Street consisting of the said lands dedicated as aforesaid, and to sell the same to the adjacent owners of the lands now having frontage thereto: Be it therefore enacted as follows:—

- (1) Notwithstanding anything to the contrary in the Municipal Corporations Act 1920, or any other Act, that portion of High Street dedicated as aforesaid is hereby stopped, and the lands comprised therein are hereby vested in the Corporation of the Borough of Motueka in fee-simple, with power to sell the same to the respective owners of lands abutting thereon, at such price as shall be agreed upon between the Council and the purchasers.
- (2) The District Land Registrar is hereby empowered, on presentation to him of a duly executed transfer in that behalf, to issue to the purchaser of any portion of such land a certificate of title in respect thereof.
- (3) The lands to which this section relates are particularly described as follows:—

All those portions of High Street in the Borough of Motueka, being originally parts of Section 153, Motueka, Original Block IV, Motueka Survey District, and being Lot 1, containing one and nine-tenths perches, more or less; Lot 2, containing one and one-fifth perches, more or less; Lot 3, containing one and

one-tenth perches, more or less; and Lot 4, containing one and four-fifths perches, more or less: as delineated on the plan marked L and S 13/90/15, deposited in the Head Office of the Department of Lands and Survey, at Wellington, and thereon bordered red.

Westland Land District.

86 Vesting certain land in Westland Hospital Board as a site for a public hospital

Whereas by virtue of notices in the *Gazette* of the twenty-eighth day of September, eighteen hundred and seventy-six, and of the twenty-sixth day of October, eighteen hundred and eighty-two, the lands hereinafter described are permanently reserved as a site for a hospital: And whereas by certificate of title, Volume 8, folio 224, of the Register-book of the Land Transfer Office, Hokitika, the said lands were vested in Trustees constituted under section thirty-four of the Hospitals and Charitable Institutions Act 1885 Amendment Act 1886, in trust for the purposes of the Hokitika Hospital—namely, Robert Wentworth Wade, David Benjamin, Richard Gosson, Henry George Gould, Thomas Daly, Henry Zalic Levy, Joseph Mandl, Robert Davidson, James Francis Byrne, and John Bain Houston: And whereas all of the said Trustees are deceased, and there are no successors to the said Trustees, and it is desirable that the said lands should be vested in the Westland Hospital Board: Be it therefore enacted as follows:—

- (1) The vesting in the aforesaid Trustees of the lands hereinafter described is hereby cancelled, and the said lands are hereby vested in the Westland Hospital Board in trust as a site for a hospital.
- (2) The District Land Registrar is hereby empowered and directed to cancel the aforesaid certificate of title and to issue to the Westland Hospital Board without payment of fees or charges a certificate of title in respect of the said lands.
- (3) The lands to which this section relates are particularly described as follows:—

All that area of land in the Westland Land District, containing by admeasurement one acre three roods six perches, more or less, being Hospital Reserve No 16, Block XIII, Waimea

Survey District: bounded towards the south by a road, 451 links; towards the east by Railway Reserve No 8, 400 links; towards the north by Section 1009, 451 links; towards the west by Beach Road, 400 links: as the same is delineated on a plan marked L and S 6/8/23, deposited at the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

Also all that area of land in the Westland Land District, containing by admeasurement three acres three roods twenty-three perches, more or less, being Hospital Reserve No 455, Block XIII, Waimea Survey District: bounded towards the east by Railway Reserve No 8, 1007 links; towards the south by Buckland Road, 350 links; towards the west by Beach Road, 1006 links; and towards the north by a road, 400 links: as the same is delineated on a plan marked L and S 6/8/23, deposited at the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

Also all that area of land in the Westland Land District, containing by admeasurement twelve acres three roods seven perches, more or less, being Hospital Reserve No 144, Block XIII, Waimea Survey District: commencing at the intersection of Railway Reserve No 8 with the north side of Buckland Road; thence running in a south-easterly direction along north side of Buckland Road, a distance of 13 chains 96.8 links; thence north-easterly at a right angle, a distance of 10 chains, along part of Section 1110; thence north-westerly at a right angle along other part of said Section 1110, a distance of 12 chains 13 links, to the side of Railway Reserve No 8; and thence in a south-westerly direction along said railway reserve, a distance of 10 chains 17 links, to the point of commencement: as the same is delineated on a plan marked L and S 6/8/23, deposited at the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

- 87 Validating leases granted by Hokitika High School Board**
Whereas by certificate of title, Register-book, Volume 8, folio 131, of the Westland Land Registry, issued pursuant to the provisions of the Special Powers and Contracts Act 1885, the Hokitika High School Board is seised (for the purposes of a

site for a high school) of an estate in fee-simple, subject as is mentioned in the said certificate of title, in that piece of land situated in the Town of Hokitika, containing one acre three roods eight perches, more or less, as is more particularly shown on the plan delineated at the foot of the said certificate of title, and being part of Reserve 436, in red, delineated on the public map of the said town deposited in the office of the Chief Surveyor at Hokitika: And whereas the Hokitika High School Board have granted leases over parts of such lands: And whereas doubts have arisen as to the validity of such leases, and it is desired to validate the same: Be it therefore enacted as follows:—

All leases granted over any part or parts of such lands and all transactions connected therewith are hereby validated, and every such lease shall be deemed to have been validly granted, made, and issued by the said Board, and all subdivisions, assignments, and mortgages in respect of any such lease subsequent to the granting of such lease are hereby validated.

Canterbury Land District.

88 Exchanging land vested in Selwyn Plantation Board for a gravel-pit vested in Springs County Council

[Repealed]

Section 88 was repealed, as from 1 April 1954, by section 30(1) Selwyn Plantation Board Act 1953 (1953 No 96).

89 Changing from industrial-school purposes to a reserve for military and defence purposes reservation over certain land in Blocks II and III, Leeston Survey District

(1) The reservation for industrial-school purposes over the land hereinafter described is hereby cancelled, and the said land is hereby permanently reserved for military and defence purposes.

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

All that area in the Canterbury Land District, containing by admeasurement one thousand and sixteen acres one rood one perch, more or less, being part of Reserves 1160 and 1636,

situated in Blocks II and III, Leeston Survey District, and bounded as follows: commencing at a point at the south-east corner of Reserve 1159; towards the south-west by that reserve, 4000 links; towards the north-west by a public road, 6175 links; again towards the south-west by a public road, 2466.5 links; and again towards the north-west by the Great South Road, 16846.5 links; towards the north-east by a public road, 3226.3 links; and towards the south-east generally by the road bounding the Christchurch-Dunedin Railway line, a total distance of 27657.5 links, to the place of commencement: save and except therefrom Reserves 1040, 4036, 4070, and a one-chain public road intersecting the above-described area: be all the aforesaid linkages more or less: as the same is delineated on the plan marked L and S 1911/459, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

90 Authorizing Minister of Lands to grant licenses to take water for domestic purposes from streams in Peel Forest Scenic Reserve

Whereas by a notice in the *Gazette* of the fifth day of August, nineteen hundred and nine, certain lands therein described were declared to be a scenic reserve under the designation of the Peel Forest Scenic Reserve and to be subject to the provisions of the Reserves Act 1977: And whereas it is desired to grant a license for the taking of water for domestic purposes from a stream in the said reserve, but there is no power to grant such license: Be it therefore enacted as follows:—

- (1) The Minister charged with the administration of the Reserves Act 1977, may from time to time grant a license, for a period not exceeding five years, to take water from any stream within the said reserve on such terms and conditions and at such rental as he may think fit.
- (2) The rents received under such license shall be paid into the Scenery Preservation Account under the Reserves Act 1977.

The Scenery Preservation Act 1908 was repealed, as from 1 April 1954, by section 107(1) Reserves and Domains Act 1953 (1953 No 69). That Act was in turn repealed, as from 1 April 1978, by section 125(1) Reserves Act 1977 (1977 No 66).

91 Changing purpose of reservation over portion of Reserve 3088 in Block XII, Alford Survey District

Whereas by notice in the *Gazette* of the twenty-seventh day of August, eighteen hundred and ninety-six, Section 3088, Block XII, Alford Survey District, in the Land District of Canterbury, was permanently reserved for purposes of internal communication: And whereas it is desired to change the purpose over that part of the said section which is hereinafter described: Be it therefore enacted as follows:—

- (1) The reservation for the purposes of internal communication over the land hereinafter described is hereby cancelled, and the said land is hereby permanently reserved as a site for a post-office.
- (2) The land to which this section relates is particularly described as follows:—

All that area in the Canterbury Land District, containing by ad-measurement one acre, more or less, being portion of Reserve 3088, situated in Block XII, Alford Survey District: bounded towards the north-east by Rural Section 17763, 455.75 links; towards the south-east by other part of Reserve 3088, 200 links; towards the south-west by Tram Reserve Road, 544.25 links; and again towards the north-west by a public road, 218.7 links: be all the aforesaid linkages a little more or less: as the same is delineated on the plan marked L and S 6/3/294, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

92 Closing portion of road along bank of Opihi River, and vesting same in Milford Lagoon Recreation Association (Incorporated)

Whereas the portion of the river-bank road along the Opihi River hereinafter described is no longer required for the purpose for which it was intended, and it is desirable to close the same and to vest the land comprised therein in the Milford Lagoon Recreation Association (Incorporated), to be held by the said association in trust for recreation purposes: And whereas the Geraldine County Council, which has control of the said road, has consented to such procedure: Be it therefore enacted as follows:—

- (1) Notwithstanding anything contained in section one hundred and thirty of the Public Works Act 1908, the hereinafter-de-

scribed portion of river-bank road is hereby closed, and the land comprised therein is hereby vested in the Milford Lagoon Recreation Association (Incorporated) in trust for recreation purposes.

- (2) The District Land Registrar of the Land Registration District of Canterbury is hereby empowered and directed to issue to the said association a certificate of title accordingly in respect of the said land.
- (3) The portion of the road hereby closed is particularly described as follows:—

All that area in the Canterbury Land District, containing by admeasurement one acre and six perches, more or less, being part of a road reserve (formerly part of Rural Section 12891) situated in Block VII, Arowhenua Survey District: bounded towards the north-west by Lots 20, 21, 22, 23, and 24 of deposit plan No 3785, 538.4 links; and again towards the east, south, and south-west generally by other part of the road reserve aforesaid, 224.4, 247.7, 58.2, 113.7, and 211.3 links: be all the aforesaid linkages a little more or less: as the same is more particularly delineated on the plan marked PWD 56410, deposited in the office of the Minister of Public Works, at Wellington, and thereon bordered green.

93 Validating action of Lyttelton Harbour Board in selling certain debentures below par

Whereas on the fourth day of August, nineteen hundred and twenty-one, and on subsequent dates from time to time until the twenty-first day of August, nineteen hundred and twenty-two, the Lyttelton Harbour Board, purporting to act under and in accordance with the provisions of the Harbours Act 1950, and its amendments, the Lyttelton Harbour Board Loan Act 1920, section thirty-three of the Finance Act 1920, and a certain Order in Council dated the twenty-fourth day of March, nineteen hundred and twenty-one, sold at less than par certain of the debentures issued in respect of the loan of three hundred thousand dollars authorized by the said Loan Act: And whereas such action, though contrary to the provisions of section five of the said Lyttelton Harbour Board Loan Act 1920, did not result in the Board's paying a higher rate of interest for

the money borrowed than the rate authorized by the said Order in Council: And whereas it is desirable that the sale of the said debentures should be validated: Be it therefore enacted as follows:—

The action of the said Board in selling the said debentures at less than par is hereby validated, and such sale is hereby declared to have been lawfully made and the proceeds from such sale to have been lawfully paid into the Board's Loan Account.

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

The Harbours Act 1908 (1908 No 75) was repealed, as from 1 January 1924, by section 259(1) Harbours Act 1923 (1923 No 40). That Act was in turn repealed, as from 15 October 1950, by section 269(1) Harbours Act 1950 (1950 No 34).

94 Authorizing Ashburton County Council to transfer to General Account debit balances of certain water-race accounts

Whereas the Ashburton-Rakaia and the Mount Somers Alford and Ashburton Forks Water-race Districts within the County of Ashburton, constituted under the Water-supply Act 1908, have been abolished by the Ashburton County Council, and the Ashburton-Rangitata Water-race District has been curtailed by the abolition of all subdivisions therein except the Ruapuna and Ruapuna No 2 Subdivisions and the exclusion from the district of the lands comprised therein: And whereas on the thirty-first day of March, nineteen hundred and twenty-three, the separate accounts kept in respect of the said abolished districts and subdivisions showed in the aggregate a debit balance of thirteen thousand four hundred and six dollars and fifty-nine and a sixth cents: And whereas it is expedient to allow of such debit balance being made a charge against the General Fund of the county: Be it therefore enacted as follows:—

The Ashburton County Council may, by special order, abolish the separate accounts kept in respect of the water-race districts and subdivisions abolished as aforesaid, and transfer to the General Account of the County Fund the debit balance of those accounts as at the making of such special order.

The words “thirteen thousand four hundred and six dollars and fifty-nine and a sixth cent” were substituted, as from 10 July 1967, for the words “six thousand seven hundred and three pounds five shillings and elevenpence” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

95 Authorizing Ashburton County Council to pay out of its General Fund interest and other charges in respect of certain water-race loans

Notwithstanding anything to the contrary in the Local Bodies Loans Act 1913, or in any other Act the Ashburton County Council may, by special order, decide to pay out of its General Fund the interest and other annual charges in respect of special loans, amounting to the sum of fourteen thousand six hundred and forty-nine dollars and eleven and two-thirds cents, raised under the Government Loans to Local Bodies Act 1886, for the purpose of constructing waterworks in the Ruapuna and Ruapuna No 2 Subdivisions of the Ashburton-Rangitata Water-race District, and so long as such special order remains in force and such charges are duly paid out of the said General Fund it shall not be necessary for the said Council to collect the special rates made in respect of such special loans.

The words “fourteen thousand six hundred and forty-nine dollars and eleven and two-third cents” were substituted, as from 10 July 1967, for the words “seven thousand three hundred and twenty-four pounds eleven shillings and twopence” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

96 Validating a lease of certain land by Board of Governors of Canterbury College

Whereas the Board of Governors of the Corporation of the Canterbury College by memorandum of lease dated the fifth day of April, nineteen hundred and twenty-three, leased to the Mount Torlesse Collieries (Limited) that piece or parcel of land, containing one hundred and one acres three roods seventeen perches, being Lots 1, 2, and 3 on a subdivisional plan of Reserve No 1577, Block XV, Grassmere Survey District, for a term of sixty-one years, for the purpose of a mining township, upon and subject to the terms and conditions set forth in the said lease: And whereas it is doubtful whether there is any statutory authority for the said lease: Be it therefore enacted as follows:—

The said Board shall for all purposes be deemed to have been lawfully empowered to grant the said lease for the said term of sixty-one years.

97 Changing from a town-hall and library site to a site for public buildings, purpose of reservation over Reserve 3754

Whereas by a notice published in the *Gazette* of the sixth day of August, nineteen hundred and eight, Reserve 3754 (formerly Section 1, Block IV, Town of Orari), containing one rood twenty-four perches, more or less, was permanently set apart as a site for a public hall and library: And whereas it is desired to change the purpose of the reservation over the said land: Be it therefore enacted as follows:—

The reservation for the purposes of a site for public hall and library over the land aforesaid is hereby cancelled, and the said land is hereby permanently reserved as a site for public buildings of the General Government.

98 Authorizing exchange of portion of Nelson College Endowment in Canterbury Land District for certain private land

Whereas for the purpose of securing a more practicable fencing boundary it is desirable that the portion described in subsection three hereof of the Nelson College endowment, now vested in the Governors of Nelson College, should be exchanged for the private land described in subsection four hereof: Be it therefore enacted as follows:—

- (1) Upon the conveyance or transfer to His Majesty of the private land described in subsection four hereof the Governor-General shall, by Proclamation, revoke the reservation as an endowment over the land described in subsection three hereof and the vesting of the said land as aforesaid, and shall by Warrant under his hand authorize the issue of a certificate of title in respect thereof to the person conveying or transferring such private land to His Majesty.
- (2) The land conveyed or transferred to His Majesty under the authority of this section shall be declared by Proclamation to be set apart as an endowment for Nelson College, and to be

vested in the Governors of Nelson College under the same trusts and conditions as the land to be exchanged therefor is now held.

- (3) The land over which the reservation may be revoked under the authority of subsection one hereof is particularly described as follows:—

All that area in the Canterbury Land District, containing by ad-measurement one hundred and ten acres, more or less, being part of Sections 37 and 38, Block XVI, Terako, and Section 40, Block XIII, Towy Survey Districts (Square 80): bounded towards the north, west, and north-east generally by the Waiau-Kaikoura Road, and by other part of Sections 38 and 40 aforesaid; towards the south-east by the Campbell Creek; towards the south by Section 48, Block XVI, Terako Survey District; and again towards the west by Section 36, Block XVI, Terako Survey District (Square 80): as the same is more particularly delineated on the plan marked L and S 13/90/14B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered pink.

- (4) The land to which subsection two hereof relates is particularly described as follows:—

All that area in the Canterbury Land District, containing by ad-measurement one hundred and seventeen acres, more or less, being part of Sections 41 and 48, Block XIII, Towy Survey District (Square 80): bounded towards the north generally by the Campbell Creek; towards the east by the River Conway; and towards the south-east, south, and west generally by other part of Sections 41 and 48 aforesaid: as the same is more particularly delineated on the plan marked L and S 13/90/14A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered yellow.

99 Cancellling reservation over portion of Scotsburn Domain, and vesting the same in Canterbury Education Board as a school-site

Whereas the land hereinafter described comprises part of the Scotsburn Domain, the control of which is vested in the Scotsburn Domain Board: And whereas it is desired to change the purposes of reservation over the said land and to vest the said land in the Education Board

of the District of Canterbury for the purposes of a school-site: Be it therefore enacted as follows:—

- (1) The reservation for the purposes of a domain over the land hereinafter described and the vesting of the control of the said land in the Scotsburn Domain Board are hereby cancelled, and the said land is hereby reserved as a site for a school and vested in the Education Board of the District of Canterbury in trust for that purpose.
- (2) The land to which this section relates is particularly described as follows:—

All that area in the Canterbury Land District, containing by admeasurement five acres and thirty-six perches, more or less, being Reserve 1475, situated in Block IV, Orari Survey District, and bounded as follows: on the north-east by a public road, 1451.8 links; on the south by Section 29010, 1084 links; and on the west by a public road, 963.9 links.

100 Geraldine County River District Act 1921-22, amended
[Repealed]

Subsection (2) was repealed, as from 14 September 1938, by section 3(2) Geraldine County River District Amendment Act 1938 (1938 No 5(L)).

Section 100 was repealed, as from 9 October 1946, by section 4(3) South Canterbury Catchment Board 1946 (1946 No 10(L)).

101 Validating payment of \$200 by Mount Somers Road Board towards cost of Soldiers' Memorial Hall

Whereas during the financial year ending on the thirty-first day of March, nineteen hundred and twenty-three, the Mount Somers Road Board expended the sum of two hundred dollars in part-payment of the cost of erecting a Soldiers' Memorial Hall in the Mount Somers Road District as a permanent memorial of the war with Germany: And whereas the said Road Board, by inadvertence, omitted to obtain the approval by the Governor-General in Council of the said Soldiers' Memorial Hall as an approved war memorial under section fifteen of the Finance Act 1919, and the said expenditure was made without lawful authority: And whereas it is expedient to validate such expenditure: Be it therefore enacted as follows:—

The said expenditure of two hundred dollars by the Mount Somers Road Board is hereby validated, and shall for all purposes be deemed to have been lawfully made.

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

102 Authorizing Corporation of County of Mackenzie to accept a transfer of Fairlie Athletic Ground

It shall be lawful for the Corporation of the County of Mackenzie to accept a transfer of the land comprised in certificate of title, Volume 141, folio 19, Canterbury Land Registry, known as the Fairlie Athletic Ground, and to hold the same upon the trusts declared in and by a certain deed of trust dated the eighth day of September, nineteen hundred and three, and executed by James Dundas Hamilton, Henry Struthers, and James Im-lay Milne.

103 Authorizing Christchurch City Council to borrow \$20,000 for certain purposes

- (1) The Christchurch City Council may by special order and without taking the steps prescribed by sections eight to twelve of the Local Bodies Loans Act 1913, raise a special loan, not exceeding the sum of twenty thousand dollars, for the purpose of investigating and obtaining expert opinions upon any works proposed to be undertaken under the authority of the City of Christchurch Electric Power and Loan Empowering Act 1902, or as to any other source of power for the production of electric energy for the city.
- (2) Out of the proceeds of such loan there may be repaid to any account kept by the said Council any moneys theretofore paid out of such account in making any such investigation, or in procuring any such expert opinions as aforesaid.

The words “twenty thousand dollars” were substituted, as from 10 July 1967, for the words “ten thousand pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

Otago Land District.

104 Section 136 of Reserves and other Lands Disposal and Public Bodies Empowering Act 1922, amended

Section one hundred and thirty-six of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1922, is hereby amended by omitting from the preamble thereof the reference to Block LIX on the Land Transfer Record Map of the City of Dunedin, and substituting a reference to Block LXIX on that map.

105 Exchanging portion of public-school site (Section 4, Block I, Bannockburn Survey District) for adjacent Crown land

Whereas by notice published in the *Gazette* of the eighteenth day of December, eighteen hundred and eighty-four, Section 4, Block I, Bannockburn Survey District, containing five acres, was permanently reserved as a school-site: And whereas it is desirable to exchange a portion of the said Section 4 for an adjacent area of Crown land: And whereas the areas to be exchanged are of equal value: Be it therefore enacted as follows:—

- (1) The reservation for the purposes of a school-site over the land described in subsection three hereof 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 described in subsection four hereof is hereby permanently reserved for the purposes of a school-site.
- (3) The land to which subsection one hereof relates is particularly described as follows:—

All that area in the Otago Land District, containing by admeasurement two acres one rood twenty-four perches, more or less, being part of Section 4, Block I, Bannockburn Survey District, and bounded as follows: commencing at the south-east corner of the said Section 4, and bounded towards the east by Crown land, a public road, and again by Crown land bearing 20° 22', 500 links; thence towards the north and west gener-

ally by Crown land and the other part of Section 4, bearing 290° 22', 315.6 links; 196° 13', 72.1 links; 237° 53', 377.5 links; 268° 35', 346.5 links; thence towards the south-east by Crown land, a public road, and again by Crown land bearing 110° 22', 862 links, to the point of commencement: be all the aforesaid linkages more or less: as the same is delineated on the plan marked L and S 6/6/370, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

- (4) The land to which subsection two hereof relates is particularly described as follows:—

All that area in the Otago Land District, containing by admeasurement three acres two roods twenty-three perches, more or less, being Section 45, Block I, Bannockburn Survey District, and bounded as follows: commencing at the north-west corner of Section 4, Block I, Bannockburn Survey District; thence towards the south by said Section 4, bearing 110° 22', 684.6 links; towards the east by Crown land bearing 16° 13', 366.8 links; towards the north by Crown land bearing 280° 14', 950.1 links; towards the west by Crown land bearing 187° 42', 812.9 links; again towards the south by Crown land bearing 88° 35', 255.3 links; and again towards the north and east by Section 4, bearing 290° 22', 138 links, and 20° 22', 500 links, to the point of commencement: be all the aforesaid linkages more or less: as the same is delineated on the plan marked L and S 6/6/370, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered neutral tint.

106 Authorizing disposal of certain lands in Otago Land District subject to a condition that certain rents will not be demanded

- (1) The Governor-General may, on the reoffering under Part 6 of the Land Act 1908, of the lands hereinafter described, or any of such lands, order the same to be disposed of subject to the condition that after the first half-year's rent has been paid by any selector thereof the further instalments of rent payable by him for a period not exceeding one year shall not be demanded or collected.

- (2) The lands to which this section relates are the Mount Pisa runs in the Crown, Cromwell, Cardrona, Tarras, Kawarau, and Wakefield Survey Districts, in the Otago Land District.

107 Validating authorizing Orders in Council in respect of certain irrigation-works in Otago Land District, and empowering Governor-General to take certain lands

Whereas Orders in Council authorizing the construction, maintenance, and control by the Minister of Public Works of the Ardgour irrigation-works and the Manuherikia irrigation-works were made on the twenty-fourth day of January, nineteen hundred and twenty-three, and published in the *Gazette* of the twenty-fifth day of the same month, and similar Orders in Council in respect of the Olig Terrace irrigation-works, the Galloway irrigation-works, and the Ida Valley Extension irrigation-works are about to be made: And whereas the Orders in Council already made and the Orders in Council about to be made are or will be irregularly made in that the Ardgour and Manuherikia irrigation-works were begun before the issue of the authorizing Orders, and the Olig Terrace irrigation-works, the Galloway irrigation-works, and the Ida Valley Extension irrigation-works have also been begun, and in that the procedure prescribed in section five of the Public Works Amendment Act 1910, was not carried out as therein laid down: And whereas it is desired to take under the power provided in subsection three of section five of the said Act certain lands in the districts benefited by the aforesaid irrigation-works with respect to which neither the owners nor the occupiers will enter into contracts with His Majesty to take water from such works, but, owing to the aforesaid irregularities in the making of the Orders in Council above referred to and to the fact that the said works are now substantially completed, there is no power to take such lands: And whereas it is desired to validate the authorizing Orders in Council already made or about to be made as aforesaid and to empower the Governor-General to take the said lands: Be it therefore enacted as follows:—

- (1) The Orders in Council already made as hereinbefore recited are hereby validated, and the Order in Council about to be made as hereinbefore recited shall be valid, and such Orders in Council shall have effect, as if the whole of the requirements of the Public Works Amendment Act 1910, and of any other

Act in respect to the making thereof had been duly complied with.

- (2) Any lands in the districts served by the aforesaid irrigation-works which might have been taken by the Governor-General under the powers conferred on him by subsection three of section five of the Public Works Amendment Act 1910, prior to the completion of those works may be taken by him in the manner provided by that subsection at any time within twelve months after the passing of this Act:

Provided that in assessing the amount of compensation payable for any such lands there shall be excluded from the value of the land any increase in value due directly or indirectly to the execution of the irrigation-works aforesaid.

108 Authorizing variation of conditions of a certain bequest under will of the late William Harrop, of Dunedin

Whereas by the will of William Harrop, of Dunedin, estate agent (deceased), the Public Trustee as trustee of the said will pays to the trustees of the Otago District Manchester Unity Independent Order of Oddfellows, their successors or assigns, an annuity or yearly sum of fifty dollars in perpetuity, for the purpose of establishing one scholarship of fifty dollars tenable for two years, to be open for competition to such sons and daughters of members for the time being of the Otago District Manchester Unity Independent Order of Oddfellows as shall be attending any public school in Otago established under the Education Act 1914, on the conditions set forth in the said will: And whereas it is expedient to provide for a wider distribution of the benefits of the said bequest: Be it therefore enacted as follows:—

The trustees of the Otago District Manchester Unity Independent Order of Oddfellows are hereby empowered to establish two scholarships of the annual value of twenty-five dollars each, in lieu of the one scholarship of fifty dollars established under the said will, upon the same terms and conditions, and the Public Trustee is hereby empowered to pay the yearly sum of fifty dollars in perpetuity to the trustees of the Manchester Unity Independent Order of Oddfellows for such purpose.

The words “fifty dollars”, and “twenty five dollars” were substituted, as from 10 July 1967, for the words “twenty-five pounds”, and “twelve pounds ten shillings” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

109 Vesting in University of Otago, as a site for a dental school, portion of Beverly Trust Estate

Whereas Arthur Beverly, late of Dunedin, watchmaker, who died on the twenty-fifth day of October, nineteen hundred and seven, by his will dated the fourteenth day of December, nineteen hundred and four, gave the residue of his real and personal estate to the University of Otago to form a trust fund, to be kept separate from other endowments, and to be called the Beverly Trust, and to be devoted to the advancement of education in Otago as directed by the said will: And whereas the said real estate comprises, *inter alia*, the said land hereinafter described: And whereas the University requires that land for the purpose of a site for and the erection thereon of a dental school: Be it therefore enacted as follows:—

- (1) The land hereinafter described is hereby vested in the University of Otago freed and discharged from the trusts declared and expressed in the said will of and concerning the same.
- (2) Notwithstanding anything to the contrary contained in the said will or in any Act, the University shall, on the passing of this Act, be entitled to the immediate possession of the said land for the purpose of a site for and the erection thereon of the said dental school, and shall pay or transfer to the Beverly Trust the sum of five thousand nine hundred dollars.
- (3) The land to which this section relates is particularly described as follows:—

All that area in the Land District of Otago, being parts of Sections 6, 7, 14, and 15, Block XXVI, Town of Dunedin, and being part of the land comprised in certificate of title, Volume 140, folio 279, and containing by admeasurement one rood nine perches: commencing at a point distant 127.14 links in a south-westerly direction, bearing 201° 39' 42", from the most easterly corner of Section 13, Block XXVI, Town of Dunedin, and bounded thence towards the south-east by King Street, distance 93.2 links, bearing 201° 39' 42"; thence towards the south-west by parts of Sections 15 and 6 of the said block, distance 334 links, bearing 291° 39' 42"; thence towards

the north-west by parts of Sections 6 and 7 of the said block, distance 87.7 links, bearing $21^{\circ} 39' 42''$; thence towards the north-east by part Section 7 of the said block, distance 84 links, bearing $111^{\circ} 39' 42''$; thence towards the north-west by part of the said Section 7, distance 5.5 links, bearing $21^{\circ} 39' 42''$; and finally towards the north-east by part of Section 14 of the said block, distance 250 links, bearing $111^{\circ} 39' 42''$, to the commencing-point: be all the aforesaid linkages and area a little more or less.

The words "five thousand nine hundred dollars" were substituted, as from 10 July 1967, for the words "two thousand nine hundred and fifty pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

110 Authorizing Otago Harbour Board to accept surrender of a certain lease

The Otago Harbour Board is hereby empowered to accept the surrender of lease bearing date the twenty-eighth day of May, nineteen hundred and fifteen, registered No 4399, from the said Board to Mary Ann Barbara Hatton of Sections 3, 4, and 5, Block LXXII, on the plan deposited in the Land Registration Office at Dunedin as No 1470, upon such terms as to payment for the improvements on the said sections and as to remission of rent and otherwise as may be agreed upon between the said Board and the said Mary Ann Barbara Hatton.

Southland Land District.

**111 Lessees of certain lands in Merrivale Nos 1 and 2
Settlements may apply for revaluations of lands held by them**

- (1) The lessee of any land hereinafter described may apply for a revaluation of the land comprised in his lease, and in any such case the provisions of subsections one, two, three, five, and seven of section fifteen of the Land Laws Amendment Act 1915, shall, with the necessary modifications, apply as if the application were an application for a revaluation of land under that section.
- (2) If on a revaluation of land under this section the value as then determined, exclusive of the value of improvements effected by the lessee, is less than the capital value of the land on which

the rent is based, the rent payable under the lease shall, as from the first day of July, nineteen hundred and twenty-three, be proportionately reduced.

- (3) The provisions of section fifty-six of the Land for Settlements Act 1908, may be applied to any such lessees without the limitation imposed by paragraph (c) of that section.
- (4) The lands to which this section relates are the following lands in the Waiiau Survey District, in the Southland Land District:—

Merrivale No 1 Settlement.

Section.	Block.	Area.		
		A	R	P
20	XI	250	0	0
21	XI	249	1	8
22	XI	256	2	15

Merrivale No 2 Settlement.

Section.	Block.	Area.		
		A	R	P
6	IX	178	0	19
7	IX	157	0	0
8	IX	297	0	29
North part of 9	IX	159	1	13
10 and south part of 9	IX	425	0	7
12	IX	321	1	35
13	IX	423	1	29

**Schedule 1
Reserves made available for disposal
under the Land Act 1908.**

No	Description of Land.	Purpose for which Land reserved.	Instrument of Reservation.
1	Sections 136 and 137, Rawene Township, in the North Auckland Land District, containing 2 roods 11.47 perches, more or less	Site for public buildings General Government	Notice in <i>Gazette</i> , of the 1st July, 1915.
2	Allotment 47, Town of Hamilton West, in the Auckland Land District, containing an area of 3 roods 17 perches, more or less	Courthouse-site	Transfer pursuant to section 3 of the Court-house-sites Exchange Act 1902.
3	Sections 479 and 631, Town of Clyde, in the Hawke's Bay Land District, containing 1 rood 28 perches, more or less	Use of Department of Agriculture	Notice in <i>Gazette</i> , 2nd March, 1899.
4	Sections 1 to 33 (Eltham-Opunake Railway Reserve), Blocks IX and X, Opunake, Blocks IX, X, XI, and XII, Kaupokonui, and Block IX, Ngaire Survey Districts, containing an area of 338 acres 1 rood 31 perches	Railway	Notice in <i>Gazette</i> , 8th August, 1889.

No	Description of Land.	Purpose for which Land reserved.	Instrument of Reservation.
5	Section 7, Block XVI, Pouatu Survey District, in the Land District of Taranaki, containing 41 acres 2 roods, more or less	Papa-burning	Notice in <i>Gazette</i> , 2nd March, 1911.
6	Section 73, Town of Livingstone, in the Wellington Land District, containing 7 acres 2 roods 30 perches, more or less	Recreation reserve	Notice in <i>Gazette</i> , 22nd May, 1890.
7	Sections 22 and 23 (Reserve 2998), Town of Orari, in the Canterbury Land District, containing 2 roods, more or less	Public buildings of the General Government	Notice in <i>Gazette</i> , 15th June, 1893.
8	All that parcel of land in the Purakanui Inlet, in the Otago Land District, containing 6 acres 1 rood, more or less; as same is delineated on plan marked L and S 8/17/5, deposited in the Head Office, Department of Lands and Survey, Wellington, and thereon bordered red	Fish-hatchery	Notice in <i>Gazette</i> , 20th December, 1898.
9	All that area in the Southland Land District, containing 2,450 acres, more or less, and bounded as follows: commencing at a point	National park	Notice in <i>Gazette</i> , 23rd February, 1905.

No	Description of Land.	Purpose for which Land reserved.	Instrument of Reservation.
	<p>on the Lillburn-Hauroko Road due north of Trig B, Goldie's Hill, Hauroko Survey District; thence by a line due south through the said Trig B to the northern boundary of Rowallan Survey District; thence by a line due west for a distance of 70 chains approximately; thence by a line due north to the Lillburn-Hauroko Road aforesaid; thence towards the east generally by the said road to the place of commencement: as the same is more particularly delineated on the plan marked L and S 4/300, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured yellow</p>		

Schedule 2

DEED OF AGREEMENT MADE BETWEEN THE CORPORATION OF THE COUNTY OF THAMES AND THE CORPORATION OF THE BOROUGH OF THAMES RESPECTING THE THAMES WATER-RACE.

THIS DEED, made the nineteenth day of October, one thousand nine hundred and twenty-two, between the Chairman, Councillors, and Inhabitants of the County of Thames, being a body corporate duly constituted under the Counties Act 1920 (hereinafter called the County Council), of the one part, and the Mayor, Councillors, and Burgesses of the Borough of Thames, a body corporate constituted and existing under and by virtue of the provisions of the Municipal Corporations Act 1920 (hereinafter called the Borough Council), of the other part: Whereas the Thames Water-race as constructed by the Government, and (except the stream called Waikiekie) all lands, streams, buildings, and works belonging thereto or connected therewith, and all rights and privileges appurtenant or belonging thereto, were under and by virtue of the provisions of the Thames Water-supply Transfer Act 1880, absolutely vested in the County Council and still are vested in and under the control and administration of the County Council by which such water-race is used for the purposes of conveying water for various purposes from a part of the Kauaeranga River to the Borough of Thames: And whereas negotiations have been in progress for some considerable time between the County Council and the Borough Council the object of which is to have such water-race taken over, controlled, and administered by the Borough Council: And whereas the parties have come to a definite agreement, terms, conditions, and stipulations of which are hereinafter fully set forth, and it is hereby mutually agreed as follows:—

1. The County Council agrees to transfer, and the Borough Council agrees to accept, so far as such parties legally can or may, the Thames Water-race as transferred by the Thames Water-supply Transfer Act 1880, and as still existing, together with all branch races, plant, equipment of every kind, and all reserves, lands, waters, rivers, streams, tributaries, dams, reservoirs, buildings, drains, races, aqueducts, trestling, mains, valves, pipes, culverts, tools, appliances, works, and material of all kinds and description, and all rights, licenses, easements, privileges, appurtenances, connections, and property, belonging to or in anywise or manner appurtenant to or connected with the water-supply from the Thames Water-race as the same are now vested in, controlled, and administered by the County Council, to the intent that the Borough Council may have, possess, exercise, and enjoy all the rights, powers, privileges, and authorities now possessed, exercised, and enjoyed by the County Council.
2. Possession of such water-race and its accompaniments, rights, and privileges shall be taken over and assumed as from noon on the 14th day of October, 1922.
3. In order to give full effect to such transfer the County Council shall and will forthwith do or cause to be done all such acts, deeds, matters, and

things requisite, advisable, or proper to enable the Borough Council to pass all or any such further or additional legislation as may be necessary to fully and effectually confirm this agreement and vest in the Borough Council the said water-race and appurtenances and its and their future control, management, maintenance, and administration.

4. As consideration for such transfer the Borough Council will on the 1st day of January, 1925, pay to the County Council the sum of £4,100, but without interest. Failing payment on or before the said 1st day of January, 1925, the Borough Council shall pay to the County Council interest on the whole or any unpaid portion of the said sum of £4,100 at current bank rates for overdrafts until such payment is made in full.
5. The County Council will, upon demand, refund to the Hauraki Plains County Council the sum of £850 already paid by such latter Council to the County Council as the amount which was found to be due to the County Council upon the creation and constitution of the Hauraki Plains County and which sum was duly paid to the County Council by the Hauraki Plains County Council.
6. The Borough Council will, as part of the consideration hereof, pay to the County Council upon demand the sum of £50, being the amount of interest chargeable to the County Council in respect of the use by it of the said sum of £850.
7. As further consideration for such transfer the Borough Council will hereafter during its control of the said water-race, and provided sufficient water is available and running in such race, and upon and after reasonable and sufficient notice, supply the County Council's stone-crusher in the County Council's quarry adjacent to the existing suspension bridge on the right bank of the Kauaeranga River with sufficient water for power purposes, estimated upon the basis of the present requirements of the County Council, for the purposes of such stone-crusher and at the price or rate then being charged by the Borough Council for water for power purposes: Provided, however, that the Borough Council may, with the consent of the County Council, at any time substitute other equivalent motive power in lieu of water-power at the rate or price usually charged by the Borough Council for any such power; and provided further that, should such alteration in the description or method of power supplied require the installation, erection, or maintenance of any additional machinery or plant, the costs of such machinery, erection, installation, or maintenance shall be borne by the Borough Council.
8. As part of the sale contemplated by these presents the County Council will transfer to the Borough Council all its book debts for water charges due to the County Council up to and including the 14th day of October, 1922, by its inhabitants and consumers for water used or supplied from the Thames Water-race, whether for power purposes, domestic supply or consumption,

or otherwise, and will, when called upon, do and execute, or cause to be done or executed, all such acts, deeds, documents, writings, or authorities enabling or empowering the Borough Council to ask, demand, sue for, recover, and receive of and from the persons, companies, or firms owing the same all or any moneys due, owing, or payable to the County Council in respect of water supplied:

Provided that the cost of out-of-pocket expenses or the cost of any service rendered in so doing shall be borne by the Borough Council.

9. The Borough Council will take over and carry out in their integrity, and without variation in price or otherwise, any outstanding contracts or agreements now subsisting between the County Council and any of its consumers, and will, if required, indemnify and keep harmless and indemnified the County Council from the performance of all or any of such contracts.
10. The County Council will also pay and transfer to the Borough Council the balance to credit (estimated at about £119 7s 8d) of the County Council Water-race Account at the Bank of New Zealand, Thames, as on the 14th day of October, 1922.
11. The Borough Council will pay, satisfy, settle, and discharge all liabilities whatsoever due and owing, whether for wages, labour, or material, or otherwise, by the County Council in respect of the Thames Water-race up to and including the said 14th day of October, 1922.
12. The County Council will forthwith transfer, hand over, and deliver to the Borough Council all plans, drawings, estimates, and records in connection with the said water-race now in the possession or under the control of the County Council, its Engineer, or other officers.
13. The Borough Council will take over and assume and pay and satisfy the liability (estimated at £1,250 14s 6d) subsisting on the 14th day of October, 1922, by the County Council to the Bank of New Zealand, Thames, in respect of advances already made by such bank to the said County Council in respect of the latter's Water-race Account and debited to the County Council in the books of such bank in an account called the Thames County Council Water-race Revenue Antecedent Liability Account.
14. All outstanding agreements or contracts subsisting between the County Council and the Borough Council at the 14th day of October, 1922, in regard to water-supply, and particularly deeds of agreement bearing date the 9th day of September, 1911, and the 4th day of February, 1915, respectively, and all the rights, powers, licenses, and authorities conferred by such agreements are hereby mutually cancelled and rescinded and at an end, and all moneys due or payable under either or both of such agreements by the Borough Council to the County Council are deemed paid and satisfied, and the Borough Council is hereby released from

payment of all or any of such sums of money, or the performance of all or any of the obligations arising under and by virtue of the said-recited agreements or either of them.

15. The Borough Council is also by virtue of these presents and as part of the consideration thereof hereby released and exonerated from payment of all moneys due by it to the County Council in respect of charges for water supplied to the date hereof, and also from payment of all moneys agreed to be paid by the Borough Council for the purchase of water mains, pipes, and accessories, together with all interest due to such date upon all or any such moneys or any part thereof.
 16. Nothing in these presents shall entitle the Borough Council to any rights over or in the Kauaeranga River below the main water-race intakes which will unduly interfere with the county's administration of that portion of the Thames County.
 17. Should the Borough Council be unable during the present or any future session of Parliament to obtain legislation to fully and effectually confirm or give effect to each and all or any of the terms, conditions, and stipulations expressed or implied in these presents, then such failure shall not prejudice or be deemed to prejudice these presents or the rights, powers, and privileges conferred hereby upon the Borough Council so far as the County Council is legally concerned.
 18. For the purposes and objects of these presents the Borough Council and the County Council hereby appoint Ernest Feltus Adams, of Thames, Engineer, to define the area of land within the Thames County requisite for a watershed or catchment area in connection with such water-race, and the Borough Council and the County Council will abide by the definition made by the said Ernest Feltus Adams of such area, and the County Council will assist the Borough Council in creating the area so to be defined by legislation or otherwise as a reserve for all or any of the purposes of such water-race.
 19. The County Council will make and sign all such further or other deeds, documents, or writings that may be necessary, advisable, or proper to further or more fully give effect to and carry out the terms and conditions herein expressed or implied.
 20. All expense in connection with the legal transfer of the water-race, and all expense involved in the change of ownership in every manner whatsoever, shall be borne by the Thames Borough Council.
- In witness whereof the parties hereto have executed these presents on the day and year first above written.

The Common Seal of the Chairman, Councillors, and Inhabitants of the County of Thames was hereunto affixed at a meeting of the Council of the said county and pursuant to a resolution of such Council in the presence of—

HENRY LOWE, Chairman.
ROBT COX, Councillor.
H T G McELROY, County Clerk.

(The Common Seal of the Chairman, Councillors, and Inhabitants of the County of Thames.)

The Common Seal of the Mayor, Councillors, and Burgesses of the Borough of Thames was hereto affixed at a meeting of the Council of the said borough and pursuant to a resolution of such Council in the presence of—

ERNEST N MILLER, Mayor.
JOHN ROWE, Councillor.
W J CROPP, Councillor.
A CHAPMAN, Town Clerk.

(The Common Seal of the Mayor, Councillors, and Burgesses of the Borough of Thames.)

Contents

- 1 General
 - 2 About this eprint
 - 3 List of amendments incorporated in this eprint (most recent first)
-

Notes

1 *General*

This is an eprint of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1923. The eprint incorporates all the amendments to the Act as at 5 August 2009. The list of amendments at the end of these notes specifies all the amendments incorporated into this eprint since 3 *September 2007*.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the eprint are also included, after the principal enactment, in chronological order.

2 *About this eprint*

This eprint has not been officialised. For more information about eprints and officialisation, please *see* <http://www.pco.parliament.govt.nz/eprints/>.

3 *List of amendments incorporated in this eprint (most recent first)*

Port Nicholson Block (Taranaki Whānui ki Te Upoko o Te Ika) Claims Settlement Act 2009 (2009 No 26): section 82(a)
