

# Lyttelton and Heathcote Recreation-Ground Act 1877

Local Act 1877 No 79  
Date of assent 8 December 1877

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**An Act to vest certain Land at Lyttelton in a Trust, for the purposes of Public Recreation.**

### **Preamble**

*[Repealed]*

The Preamble to this Act was repealed, as from 1 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

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

#### **1 Short Title**

The Short Title of this Act shall be The Lyttelton and Heathcote Recreation-ground Act 1877.

**2 Land vested for recreation purposes**

The lands described in the Schedule to this Act shall be and the same are hereby absolutely transferred to and vested in the Trust hereinafter created, for the purposes of a public recreation-ground for the inhabitants of Lyttelton and Heathcote and the surrounding districts.

**3 Trustees named and incorporated**

The Honorable George Buckley, John Ollivier, Robert Martindale, and Mayor of the Borough of Lyttelton, and the Chairman of the Heathcote Road Board, for the time being severally in office, and their successors in such offices, shall be and they are hereby created a body corporate, by the name of "The Lyttelton and Heathcote Recreation Trust," and shall have a common seal, and may do and suffer all things that bodies corporate may do and suffer.

**4 Trust to manage lands**

The said Trust shall manage the said lands in all respects as to it may seem expedient, but so that the lands shall be exclusively used for the purposes for which they have by this Act been set apart:

Provided that the Trust may let the said land, or any part thereof, for any period not exceeding one year: Provided also that the Trust may for seven days in each year, and either at one time or at different times, close the said lands to the public, and charge for admission thereto on such days; and all rents and revenues then received for or in respect of the said lands shall be expended in, upon, and about the same, and for no other purpose.

**5 Power to resume part of lands for railway purposes**

The Governor may, on behalf of Her Majesty the Queen, at any time and from time to time resume possession of any part of the lands vested in the Trust upon giving to the Trust one month's notice of his intention to do so, and without paying or giving any compensation for the same. Such notice shall be deemed to be sufficient if signed by the Minister for Public Works for the time being, on behalf of the Governor, and published in the New Zealand Gazette.

The land shall only be so resumed for the purposes of the Lyttelton and Christchurch Railway, or for some purpose connected therewith; and upon the expiration of any such notice the land mentioned therein shall be deemed to revert in Her Majesty, wholly discharged from the trusts created by this Act.

**6 Vacancies**

If any of the said Trustees, other than those serving *ex officio*, shall resign, or shall be absent for twelve months from the Provincial District of Canterbury, or shall be adjudicated a bankrupt or insolvent, or take the benefit of any Act for the relief of debtors, or shall be convicted of any felony, he shall cease to be a member of the said Trust, and the Governor may, in case of such vacancy, or in case of the death of any member, excepting as aforesaid, appoint another in his place.

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**Schedule**

All that piece or parcel of land, being part of the land described in a deed of conveyance from Isaac Thomas Cookson and another to the Superintendent of the late Province of Canterbury, of part of Rural Section No 271 on the map of the Chief Surveyor, setting out and describing the rural lands in the Christchurch District of the said late province, dated the 27th day of November, 1862, and registered in the books of the Registrar of Deeds for the District of Canterbury as No 5698, containing by admeasurement 8 acres and 3 roods, or thereabouts; and bounded towards the North-west by the bridle road from Lyttelton to Christchurch in the said deed referred to; towards the South by the southern boundary line of the land comprised in the said deed, and therein stated as 11 chains and 10 links; and towards the East by the eastern boundary line of the land comprised in the said deed, from the last-mentioned line to its intersection with the south-eastern boundary line of the said bridle road, a distance of 1755 links or thereabouts.

Also, all that piece or parcel of land, being another part of the land comprised in the said deed, containing by admeasurement 6 acres or thereabouts; and bounded towards the West by the bridle road men-

tioned in the aforesaid deed, from its junction with the accommodation road aforesaid, a distance of 1390 links or thereabouts; towards the North by a line at right angles to the last-mentioned boundary, running in a westerly direction, a distance of 475 links or thereabouts; thence bounded towards the East by a line running in a southerly direction parallel to and three chains west of the centre line of the Christchurch and Lyttelton Railway tunnel, a distance of 590 links or thereabouts; thence again towards the North by a line at right angles with the last-mentioned boundary, running in an easterly direction, a distance of 340 links or thereabouts, to the north-western boundary of the bridle road aforesaid; thence towards the South-east by the said bridle road to its junction with the accommodation road aforesaid.