

Reserves and other Lands Disposal and Public Bodies Empowering Act 1918

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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 1918.

2 Cancelling reservation of land as chapel-site, Wellsford, Auckland

Whereas the south-eastern portion of Allotment 119, Oruawharo Parish, in the Auckland Land District, containing five acres, was Crown-granted on the twelfth day of January, eighteen hundred and seventy-four, to the Superintendent of the Province of Auckland in trust as a chapel reserve, but is not required for such purpose: Be it therefore enacted as follows:—

The said land is hereby declared to be Crown land 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The Land Act 1908 (1908 No 94) was repealed, as from 1 January 1925, by section 390 Land Act 1924 (1924 No 31). That Act was in turn repealed, as from 1 April 1949, by section 185(1) Land Act 1948 (1948 No 64).

3 Vesting land at Campbell's Point, Auckland, in the Auckland Harbour Board

Whereas by Proclamation dated the sixteenth day of February, nineteen hundred and fifteen, and published in the *Gazette* of the eighteenth day of February, nineteen hundred and fifteen, certain land therein mentioned was taken for the purposes of the

Kaipara-Waikato Railway: And whereas portion of the said land, containing an area of three roods eleven perches, more or less, being portion of Allotment 24, Section 2, Suburbs of Auckland, Block VIII, Rangitoto Survey District, was the property of the Auckland Harbour Board: And whereas the parcels of railway land described in subsection two hereof are not now required for railway purposes, and it is desired to transfer the same to the Auckland Harbour Board in exchange for the land taken from it by Proclamation as aforesaid, to which exchange the said Board has agreed: Be it therefore enacted as follows:—

- (1) The Governor-General shall, by Warrant under his hand, direct the issue of a certificate of title to the said Board in respect of the parcels of land described in subsection two hereof for an estate in fee-simple.
- (2) The parcels of land to be transferred to the said Board are more particularly described as follows:—
 - (a) All that parcel of land containing by admeasurement an area of one rood, more or less, being portion of railway reserve situated in Block VIII, Rangitoto Survey District, City of Auckland, and being bounded as follows: On the north-west, north, and north-east by Auckland Harbour; and on the south by a straight line on a bearing of $92^{\circ} 26'$, a distance of 248.11 links:
 - (b) All that parcel of land containing by admeasurement thirty-seven and one-fifth perches, more or less, being portion of railway reserve as aforesaid, and being bounded as follows: On the north-east by Auckland Harbour; on the south by a straight line on a bearing of $89^{\circ} 31'$, a distance of 92.81 links; and on the west by a straight line on a bearing of $359^{\circ} 31'$, a distance of 243.25 links:

As the parcels of land are more particularly shown edged red on plan deposited in the office of the Minister of Railways, at Wellington, as WR 25931, and in the office of the Chief Surveyor, at Auckland, as No 20168 (blue).

- 4 Vesting allotment, Waiuku Parish, in Waiuku Town Board**
Whereas by deed dated the twenty-seventh day of September, eighteen hundred and sixty-four, and registered in the Deeds

Registry Office at Auckland under number 27353, Edward Constable, of Waiuku, in the Provincial District of Auckland, settler (now deceased), conveyed to certain trustees all that piece or parcel of land containing by admeasurement one rood, more or less, situated in the Village of Waiuku, Parish of Waiuku, in the County of Eden, being part of Allotment 65—bounded on the north by a road, 77 links; on the east by Allotment 66, 299 links; towards the south by a line bounding a swamp, 83 links; and on the west by part of Allotment 65 aforesaid, 357 links—with the chapel, a place of religious worship, erected thereon, and all the rights and appurtenances thereunto belonging, upon trust as a site or stand for a building or buildings to be used as a church or chapel and schoolroom for persons professing principles of the Protestant religion, and to, for, and upon no other use, trust, or purpose whatsoever: And whereas all the said trustees have died, and no successors in office have been appointed: And whereas the purposes for which the said land was vested as aforesaid have ceased to exist in that there are several churches, chapels, and schoolrooms in the immediate vicinity available for persons professing the Protestant religion, and the last surviving trustee—to wit, Caleb Hosking—being satisfied that the said trust could not be properly and effectively carried into effect, conferred upon the Waiuku Town Board full and free right, power, and authority to use, occupy, and enjoy the said lands and hereditaments for the purposes of the Waiuku Town District: And whereas the trusts created by the said deed of conveyance 27353 having never been exercised it is not advisable to perpetuate the same: Be it therefore enacted as follows:—

The said land is vested in the Waiuku Town Board, to be held as an endowment for the purposes of the Waiuku Town District, freed from the trusts contained in the said deed of conveyance registered as number 27353, and from all claims and demands of every sort arising out of or in any way connected with such deed of conveyance.

5 Cancelling reservation of timber reserve, Wairau Parish, Auckland

The reservation for the growth and preservation of timber over the south-western portion of Section 19, Wairau Parish, Auckland Land District, is hereby cancelled, and the said land is hereby declared to be Crown land 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).

6 Cancelling reservation of stock-resting reserve, Wairau Parish, Auckland

The reservation for the purpose of a resting-place for stock over the south portion of Section 134 and the south-eastern portion of Section 135, Wairau Parish, in the Land District of Auckland, is hereby cancelled, and the said land is hereby declared to be Crown land 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).

7 Declaring closed road, Maketu Survey District, Auckland, to be Crown land

Whereas by Proclamation under section eleven of the Land Act 1908, published in *Gazette* of the fourteenth day of August, nineteen hundred and thirteen, a portion of road, containing one acre and thirty-seven perches, adjoining Section 24, Block V, Maketu Survey District, in the Auckland Land District, was closed and a new road taken in lieu thereof through the said section: And whereas it is desirable that the said area of closed road be declared Crown land so that it may be disposed of to the adjoining owner, not being the person from whose land the new road was taken: Be it therefore enacted as follows:—

The said area of closed road, containing one acre and thirty-seven perches, is hereby declared to be Crown land available for disposal under the Land Act 1908.

8 Vesting school-site in Auckland Education Board

Whereas all that piece of land in the Provincial District of Auckland, containing twenty-one acres one rood thirty-six perches, called Mount Victoria (excepting thereout the Flagstaff Reserve, containing two roods four perches, and a right-of-way thereto) was by notice under the provisions of section one hundred and forty-five of the Land Act 1877, dated the nineteenth day of August, eighteen hundred and eighty, and published in the *Gazette* of the twenty-sixth day of August, eighteen hundred and eighty, permanently reserved for recreation purposes: And whereas it is now desired to vest that part of the said land hereinafter described in the Education Board of the District of Auckland as a site for a public school: Be it therefore enacted as follows:—

- (1) The reservation for recreation purposes over that part of Mount Victoria Recreation Reserve described in subsection two hereof is hereby cancelled, 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 land referred to in subsection one hereof is more particularly described as follows: All that parcel of land in the Auckland Land District, containing two acres and seventeen decimal four perches, more or less, being part of Mount Victoria Recreation Reserve, in Section 2, Parish of Takapuna: bounded towards the south-west and west and north-west and north by other part of Mount Victoria Recreation Reserve, 268.57 links, 302.15 links, 131.48 links, and 562.16 links respectively; towards the south-east by part of Lot 18 and by Lots 19, 20, and 21 of Allotment 17 of Section 2 of the Parish of Takapuna 329.45 links; and towards the south and east by part of the said reserve (comprised in Schedule 4 to the Borough of Devonport Empowering and Endowment Act 1890), 286.04 links and 212 links respectively: as the same is delineated on plan marked 1799, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

9 Auckland Grammar School Site Act 1911, amended

Whereas the land hereinafter described is part of the Auckland Gaol Reserve but is no longer required therefor: And whereas it is desired

to transfer the said land to the Auckland Grammar School Board as a site for a secondary school: Be it therefore enacted as follows:—

(1) The land next hereinafter described is hereby vested in the Auckland Grammar School Board in trust as a site for a secondary school, subject to the provisions of the Auckland Grammar School Site Act 1911.

(2) The area to which the preceding subsection refers is more particularly described as follows:—

All that area in the Auckland Land District, containing by admeasurement two acres one rood thirty-two decimal five perches, more or less, and being parts of Lots 105 and 106, Section 6, Suburbs of Auckland: bounded towards the north-east by Reeve's Road, 808.2 links; towards the south-east by Firth's Road, 192 links; towards the south-west by other part of Lot 106 aforesaid, being the Auckland Grammar School site, 494.35 links, and by a right line bearing $284^{\circ} 1'$, distance 97.4 links; and towards the west by a right line bearing $3^{\circ} 43' 30''$, distance 610.2 links, to Reeve's Road: be all the aforesaid linkages more or less (Auckland plan 19279).

(3) The Auckland Grammar School Site Act 1911, is hereby amended as from the commencement thereof by omitting the description contained in the Schedule thereto as amended by section three of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1912, and substituting the following:—

All that area in the Auckland Land District, containing by admeasurement seventeen acres three roods and six decimal seventy-four perches, more or less, being parts of Allotments 105, 106, 107, and 108 of Section 6, Suburbs of Auckland: bounded towards the north-east by Reeve's Road, 808.2 links; towards the east generally by Firth's Road to its junction with Mountain Road; thence by Mountain Road for a distance of 345.77 links; thence towards the south-west by lines bearing $313^{\circ} 54'$ distance 461.6 links, bearing $291^{\circ} 46'$ distance 505.75 links; thence towards the west and north-west generally by lines bearing $160^{\circ} 4'$ distance 616.38 links, bearing $352^{\circ} 6'$ distance 77.58 links, bearing $73^{\circ} 22' 39''$ distance 104.2 links, bearing $73^{\circ} 2' 22''$ distance 560.03 links,

bearing 36° 42' distance 614.9 links, bearing 10° 46' distance 207.4 links, bearing 284° 1' distance 97.4 links, bearing 3° 43' 30" distance 610.2 links, to the point of commencement on Reeve's Road: as the same is delineated on a plan deposited in the Head Office of the Lands and Survey Department, at Wellington, and numbered 1780.

- (4) Section three of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1912, is hereby repealed.

10 Enlarging powers of Auckland City Council

The Auckland City Council may purchase and sell live-stock, machinery, and other farm requirements and produce in connection with any lands used by it for grazing or farming purposes in connection with its civic operations.

11 Empowering Auckland Savings-bank Trustees to assist Elam School of Art

The Trustees of the Auckland Savings-bank are hereby authorized and empowered to give and pay to the Trustees of the Elam School of Art in Auckland, out of the profits of the said savings-bank, the sum of four hundred dollars as a donation towards the funds of the school, and the said donation shall be available as income for the upkeep of the said school, anything in any Act to the contrary notwithstanding.

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

12 Provision relating to Waiatarua Park, Auckland

It shall be lawful for the Ellerslie Town Board, the Mount Wellington Road Board, and the Tamaki West Road Board respectively to pay, out of funds administered by them respectively, to the Auckland City Council such annual or other sums of money as such respective Boards may from time to time respectively agree to pay for or towards providing the amount of any rate or rates payable to any local body from time to time in respect of all that area of land, containing approximately one hundred and ninety acres, in and surrounding Lake Waiatarua, near the City of Auckland,

and known as **Waiatarua Park**; and any such agreement may be duly enforced by the Council.

13 Authority for certain local authorities to fix watercharges according to quantity used

Notwithstanding anything in the Municipal Corporations Act 1908, or any Act amending the same, it shall be lawful for the Onehunga Borough Council, Mount Albert Borough Council, Mount Roskill Road Board, and the One Tree Hill Road Board to make and levy water rates or charges in respect both of the ordinary as well as of any extraordinary supply according to the quantity of water consumed by any person receiving the same and measured by meter, at such rates or charges as may be fixed by any by-law in that behalf or as may be agreed on with any such person, and all water rates or charges so payable shall be deemed to be separate rates, and may be recovered accordingly.

14 Empowering Avondale Road Board to make by-laws

The Avondale Road Board is hereby empowered from time to time to make by-laws (under the provisions of the Road Boards Act 1908) prescribing the route by which loose horses, cattle, sheep, pigs, or other animals may be driven along the streets or roads within the Avondale Road District.

15 Validating certain loan proceedings of the Manukau County Council

Whereas by section twenty-four of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1916, it is recited that the Manukau County Council has raised a special loan of two thousand eight hundred dollars for the purpose of purchasing for quarry purposes certain lands in the Parish of Pakuranga, in the Auckland Land District, and that such loan was raised without first taking the steps described in sections eight to twelve of the Local Bodies' Loans Act 1913, and it is enacted that the raising of the said loan be validated: And whereas the Manukau County Council had purchased the said quarry-site, and the same had been duly transferred to it: And whereas, in lieu of raising the said special loan of two thousand

eight hundred dollars, the Manukau County Council had in fact raised a special loan of eight hundred dollars, and had executed to the vendor of the quarry-site a memorandum of mortgage for one thousand nine hundred and twenty dollars, balance of purchase-money, which mortgage is registered in the Land Transfer Office at Auckland as number 72642: And whereas it is expedient that the said proceedings of the Manukau County Council should be validated in manner hereinafter appearing: Be it therefore enacted as follows:—

Notwithstanding the provisions of the Local Bodies Loans Act 1913, or any other Act, the Manukau County Council is hereby empowered to raise a special loan, not exceeding two thousand eight hundred dollars, at a rate of interest not exceeding five dollars and twenty-five cents per centum per annum, and for a term not exceeding thirty-six years and a half, for the purpose of repaying the above special loan of eight hundred dollars, and to pay off the aforesaid memorandum of mortgage number 72642, and to appropriate and pledge any of the securities mentioned in section nineteen of the Local Bodies' Loans Act 1913, and provide for the repayment of the said special loan and interest as fully and effectually as if the said loan were raised in compliance with the provisions of the said Act.

The words "two thousand eight hundred dollars", "eight hundred dollars", "one thousand nine hundred and twenty dollars", and "five dollars and twenty five cents" were substituted, as from 10 July 1967, for the words "fourteen hundred pounds", "four hundred pounds", "nine hundred and sixty pounds", and "five pounds five shillings" pursuant to section 7(1) and (2) Decimal Currency Act 1964 (1964 No 27).

16 Validating special loan by Manukau County Council

Whereas the Manukau County Council caused a poll of the ratepayers of the Papatoetoe Riding of the Manukau County to be taken on the ninth day of September, nineteen hundred and sixteen, on a proposal to raise a loan of one thousand five hundred dollars, under the Local Bodies' Loans Act 1913, for the purpose of effecting the purchase by the said Council of the recreation-ground situated within the said Papatoetoe Riding then vested in certain trustees on behalf of various persons resident in the said riding: And whereas the said proposal was carried, and notice of the result of the poll was published in the *Gazette* of the twenty-eighth day of September, nineteen hundred

and sixteen: And whereas in the proposal submitted to the ratepayers it was specified that the loan should be for a term of fifteen years: And whereas the form of voting-paper used for the said poll did not contain the particulars required by section ten of the said Act: And whereas doubts have arisen as to whether the said poll was otherwise taken in every particular in accordance with law: And whereas debentures have been issued under the common seal of the said Council representing the said one thousand five hundred dollars loan, which said debentures purport to secure a sum of one hundred dollars each, payable on the first day of November, nineteen hundred and twenty-two: And whereas certain of such debentures have already been disposed of: And whereas it is expedient that all irregularities in connection with the said poll and the raising of the said loan should be validated, and that the said Council should be authorized as hereinafter appearing: Be it therefore enacted as follows:—

- (1) The said loan of one thousand five hundred dollars is hereby declared and shall be deemed to have been validly raised.
- (2) Notwithstanding anything to the contrary in the Local Bodies' Loans Act 1913, or in any proceedings taken thereunder, the said Council is hereby authorized, without taking a further poll of the ratepayers, to raise under the said Act the loan of one thousand five hundred dollars hereinbefore referred to for a term of years expiring on the first day of November, nineteen hundred and twenty-two, and without providing any sinking fund therefor.
- (3) The said debentures are hereby declared to be and are valid and in full force and effect, and that the same were duly made and issued under the provisions of the said Act.

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

17 Reserving land as school-site, Hamilton West, Auckland

Whereas by notice in the *Gazette* of the eighth day of April, eighteen hundred and eighty-six, Sections 197, 198, 206, and 207, Town of Hamilton West, in the Auckland Land District, containing by admeasurement four acres, more or less, were permanently reserved

for recreation, and were brought under the control of the Hamilton Domain Board by Order in Council published in the *Gazette* of the twenty-ninth day of May, nineteen hundred and thirteen: And whereas the said land is now required for education purposes: Be it therefore enacted as follows:—

- (1) The reservation for recreation of Sections 197, 198, 206, and 207, Town of Hamilton West, is hereby cancelled, and the said land is hereby reserved as a site for a public school.
- (2) Schedule 1 to the Hamilton Domains Act 1911, is hereby amended by striking out the fourth line under the heading “Town of Hamilton West,” and substituting in lieu thereof “Section 209,” and showing in figures the area of the said section as one acre.

18 Section 30 of the Reserves Disposal etc, Act 1917, amended

Whereas by Proclamation dated the twenty-second day of January, nineteen hundred and ten, and published in the *Gazette* of the twenty-fourth day of that month, certain land was taken, under the provisions of the Public Works Act 1981, for the purpose of a public school, and was by the said Proclamation vested in the Education Board of the District of Auckland: And whereas the land described in subsection four hereof, and hereinafter referred to as the said land, is part of the land so taken and vested: And whereas by section thirty of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1917, the said land was declared to be vested in the Corporation of the Borough of Hamilton as a municipal endowment: And whereas it is desirable that the said land should be set apart for the purposes of the Hamilton High School: Be it therefore enacted as follows:—

- (1) The land described in subsection four hereof shall cease to be vested in the Education Board of the District of Auckland or in the Corporation of the Borough of Hamilton, and the said land is hereby vested in the Board of Governors of the Hamilton High School for an estate in fee-simple for the purposes of the Hamilton High School.
- (2) The Board of Governors of the said school shall have no power to sell or lease or mortgage any portion of the said land.

(3) Section thirty of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1917, is hereby amended by omitting paragraph (b) of subsection two thereof.

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

All that area in the Auckland Land District, containing by admeasurement two roods eleven perches and nine-tenths of a perch, more or less, being part of Section 11, Hamilton West Town Belt: bounded towards the north-west by the southern side of Ward Street; towards the north-east by the western side of Hinemoa Street; towards the south-east by Lot 12 of the Hamilton West Town Belt; and towards the south-west by the eastern side of Seddon Street.

The Public Works Act 1908 (1908 No 160) was 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).

19 Vesting land in Hamilton High School Governors

Whereas the land described in subsection three hereof is vested in the Education Board of the District of Auckland as a site for a public school: And whereas it is desirable that the said land should be set apart as a site for a secondary school: Be it therefore enacted as follows:—

(1) The land described in subsection three hereof shall cease to be vested in the Education Board of the District of Auckland, and the said land is hereby vested in the Board of Governors of the Hamilton High School for an estate in fee-simple for the purposes of the Hamilton High School.

(2) The Board of Governors of the said school shall have no power to sell or lease or mortgage any portion of the said land.

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

All that area of land in the Auckland Land District, containing by admeasurement four acres one rood nine perches, more or less, being Section 12, Hamilton West Town Belt, Hamilton Borough.

20 Vesting certain land in Hamilton West in Auckland Education Board

Whereas all that piece of land in the Provincial District of Auckland being Section 453A of the Town of Hamilton West was by Proclamation under the provisions of the Public Works Act 1905, dated the sixteenth day of August, nineteen hundred and seven, and published in the *Gazette* of the twenty-second day of August, nineteen hundred and seven, taken for the purposes of the construction of a public street and public saleyards: And whereas it is desirable that the part of said Section 453A, Town of Hamilton West, described in subsection three hereof should be vested in the Education Board of the District of Auckland as a site for a technical school: And whereas the land described in subsection four hereof comprised part of Arawa Street, in the Town of Hamilton West, and has been closed under the provisions of the Municipal Corporations Act 1908: And whereas the said closed part of Arawa Street is contiguous to the land described in subsection three hereof, and it is desirable that such closed part of Arawa Street should also be vested in the said Board as a site for a technical school. Be it therefore enacted as follows:—

- (1) The vesting in the Mayor, Councillors, and Burgesses of the Borough of Hamilton under the Public Works Act 1905, for the purposes of the construction of a public street and public saleyards of that part of Section 453A of the Town of Hamilton West described in subsection three hereof is hereby cancelled, and the said land is hereby vested in the Education Board of the District of Auckland as a site for a technical school.
- (2) The closed part of Arawa Street described in subsection four hereof is hereby vested in the Education Board of the District of Auckland as a site for a technical school.
- (3) The land referred to in subsection one hereof is more particularly described as follows: All that parcel of land in the Auckland Land District, containing three roods thirty-nine and nine-tenths perches, more or less, being part of Section 453A of the Town of Hamilton West: bounded (commencing at the southernmost corner of said Section 453A) towards the south-west by Hinemoa Street, 200 links; towards the north-west by other part of the said Section 453A, 500 links; towards the north-east by other part of said Section 453A,

200 links; and towards the south-east by the closed part of Arawa Street described in subsection four hereof, 500 links: as the same is delineated by that part edged purple of the plan marked L and S 6/6/202, and deposited in the Head Office, Department of Lands and Survey, at Wellington.

- (4) The land referred to in subsection two hereof is more particularly described as follows: All that parcel of land in the Auckland Land District, containing by admeasurement two roods, more or less, situated in the Town of Hamilton West, being the closed part of Arawa Street, and being bounded (commencing at the southernmost corner of said Section 453A, Town of Hamilton West) towards the south-west by Hinemoa Street, 100.06 links; towards the south-east by part of Section 102 of the Town of Hamilton West, 500 links; towards the north-east by the abutment of Arawa Street, 100.06 links; and towards the north-west by part of said Section 453A (described in subsection three hereof), 500 links: as the same is delineated by that part coloured green of the aforesaid plan marked L and S 6/6/202.
- (5) The District Land Registrar of the Auckland Land Registration District is hereby authorized and directed to issue a certificate of title to the Education Board of the District of Auckland for an estate in fee-simple in the lands hereby vested in it for the purpose aforesaid.

The 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).

21 Empowering Hamilton Borough Council to raise loan without a poll

Whereas between the eleventh day of August, nineteen hundred and sixteen, and the first day of April, nineteen hundred and seventeen, the Frankton Borough Council took all necessary proceedings and obtained all necessary consents authorizing the Council to raise a special loan of five thousand dollars, under the provisions of the Local Bodies' Loans Act 1913, for the purpose of extending

the electric-lighting system within the Borough of Frankton, and for purchasing new machinery for the generation and delivery of electric light and power, but such special loan was never raised by the Frankton Borough Council: And whereas for the purpose of providing the interest and other charges on the before-mentioned loan the Frankton Borough Council, by a resolution duly passed on the twelfth day of January, nineteen hundred and seventeen, and gazetted, made and levied a special rate of one-twelfth of a cent in the dollar upon the rateable value (unimproved) of all rateable property in the Borough of Frankton; such special rate to be an annual-recurring rate during the currency of such loan: And whereas by a Proclamation under the provisions of section one hundred and twenty-one of the Municipal Corporations Act 1908, the Borough of Frankton and the Borough of Hamilton were constituted and declared to be one united borough under the name of the Borough of Hamilton as from the first day of April, nineteen hundred and seventeen: And whereas at the time the Borough of Frankton became merged in the united Borough of Hamilton the latter took over as part of the liabilities of the Borough of Frankton the sum of two thousand six hundred and fifty-one dollars and sixty-six and two-third cents which had been expended by the Borough of Frankton in extending the electric-lighting system within the borough in anticipation of the before-mentioned loan: And whereas it is desirable that the Hamilton Borough Council should be empowered to raise a special loan of five thousand dollars for and in that portion of the Borough of Hamilton formerly included in the Borough of Frankton for the before-mentioned purposes, and to levy a special rate on that portion of the Borough of Hamilton for payment of the interest, sinking fund, and charges of such loan: Be it therefore enacted as follows:—

- (1) The Hamilton Borough Council is hereby authorized to raise by special order, and without taking the steps prescribed by sections eight to twelve of the Local Bodies' Loans Act 1913, a special loan of five thousand dollars for the purpose of (a) extending the electric lighting and power system within that portion of the Borough of Hamilton formerly included in the Borough of Frankton; and (b) of paying to the credit of the District Fund of the Borough of Hamilton the sum of two thousand six hundred and fifty-one dollars and sixty-six and two third cents in refund of moneys expended by the

Frankton Borough Council out of the District Fund for the before-mentioned purposes.

- (2) The special loan shall be for a period of thirty-six and one-half years, and be secured by special annual-recurring rate of one-twelfth of a cent in the dollar upon the rateable value (unimproved) of all rateable property in that part of the Borough of Hamilton which was formerly in the Borough of Frankton.

The words “five thousand dollars”, and “one-twelfth of a cent in the dollar”, and “two thousand six hundred and fifty-one dollars and sixty-six and two third cents” were substituted, as from 10 July 1967, for the words “two thousand five hundred pounds”, “one-fifth of a penny in the pound”, and “one thousand three hundred and twenty-five pounds sixteen shillings and eightpence” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

**22 Section 129 of the Reserves Disposal, etc, Act 1917,
amended**

Subsections three and four of section one hundred-and-twenty-nine of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1917, are hereby repealed, and in lieu thereof the following provisions are enacted:—

- “(3) The total cost of the said works shall be repayable by the owners and lessees of such of the lands within the Borough of Taumarunui and in such proportions as may be ascertained by the Commission authorized to be set up under subsection four hereof. Such total cost shall include interest at the rate of five per centum per annum as from the dates of advances by the Waikato-Maniapoto Maori Land Board.
- “(4) On the recommendation of the Minister of Public Works the Governor-General may set up a Commission under the Commissions of Inquiry Act 1908, and such Commission shall have the following powers:—
- “(a) To ascertain what lands have benefited or will benefit from those works, and to what extent:
- “(b) To ascertain in what proportions the total cost of those works shall be repayable by the owners and lessees of the lands benefited, or which will benefit by those works:

- “(c) To recommend the period or periods within which the owners and lessees shall pay their proportions of such total cost.
- “(5) No appeal shall lie from the findings and recommendation of the Commission.
- “(6) The Minister of Public Works may act upon the findings and recommendation of the Commission, and may request the Taumarunui Borough Council in writing to levy the total cost of those works as a rate against such lands and in such proportions as may have been ascertained by the Commission, and thereupon the Taumarunui Borough Council shall levy such rate accordingly, and shall take steps to ensure the collection of the total rate within the period recommended by the Commission.
- “(7) Upon such rate being levied as aforesaid the Taumarunui Borough Council shall from time to time pay over to the Waikato-Maniapoto Maori Land Board the sums received under such rate until such time as the said Board has been entirely recouped for all advances (with interest at five per centum per annum from dates of advances) made by it in respect of those works; and thereafter the Taumarunui Borough Council shall pay the balance (if any) of such rate as requested in writing by the Minister of Public Works:
- “Provided that nothing herein shall authorize the Taumarunui Borough Council to levy the rate against the Crown, but the Crown shall pay its proportion (if any) of the cost of those works in such manner as may be determined by the Minister of Public Works.”

23 Authorizing acquisition of certain land for saleyards in excess of area prescribed by Part 13 of the Land Act 1908

Whereas it is desirable in the public interest that the New Zealand Loan and Mercantile Agency Company (Limited), in conjunction with the Farmers' Co-operative Auctioneering Company (Limited) and Dalgety and Company (Limited), should be permitted to acquire for the purpose of saleyards the land hereinafter described: And whereas the said companies are precluded by law from acquiring such land: 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 land; and the District Land Registrar is hereby empowered and directed to register a transfer of the said land to the said companies, or any one or two of them, without requiring any declaration which but for the provisions of this section would have been required.
- (2) The land to which this section relates is all that area of land, containing five acres one rood twenty-nine perches, being Section 71, Block II, Tapapa Survey District, and being all the land comprised in lease in perpetuity, number 2073, and in certificate of title, Volume 129, folio 31, in the Register-book of the District Land Registrar, at Auckland.

24 Authorizing sale of land, Kauaeranga, Auckland

The Governor-General, in consideration of the payment of the sum of one hundred and fifty dollars by Henry Hopper Adams, of Takapuna, near Auckland, mining engineer, may by Warrant under his hand authorize the issue of a certificate of title in fee-simple in favour of the said Henry Hopper Adams of certain land known as Kauaeranga E No 4 (being the site of the old Big Pump), containing one rood ten perches, more or less, being all the land comprised in certificate of title, Auckland Register, Volume 8, folio 262.

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

25 Section 13 of Reserves, Disposal, etc, Act 1917, amended

Section thirteen of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1917, is hereby amended by omitting the words "Consolidated Fund" wherever they occur, and substituting the words "Public Works Fund."

26 Cancelling reservation of land in Tauranga Town

Whereas by Warrant dated the fifteenth day of May, eighteen hundred and seventy-eight, and published in *Gazette* of the seventeenth day of that month, Sections 275, 276, 277, 280, 281, and 282, Block II, Tauranga Town, in the Auckland

Land District, containing an area of one acre two roods, were permanently reserved as a site for a Maori school: And whereas the said lands are not now required for the purpose for which they were reserved, and it is desirable that the purpose be changed to an endowment for primary education: Be it therefore enacted as follows:—

The reservation for the purpose of a Maori-school site of Sections 275, 276, 277, 280, 281, and 282, Block II, Tauranga Town, is hereby cancelled, and the said lands are hereby declared to be reserved as an endowment for primary education.

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).

27 Changing reservation of public-school site, Rotorua

Whereas by Warrant published in the *Gazette* of the second day of May, nineteen hundred and one, certain land wrongly described as Section 1, Block LXV, Town of Rotorua, was reserved as a site for a public school: And whereas the said land was intended as a site for a Maori school, and the correct description is Section 81, Suburbs of Rotorua: Be it therefore enacted as follows:—

- (1) The reservation of Section 1, Block LXV, Town of Rotorua, as a site for a public school is hereby cancelled.
- (2) Section 81, Suburbs of Rotorua, in the Auckland Land District, containing by admeasurement three acres, more or less, is hereby reserved as a site for a Maori school.

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

28 Extending prohibitions of all alienations of certain Maori lands

- (1) Notwithstanding anything in the Native Land Act 1909, the prohibition of all alienations of the lands specified in the schedules to the Orders in Council hereinafter referred to, other than alienations in favour of the Crown, are hereby extended for a further period of one year from the termination of the present war, and such prohibitions as extended hereby shall have the same force and effect as if they had been

duly extended by Orders in Council made and gazetted in accordance with the provisions of the Native Land Act 1909.

(2) The Orders in Council to which this section relates are—

Order in Council dated the twenty-fifth day of March, nineteen hundred and eighteen, and published in the *Gazette* of the twenty-eighth day of March, nineteen hundred and eighteen (relating to Te Rotoiti and other blocks), in so far as still in force.

Order in Council dated the twenty-seventh day of May, nineteen hundred and eighteen, and published in the *Gazette* of the sixth day of June, nineteen hundred and eighteen (relating to lands surrounding Lake Okataina).

Order in Council dated the first day of October, nineteen hundred and eighteen, and published in the *Gazette* of the third day of October, nineteen hundred and eighteen (relating to Rotoiti 3K, 3M, 3N, and 3T).

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).

29 Altering boundaries of Papakura Town District

Whereas petitions praying for alterations of the boundaries of the Papakura Town District were presented to the Governor-General under the Town Boards Act 1908: And whereas a Commission appointed by the Governor-General in Council under the Commissions of Inquiry Act 1908, by a Warrant bearing date the sixteenth day of July, nineteen hundred and eighteen, recommended that certain alterations of the boundaries of the said Papakura Town District be made: And whereas if the said boundaries were altered as recommended by the said Commission the said town district would exceed the limit of area prescribed by section four of the Town Boards Act 1908, as amended, with regard to the said town district, by section forty of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1917: And whereas it is advisable to give effect to the recommendations of the said Commission: Be it therefore enacted as follows:—

The Governor-General may, notwithstanding anything in the Town Boards Act 1908, or any other Act, alter the boundaries

of the said town district in such manner as may be necessary to give effect to the recommendations of the said Commission.

30 Cancelling reservation over Napier Prison site

Whereas Suburban Section 95, in the Borough of Napier, was Crown-granted on the first day of February, eighteen hundred and sixty-one, to the Superintendent of the Province of Hawke's Bay in trust for a site for emigration barracks and for a Maori hostelry, but has for many years past been used as a site for a prison: And whereas the said land is no longer required for the said purposes, and it is desired to dispose of the same under the Land Act 1948: Be it therefore enacted as follows:—

- (1) Suburban Section 95, in the Borough of Napier, as hereinafter described is hereby declared to be Crown land freed from all trusts and reservations in respect thereof and available for disposal under the Land Act 1948.
- (2) The net proceeds arising from the sale or other disposition of the said land and of the buildings or other improvements thereon shall be paid into the Public Works Fund, and shall be utilized for the purpose of erecting prison buildings or for acquiring sites for prison purposes.
- (3) The land to which this section relates is particularly described as follows:—

All that area in the Hawke's Bay Land District, containing by admeasurement four acres one rood nineteen perches, more or less, being Suburban Section 95, Borough of Napier: bounded towards the north generally by Coote Road, 250 links, 325 links, and 200 links; towards the east by Beach Road (now called **Marine Parade**), 370 links and 230 links; towards the south-east by Suburban Section 89, 340 links; and towards the south-west by Suburban Section 84, 1015 links: be all the aforesaid linkages more or less: as the same is delineated on the plan marked L and S 1913/895, 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).

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).

31 Section 20 of Reserves Disposal, etc, Act 1910, amended

Whereas by Order in Council dated the seventeenth day of December, nineteen hundred and eight, the sale was authorized of certain land in the Hawke’s Bay Land District known as Herenga L No 2: And whereas portion of the said land described as Section 2, Block X, Waiapu Survey District, had by *Gazette* of the thirteenth day of September, nineteen hundred, been reserved as a site for a Maori school: And whereas by section twenty of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1910, the reservation of the said Maori-school site was cancelled, and the land comprised therein was authorized to be reconveyed to the former owners thereof on payment of certain moneys: And whereas the said moneys have been paid out, but the land has not been so reconveyed: And whereas it is desirable that the said Section 2, Block X, Waiapu Survey District, be again set apart as a Maori-school site: Be it therefore enacted as follows:—

- (1) Section twenty of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1910, is hereby amended by omitting from subsection three all the words after the words “nineteen hundred and three”.
- (2) The Governor-General is hereby empowered to amend the said Order in Council dated the seventeenth day of December, nineteen hundred and eight, by deleting the area appearing therein opposite Herenga L No 2, and the land-purchase expenses appearing therein opposite Herenga L No 1 and Herenga L No 2, and substituting therefor “80 acres” and “\$187.13 1/3” respectively.
- (3) The Commissioner of Crown Lands for the Hawke’s Bay Land District is hereby authorized and directed to repay to the Maori owners from whom payment was received for the purchase of Herenga L No 2, or their representatives, the sum of twelve dollars and twenty-seven and a half cents.

The figure \$187.13 1/3 and the words “twelve dollars and twenty-seven and a half cents” were substituted, as from 10 July 1967, for the figure £93 11s 4d and the words “six pounds two shillings and ninepence” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

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).

32 Cancellling reservations in Waipukurau Survey District, Hawke’s Bay

Whereas by Warrant published in the *Gazette* of the tenth day of November, nineteen hundred and four, Section 8, Block VI, Waipukurau Survey District, in the Hawke’s Bay Land District, containing five acres, was permanently reserved as a creamery-site: And whereas by Warrant published in the *Gazette* of the twelfth day of January, nineteen hundred and eleven, the purpose of portion of the reserve was changed to a site for a public library and hall: And whereas the said site for a public library and hall, containing an area of two roods, was designated Section 9, Block VI, Waipukurau Survey District: And whereas the said reserves are not now required: Be it therefore enacted as follows:—

The reservations over Sections 8 and 9, Block VI, Waipukurau Survey District, are hereby cancelled, and the said sections are hereby declared to be Crown land 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).

33 Vesting of a limestone quarry, Woodville Survey District

Whereas by Order in Council dated the fourth day of January, nineteen hundred and sixteen, and published in the *Gazette* of the thirteenth day of that month, Section 20, Block XIV, Woodville Survey District, in the Hawke’s Bay Land District, containing five acres one rood seven perches, was appropriated for quarry purposes under the provisions of the Reserves Act 1977: And whereas the said section contains deposits of limestone suitable for agricultural purposes, and it is desirable that the deposits should be extracted, operated, and made available for the improvement and development of land: Be it therefore enacted as follows:—

- (1) The said Section 20, Block XIV, Woodville Survey District, is hereby vested in the Chairman for the time being of each of the counties of Kairanga, Oroua, Pohangina, and Woodville in

trust for the purpose of a limestone-quarry reserve, with power to extract limestone, erect kilns, and do all things necessary for the production and disposal of lime for agricultural purposes.

- (2) The Councils of the said counties of Kairanga, Oroua, Pohangina, and Woodville are hereby authorized to make such grants of money from the respective county funds as they may consider necessary or equitable for the carrying-out of the provisions of the last preceding subsection.
- (3) The Chairmen of the aforesaid counties are hereby further empowered to grant leases enabling the holders thereof to produce and sell lime for agricultural purposes: Provided that no lease shall be valid until the terms and conditions thereof have been approved by the Governor-General.

The Public Reserves and Domains Act 1908 (1908 No 156) was substituted, as from 1 April 1929, by a reference to the Public Reserves, Domains, and National Parks Act 1928 pursuant to section 103 Public Reserves, Domains, and National Parks Act 1928 (1928 No 36).

That reference was in turn substituted, as from 1 April 1954, by a reference to the Reserves and Domains Act 1953 pursuant to section 107(1) Reserves and Domains Act 1953 (1953 No 69).

That reference was in turn substituted, as from 1 April 1978, by a reference to the Reserves Act 1977 pursuant to section 125(1) Reserves Act 1977 (1977 No 66).

34 Vesting land in Patea Harbour Board

Section 140, Block VII, Carlyle Survey District in the Taranaki Land District, containing by admeasurement three acres and sixteen perches, more or less, is hereby vested in the Patea Harbour Board in trust as an endowment, and the District Land Registrar for the Land Registration District of Taranaki is hereby empowered and directed to issue a certificate of title in respect of the said land in favour of the said Board in trust as an endowment.

35 Reservation for forest purposes cancelled of land in Ngaire Survey District

The reservation for forest purposes over Section 16, Block XV, Ngaire Survey District, in the Taranaki Land District, is hereby cancelled, and the said land is hereby declared to be Crown land 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).

36 Enabling Waitara Borough Council to raise loan for repair of bridge

Whereas the bridge over the River Waitara, within the Borough of Waitara, was built in the year nineteen hundred and thirteen, and the control thereof is vested in the Waitara Borough Council: And whereas several of the piles of such bridge have been broken by exceptional flood-action, and the stability of the bridge is endangered: And whereas the Waitara Borough Council desires to borrow from the State Advances Superintendent the sum of three thousand dollars for the purpose of replacing such damaged piers by the construction of more permanent work: Be it therefore enacted as follows:—

- (1) The Waitara Borough Council is hereby authorized and empowered to raise by special order, and without taking the steps described in sections eight to twelve of the Local Bodies' Loans Act 1913, a special loan, not exceeding the sum of three thousand dollars, from the State Advances Office for the purpose of replacing such damaged bridge-piers by the construction of more permanent work, in manner and upon plans to be approved by the Minister of Public Works, and to secure repayment of the principal, together with interest thereon, on the instalment system, with a term of thirty-six and a half years, by a special rate levied on the whole of the rateable property in the borough.
- (2) Upon the making of such special order as aforesaid the State Advances Superintendent is hereby authorized and empowered, without further authority than this Act, to grant to the Waitara Borough Council in terms of such special order a special loan under the Local Bodies' Loans Act 1913, not exceeding the sum of three thousand dollars, for the purpose of constructing such work as aforesaid.
- (3) The Waitara Borough Council shall pay the proceeds of such loan and the amount of the annual special rates upon collection into a separate account at the bank, to be called the Waitara Borough Bridge Fund Account, and a separate account thereof

shall be kept by the Borough Council. The cost of collecting the rate shall be charged against the Borough District Fund Account, and no part of such Bridge Fund shall be used for any purpose other than that hereinbefore stated.

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

37 Special provision as to the establishment of a hospital at Te Kuiti

[Repealed]

Section 37 was repealed, as from 29 August 1923, by section 20(8) Reserves and other Lands Disposal and Public Bodies Empowering Act 1923 (1923 No 35). See that section as to 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.

38 Authorizing Wellington Land Board to sell certain land in Rangitoto Survey District

The Wellington Land Board is hereby authorized and empowered to sell to the owners of adjoining land Section 1, Block XIII, Rangitoto Survey District, containing one hundred and sixty-three acres one rood, more or less, at a price to be mutually agreed on between the said Land Board and the said owners of adjoining land, or, in default of such agreement, at a price to be determined by arbitration in manner provided by section nine of the Land Laws Amendment Act 1912; and it is expressly declared that the said owners of adjoining land shall, notwithstanding anything in law to the contrary (whether in regard to restriction of area or otherwise), be entitled to acquire and hold the said land; and the District Land Registrar is hereby empowered and directed upon a sale as aforesaid being effected to register any transfer or other instrument vesting the said land in the said owners of adjoining land without requiring any declaration from the said owners of adjoining land or any of them which but for the provisions of this section would or might have been required to be made.

39 Closing certain river-bank roads, Makukupara Village

Whereas the lands described in subsections two and three hereof comprise portions of roads along the banks of rivers: And whereas the lands described in subsection two thereof have been alienated in fee-simple, and the lands described in subsection three hereof have been reserved for certain public purposes, and it is desirable to validate such alienation and reservations: Be it therefore enacted as follows:—

- (1) Notwithstanding anything in section one hundred and thirty of the Public Works Act 1908, the portions of the roads along the banks of the Akitio River and the Makukupara Stream comprised within the areas described in subsections two and three hereof are hereby declared to be closed, and the alienation in fee-simple of the lands described in subsection two hereof and the reservation for public purposes of the lands described in subsection three hereof are hereby validated.
- (2) The lands to which this section relates that have been alienated in fee-simple are Sections 1, 2, 3, 5, 6, 13, and 14, Village of Makukupara.
- (3) The lands to which this section relates that have been reserved for public purposes are more particularly described as follows:—

Sections 4, 7, 8, 15, and 16, Village of Makukupara:

Also all that area containing three perches, more or less, being portions of Section 17, Makukupara Village: bounded towards the north and west by portion of the said Section 17, and towards the east by the Waihi-Akitio Road:

Also all that area containing seventeen and seven twenty-fifths perches, more or less, being portions of Sections 17, 18, and 9, Makukupara Village: bounded towards the north-east by portions of the said Sections 17, 18, and 9; and towards the south-west by the Waihi-Akitio Road and the aforesaid Sections 18 and 17:

Also all that area situate as aforesaid, containing two roods thirty-two and three-tenths perches, more or less, being portions of Sections 9, 10, 11, 12, Makukupara Village: bounded towards the south-east by the Alfredton-Weber Road to its junction with the Waihi-Akitio Road; towards the west

by the Waihi-Akitio Road; towards the north-west generally by portions of the said Sections 9, 10, 11, and 12:

As the same are more particularly delineated on plan marked L and S 16/504(A), deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured green.

The Public Works Act 1908 (1908 No 160) was 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).

40 Power to borrow for improvement of Castlecliff Domain

Whereas by Order in Council dated the twenty-third day of July, nineteen hundred and eighteen, the Castlecliff Town Board was constituted a Domain Board having the control and management of the domain situated in the Castlecliff Town District and known as the Castlecliff Domain, being all that area in the Wellington Land District containing approximately twelve acres, being Section 1, Block IV, Westmere Survey District: bounded towards the north-west by the sea-beach on a line formed by extending the north-western boundary-line of Section 451 on deposited plan number 3060 to its intersection with high-water mark; towards the north-east generally by a road reserve one chain wide; towards the south-east by the Town of Castlecliff; and towards the south-west generally by high-water mark of the Tasman Sea: as the same is delineated on the plan marked L and S 1913/1367, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red: And whereas the Castlecliff Town Board exercising the powers of a Domain Board is desirous of raising and expending moneys in developing and improving the said domain: Be it therefore enacted as follows:—

1The Castlecliff Town Board may from time to time, with the consent of the ratepayers of the Castlecliff Town District, raise, under the Local Bodies' Loans Act 1913, a special loan or loans at a rate of interest not exceeding five and a half per centum per annum, for the purpose of improving and developing the said Castlecliff Domain, including the providing thereon of such buildings, erections, and structures as may be necessary for the use and benefit of the public.

41 Validating loan raised by Gonville Town Board for improvements to recreation-grounds and expenditure of such loan on domain

Whereas the Gonville Town Board on the twenty-first day of August, nineteen hundred and thirteen, took a poll of the ratepayers of the Gonville Town District upon the proposal to raise a special loan of (*inter alia*) one thousand dollars for the purpose of general improvements to the recreation reserve in the said town district, and such proposal was carried at such poll, and such special loan was subsequently raised, but has not been expended: And whereas the only recreation reserve in the said town district, and the reserve on which it was proposed to make the improvements for which such special loan was so raised, is a piece of land, containing ten acres and eight perches, known as the Gonville Domain: And whereas by Order in Council published in the *Gazette* of the ninth day of January, nineteen hundred and thirteen, the said Gonville Town Board was appointed to be the Gonville Domain Board having the control of the said Gonville Domain: And whereas doubts have arisen as to whether the said Gonville Town Board had power at law to raise such a loan and to expend the money so raised in making improvements to the said Gonville Domain: Be it therefore enacted as follows:—

- (1) The Gonville Town Board is hereby declared to have been duly authorized to raise the special loan hereinbefore referred to in all respects as if such power were fully granted by the Town Boards Act 1908, and the Local Bodies Loans Act 1908.
- (2) The Gonville Town Board acting as the Domain Board as aforesaid is hereby authorized to expend the loan so raised in making improvements to the Gonville Domain.

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).

42 Increasing the borrowing-powers of the Wanganui Harbour Board

Whereas, owing to the great delays and greatly increased cost of material and labour caused by the war with Germany, the works which by the Wanganui Harbour District and Empowering Act 1913, the Wanganui Harbour Board was authorized to carry on have

so far as hitherto proceeded with cost considerably more than was estimated: And whereas at the time of the passing of the said Act the estimated cost of completing such works was five hundred thousand dollars, but for the reasons before mentioned it is now estimated that such works will cost one hundred thousand dollars more than so originally estimated, making the total cost six hundred thousand dollars instead of five hundred thousand dollars: And whereas by the said Act the said Board was authorized to borrow three hundred thousand dollars towards carrying on such works, and of such sum two hundred and forty thousand dollars has been expended, and the results thereby attained have established the desirability of the further prosecution of the works: And whereas it is expedient that the borrowing-powers of the said Board be increased to six hundred thousand dollars to enable it to proceed with such works: Be it therefore enacted as follows:—

- (1) Section six of the Wanganui Harbour District and Empowering Act 1913, is hereby amended by omitting the words “sum not exceeding three hundred thousand dollars,” and substituting the words “sum or sums not exceeding in all six hundred thousand dollars.”
- (2) Section seven of the said Act is hereby amended by omitting the words “five dollars per centum” and substituting the words “five and a half per centum.”

The words “five hundred thousand dollars”, “one hundred thousand dollars”, “six hundred thousand dollars”, “three hundred thousand dollars”, “two hundred and forty thousand dollars”, and “five dollars” were substituted, as from 10 July 1967, for the words “two hundred and fifty thousand pounds”, “fifty thousand pounds”, “three hundred thousand pounds”, “one hundred and fifty thousand pounds”, “one hundred and twenty thousand pounds”, and “five pounds” pursuant to section 7(1) and (2) Decimal Currency Act 1964 (1964 No 27).

43 Cancelling reservations in the Village of Marshall, Wellington

Whereas Sections 1 and 15, Village of Marshall, in the Wellington Land District, have been permanently reserved for municipal purposes: And whereas Sections 4, 33, and 51, in the same village, have been permanently reserved for the purpose of public buildings: And whereas Section 19, in the same village, has been permanently reserved for the purpose

of a public pound: And whereas the said reserves are not required: Be it therefore enacted as follows:—

The reservations of the said lands are 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).

44 Exchange of land for road, Wairoa Survey District

Whereas certain parts of Section 389 of Block 8, in the Wairoa Survey District, have long since been used as a public road, but proper steps have never been taken to have the same declared a public road: And whereas certain parts of the road passing through the said Section 389 have long since been closed and are now no longer required as a road: And whereas it is expedient that the said parts of the said Section 389 should be exchanged for the closed roads, and that the former should be declared a public road and the latter vested in the Public Trustee as the owner of the adjoining land: Be it therefore enacted as follows:—

- (1) The area of seven acres two roods thirteen perches occupied by the closed roads hereinbefore referred to, being the pieces of land shown as closed roads on the plans numbered 99/13P and B/21 lodged in the District Office of the Department of Lands and Survey, at Wellington, and the Land Transfer Office, at Wellington, respectively, shall be deemed to be included in and form part of the said Section 389, comprised in certificate of title, Volume 36, folio 59, Wellington Land Transfer Registry.
- (2) The area of seven acres two roods eighteen perches, being those parts of the said Section 389 shown on the said plans above referred to as new roads, is hereby declared a public road, and the same is hereby vested in His Majesty the King accordingly.
- (3) The District Land Registrar of the Wellington Land Registration District is hereby empowered and directed to amend the aforesaid certificate of title so as to give effect to the provisions of this section.

45 Power for Johnsonville Town Board to redeem existing debentures by issue of fresh debentures

Whereas the debentures referred to in paragraph (a) of section thirty-nine of the Maori Land Claims Adjustment and Laws Amendment Act 1907, became payable on the thirtieth day of November, nineteen hundred and seventeen: And whereas it is expedient to enlarge the term of the currency of the said debentures in the manner and on the terms hereinafter appearing: Be it therefore enacted as follows:—

- (1) The Johnsonville Town Board is hereby empowered to cancel the debentures so maturing as aforesaid, and in lieu thereof to issue new debentures of equal value with those so cancelled.
- (2) Such new debentures shall become payable within ten years from the thirtieth day of November, nineteen hundred and seventeen, being the date of the maturity of the existing debentures.
- (3) The new debentures shall bear interest as from the thirtieth day of November, nineteen hundred and seventeen, at the rate of five dollars and twenty-five cents per centum per annum.
- (4) The new debentures shall in all other respects be deemed to be issued subject to the same conditions and upon the same terms as the debentures referred to in paragraph (a) of section thirty-nine of the said Act.

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

46 Extension of time for carrying out the Evans Bay reclamation-works by the Wellington City Corporation

Subsection one of section seven of the Wellington City Reclamation and Empowering Act 1906, as amended by section forty-two of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1912, is hereby further amended by omitting the word “twelve,” and substituting the word “nineteen.”

47 Extending provisions of section 140 of Reserves Disposal, etc, Act 1915

The provisions of section one hundred and forty of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1915, and the subsequent legislation amending the same, shall apply and be deemed to have applied in the case of all renewable leases granted by the Corporation of the City of Wellington, whether under section one hundred-thirty-six and of the Municipal Corporations Act 1908, or under any other authority.

48 Changing purpose of reservation of certain land, Wellington City

Notwithstanding anything in section sixty-seven or the Schedule to the Reserves and other Lands Disposal and Public Bodies Empowering Act 1912, the Mayor, Councillors, and Citizens of the City of Wellington may use the western half of the land described in the Second Schedule to the said Schedule for workers' dwellings, or for such other municipal purposes as the Wellington City Council by resolution prescribes.

49 Closing road in Township of Mokihinui, Nelson

Whereas a portion of the public road along the high-water mark of the Tasman Sea is not necessary for the purposes of a road, and it is desirable that the said portion should be closed and the land comprised therein set apart as a reserve for the purposes of public recreation: Be it therefore enacted as follows:—

- (1) The portion of the public road as hereinafter described is hereby declared closed, and the land comprised therein is hereby declared to be Crown land set apart as a reserve for public recreation, subject to the Reserves Act 1977.
- (2) The portion of land to which this section relates is particularly described as follows:—

All that area in the Nelson Land District, containing by admeasurement two acres two roods, more or less, and being part of the public road lying between the Township of Mokihinui and the high-water mark of the Tasman Sea: commencing at a point being the westernmost corner of Section 52 of the Township of Mokihinui; thence running

along a bearing of $32^{\circ} 6'$, 740 links, to the northernmost corner of Section 24 of the said township; thence $74^{\circ} 5'$, 564.9 links, to the northernmost corner of Section 7 of the said township; thence $32^{\circ} 6'$, 290 links, to a point one chain from the high-water mark of the Tasman Sea; thence by a line parallel to and one chain distant from the said high-water mark to a point on a line being the continuation in a north-westerly direction of the north-east side of Lewis Street, in the Township of Mokihinui; and thence by a line bearing $122^{\circ} 6'$, 85 links, to the point of commencement: be all the aforesaid bearings and linkages more or less: as the same is delineated on the plan marked L and S 1/635, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

The Public Reserves and Domains Act 1908 (1908 No 156) was substituted, as from 1 April 1929, by a reference to the Public Reserves, Domains, and National Parks Act 1928 pursuant to section 103 Public Reserves, Domains, and National Parks Act 1928 (1928 No 36).

That reference was in turn substituted, as from 1 April 1954, by a reference to the Reserves and Domains Act 1953 pursuant to section 107(1) Reserves and Domains Act 1953 (1953 No 69).

That reference was in turn substituted, as from 1 April 1978, by a reference to the Reserves Act 1977 pursuant to section 125(1) Reserves Act 1977 (1977 No 66).

50 Exchange of land, Nelson Land District

Whereas the land described in subsection three hereof is freehold land situated between a formed road and Crown land to which there is no convenient road access: And whereas the owners of the said freehold land are agreeable to exchange the said freehold land for the Crown land and the national-endowment land described in subsections four and five hereof respectively: And whereas it is desirable that the exchange should be effected: Be it therefore enacted as follows:—

- (1) Upon completion of the transfer to His Majesty the King of the land described in subsection three hereof the said land shall become Crown land subject to the Land Act 1908, and thereupon the Governor-General shall, by Warrant under his hand, direct the issue to the owners of the land described in subsection three hereof of a certificate of title in respect of the lands described in subsections four and five hereof.

- (2) The Crown land described in subsection six hereof, being approximately of equal value to the land described in subsection five hereof, is hereby declared to be national-endowment land.
- (3) The land to be transferred to His Majesty the King is described as follows:—
All that area in the Nelson Land District, containing by admeasurement one hundred acres, more or less, being Section 2, Block VI, Motupiko Survey District.
- (4) The Crown land to be transferred to the owners of the land described in subsection three hereof is described as follows:—
All that area in the Nelson Land District, containing by admeasurement forty-eight acres, more or less, being Section 14, Block I, Motupiko Survey District.
- (5) The national-endowment land to be transferred to the owners of the land described in subsection three hereof is described as follows:—
All that area in the Nelson Land District, containing by admeasurement six hundred and thirty-three acres, more or less, being Section 2, Block XIII, Gordon Survey District, and Section 4, Block II, Motupiko Survey District.
- (6) The Crown land referred to in subsection two hereof to be national-endowment land is described as follows:—
All that area in the Nelson Land District, containing by admeasurement four hundred and ninety-three acres, more or less, being Section 20, Block VI, Matakītaki Survey District.
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).

51 Nelson Agricultural and Pastoral Association relieved of certain liability to the Crown

Notwithstanding anything in section seventy of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1917, the Nelson Agricultural and Pastoral Association is hereby released from all liability in respect to the sum of one thousand six hundred dollars contributed by the Crown towards the purchase-money of the land described in the said

section seventy, and the said sum of one thousand six hundred dollars shall cease to be a charge upon the land described as aforesaid.

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

52 The trustees of a certain religious trust in the Nelson Provincial District may retire and appoint Diocesan Trust Board as their successor

Whereas by a deed of trust dated the twentieth day of December, eighteen hundred and fifty-three, and registered in the Deeds Registration Office at Nelson under Volume 8D, number 8310, the land hereinafter described was vested in trustees upon certain trusts as a site for a school for educating in the principles of the Church of England children of persons residing in the Nelson Province, and for such other purposes of a religious or useful nature as the trustees might direct: And whereas the persons now administering the said trust are desirous of retiring from the trust and of appointing the Nelson Diocesan Trust Board (incorporated under the Religious Charitable and Educational Trusts Act 1908) as trustee in their stead, but are unable to do so by reason of certain conditions contained in the said deed: Be it therefore enacted as follows:—

- (1) The persons who are on the passing of this Act lawfully administering the trusts contained in the said deed are hereby empowered to appoint the Nelson Diocesan Trust Board to be the sole trustee of the lands hereinafter described, and to transfer to that Board the said land upon the trusts and for the objects and purposes set out in the said deed and subject to the powers and provisions therein set forth, and to pay and transfer to the said Board all moneys and other assets in their hands pertaining to the said trust.
- (2) On the completion of all proceedings required to give effect to the last preceding subsection the said trustees are hereby relieved from the position of trustees in the same manner as if they had retired from the trust in accordance with the said deed of trust.
- (3) The land to which this section relates is particularly described as follows:—

All that area in the Nelson Land District, containing three roods twenty-four and seven-tenths perches, more or less, being portion of Section 154 of the Motueka Original District, and situated in the Borough of Motueka: bounded towards the north and east by other part of the said Section 154, towards the south by Greenwood Street, and towards the west by High Street.

53 Cancellling reservation as resting-place for stock of land in Arapawa Survey District

The reservation as a resting-place for stock over Section 9A, Block XII, Arapawa Survey District, in the Marlborough Land District, is hereby cancelled, and the said land is hereby declared to be Crown land 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).

54 Validating certain loan proceedings of the Picton Borough Council

Whereas the ratepayers of the Borough of Picton, at a poll held under the Local Bodies' Loans Act 1913, on the twenty-ninth day of October, nineteen hundred and eighteen, duly carried a proposal of the Picton Borough Council to raise a special loan of four thousand four hundred dollars for extending and providing machinery and buildings for electrical purposes for the residents of the said borough, and to make an annually recurring rate of one hundred and fifty five one thousand and thirty sixth cents in the dollar on the unimproved value of all rateable property in the said borough as security for the interest and sinking fund in connection with such loan, and for payment out of the loan of the cost of raising the loan and the interest and sinking fund for the first year: And whereas prior to the carrying of the said proposal, and in anticipation of raising the loan, the said Borough Council purchased out of its General Account for the sum of two thousand four hundred and fifty-one dollars and ninety-nine and a sixth cents an engine and certain other plant required

for the purposes set out in the proposal for the said loan: And whereas it is expedient to validate the said loan and to enact the other provisions in relation thereto hereinafter appearing: Be it therefore enacted as follows:—

Notwithstanding anything in any other Act, the Picton Borough Council may, without taking any further poll of the ratepayers, and without further authority than this Act, raise the said loan under the provisions of the Local Bodies' Loans Act 1913, and make the said loan repayable in thirty-six years and a half, and make and pledge the said rate, and set apart any portion thereof as a sinking fund in connection with the loan, and out of the loan-money repay or transfer to its General Account the said sum of two thousand four hundred and fifty-one dollars and ninety-nine and a sixth cents, and apply the rest of the loan-money for the purposes mentioned in the said proposal.

The words “four thousand four hundred dollars”, “one hundred and fifty five one thousand and thirty sixth cents in the dollar”, and “two thousand four hundred and fifty-one dollars and ninety-nine and a sixth cents” were substituted, as from 10 July 1967, for the words “two thousand two hundred pounds”, “thirty one-hundred-and-thirds of a penny in the pound”, and “one thousand two hundred and twenty-five pounds nineteen shillings and elevenpence” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

55 Provision relating to certain unformed streets, Greymouth

Whereas, in pursuance of the provisions of section fifty-three of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1910, and of section twenty-four of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1911, the lands mentioned in the said sections fifty-three and twenty-four of the said respective Acts have been vested in the Greymouth Harbour Board: And whereas the said Greymouth Harbour Board and the Mayor, Councillors, and Burgesses of the Borough of Greymouth are desirous of entering into an agreement in respect of the construction of certain unformed streets being part of the said lands so vested in the said Greymouth Harbour Board as aforesaid: Be it therefore enacted as follows:—

- (1) The said Greymouth Harbour Board and the Mayor, Councillors, and Burgesses of the Borough of Greymouth may enter into an agreement to and may jointly construct or cause

to be constructed, and may expend moneys in constructing or improving, the parts of streets of a total length of thirty chains hereinafter more particularly described:

Provided that the expenditure of the said Greymouth Harbour Board in respect of the construction of improvements of such parts of streets shall not exceed thirteen dollars per chain.

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

All that part of Doyle Street from its junction with Rigg Street to its junction with O'Grady Street, a distance of 8 chains; all that part of Doyle Street from its junction with Coakley Street to its junction with Collins Street, a distance of 7 chains; all that part of O'Grady Street lying between Sections 51 and 87, being that part of O'Grady Street from its junction with Doyle Street running westerly a distance of 2 chains 50 links; all that part of Coakley Street bounded on the south-west by Sections 57 and 81, being that part of Coakley Street from its junction with Doyle Street running westerly a distance of 5 chains; all that part of Collins Street bounded on the south-west by Section 28, being that part of Collins Street from its junction with Doyle Street running westerly a distance of 2 chains 50 links; all that part of Ryan Street lying between Section 86 and State School Reserve, being that part of Ryan Street from its junction with Blake Street running westerly a distance of 2 chains 50 links; all that part of Flowers Street bounded on the north by Section 95, being that part of Flowers Street from its junction with Blake Street running westerly a distance of 2 chains 50 links.

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

56 Bringing certain reserves in Akaroa Survey District under Scenery Preservation Act 1908

Whereas Section 2788, Block VI, Akaroa Survey District, and Section 3361, Block VII, Akaroa Survey District, in the Canterbury Land District, have been permanently reserved for the preservation of forest for scenery and climatic purposes: And whereas it is desirable to apply the provisions of the

Scenery Preservation Act 1908, to the said reserves: Be it therefore enacted as follows:—

Section 2788, Block VI, Akaroa Survey District, and Section 3361, Block VII, Akaroa Survey District, are hereby declared to be scenic reserves subject to the provisions of the Scenery Preservation Act 1908, and its amendments.

57 Closing and sale of part of road, Sumner

Whereas a road one chain in width was reserved between high-water mark and Rural Section 532, and is a street duly vested in the Corporation of the Borough of Sumner: And whereas disputes have arisen as to the true position of the said street, and by the deposit of a plan in the Land Registry Office, Christchurch, and therein numbered 3352, the position of the said street has been fixed: And whereas by such deposit plan it is found that the owner of Lot 62 on plan deposited as aforesaid as number 4195, which said Lot 62 was originally part of Lot 1 on the said deposit plan 3352, has encroached on the said street: And whereas valuable buildings have been erected and improvements effected on the said Lot 62, and great loss and inconvenience would result were the owner of the said Lot 62 compelled to set back his boundary to a chain distant from high-water mark as so determined: And whereas a street of the width as at present used is ample for the present and future requirements of the district, and it is expedient that the width of the said part of the said street be reduced accordingly: Be it therefore enacted as follows:—

- (1) So much of the said street as fronts the said Lot 62 and Park Road, being all that piece or parcel of land containing two and one-tenth perches, being portion of Coast Road Reserve adjoining Lot 62, DP 4195, Borough of Sumner—commencing at the most easterly corner of Lot 62, running thence at a bearing of $245^{\circ} 22'$ for a distance of 146.8 links, thence at a bearing of $213^{\circ} 32'$ for a distance of 34.2 links, thence along the north-western boundaries of Park Road and Lot 62 at a bearing of $59^{\circ} 30' 30''$ for a distance of 176.62 links to the commencing-point—is hereby closed, and no person shall have any claim or right to compensation in respect of such closing.

- (2) The Corporation of the Borough of Sumner is hereby authorized and empowered to sell the same and execute a transfer of the portion closed to the registered proprietor of the said Lot 62.
- (3) The District Land Registrar of the District of Canterbury is authorized to register such transfer and issue a certificate of title to the purchaser.
- (4) The unclosed portion of the said street is hereby exempted from the provisions of the Public Works Act 1981, as to the necessity for widening the same to a chain on any subdivision.
- (5) The centre-line of the said street as subsisting before the passing of this Act shall continue to be the centre-line for all purposes.

The Public Works Act 1908 (1908 No 160) was 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).

58 Site for educational purposes, North New Brighton

Whereas by Order in Council made on the seventh day of January, nineteen hundred and seven, under section fifty of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1906, and published in the *Gazette* of the tenth day of January, nineteen hundred and seven, the lands described in the Schedule 13 to the said Act, and in the Schedule to the said Order in Council, were vested in the Mayor, Councillors, and Burgesses of the Borough of New Brighton (hereinafter referred to as the said borough) in trust for planting purposes: And whereas the Education Board of the District of Canterbury (hereinafter called the said Board) desires to obtain from the said borough and the said borough is willing to give a transfer of the fee-simple for educational purposes of part of the said land, containing four acres, situated in North New Brighton, and it is expedient that the said borough should be empowered to give to the said Board, by a transfer of the said land, the fee-simple of the said parcel of land: Be it therefore enacted as follows:—

The said borough may transfer to the said Board for educational purposes the fee-simple of part of the said land, not exceeding four acres, situated in North New Brighton.

59 Empowering certain local authorities in Canterbury and Otago Provincial Districts to expend money

- (1) It shall be lawful for any local authority the district of which is within or partly within the Provincial District of Canterbury to contribute out of its general fund or account such a sum in any year as the local authority may think fit as a subscription to the funds of the Canterbury Progress League (Incorporated), or, if within that part of the Provincial District of Canterbury lying south of the Rangitata River, to the South Canterbury Development League.
- (2) It shall be lawful for any local authority the district of which is within or partly within the Provincial District of Otago to contribute out of its general fund or account such a sum in any year as the local authority may think fit as a subscription to the funds of the Otago Expansion League.
- (3) For the purposes of this section the term **local authority** includes a Harbour Board.

Subsection (3) was inserted, as from 11 September 1926, by section 41 Local Legislation Act 1926 (1926 No 61).

60 Power to acquire Jollie's Pass Hotel (Hanmer sic: Hamner Springs) as a military hospital

Whereas the land hereinafter described forms part of a reserve vested in the Superintendent of the Province of Nelson by notice in the Nelson Provincial Gazette of the eleventh day of February, eighteen hundred and sixty, and is now held on lease under Part 1 of the Public Reserves and Domains Act 1908, and its amendments, dated the tenth day of December, nineteen hundred and fifteen, for a term of fourteen years from the eighth day of February, nineteen hundred and fifteen, at a yearly rent of one hundred dollars: And whereas a publican's license in respect of the premises erected on the said land has been granted by the Licensing Committee to one Arthur Percival Smith, the lessee of the said land: And whereas it is desirable that the said land and premises should be acquired for the purposes of a military hospital: Be it therefore enacted as follows:—

- (1) The Minister of Defence is hereby authorized to accept a surrender of the said lease by deed signed by the lessee, and to pay to the said lessee out of the War Expenses Account such sum by way of compensation as may be agreed on by the said Minister and the said lessee.
- (2) On the surrender of the said lease the land described therein shall cease to be subject to any reservation to which it was subject on the passing of this Act, and shall become a reserve under Part 1 of the Public Reserves and Domains Act 1908, for the purposes of a military hospital.
- (3) On the surrender of the said lease the publican's license existing in respect of the premises shall determine and cease to exist.
- (4) Notwithstanding anything to the contrary in the Licensing Act 1908, or its amendments, the determination of the said publican's license shall not have the effect of enabling or authorizing the grant of any other license under the Licensing Act 1908.
- (5) The land to which this section relates is all that piece or parcel of land, containing by admeasurement one hundred acres, a little more or less, situated in the Land District of Canterbury, and being Section 47, Block II, Survey District of Lyndon.

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

61 Provision relating to certain mining privileges of the Dunedin City Corporation

Whereas the Corporation of the Mayor, Councillors, and Citizens of the City of Dunedin is the holder under the Mining Act 1908, of the several mining privileges short particulars whereof are set forth in subsection two hereof: And whereas the said several mining privileges were purchased by the said Corporation for the purposes of the Waipori Falls Electrical Power Act 1904, and in pursuance of the power in that behalf contained in the Dunedin City and Suburban Tramways and Water-power Act 1903: Be it therefore enacted as follows:—

- (1) The said several mining privileges shall be held by the said Corporation with and subject to the same rights, powers,

privileges, and conditions as in the case of the mining privileges held by the said Corporation as mentioned in the said the Dunedin City and Suburban Tramways and Water-power Act 1903.

- (2) The mining privileges to which this section relates are shortly described as follows:—

All those licenses for water-races issued at Lawrence numbered 69, dated the eighth day of May, eighteen hundred and ninety-nine; numbered 158, dated the twenty-eighth day of January, nineteen hundred and thirteen; numbered 179, dated the twenty-fourth day of February, nineteen hundred and two; numbered 184, dated the thirteenth day of May, nineteen hundred and thirteen; numbered 230, dated the twenty-sixth day of May, nineteen hundred and two; numbered 231, dated the twenty-sixth day of May, nineteen hundred and two; numbered 232, dated the twenty-sixth day of May, nineteen hundred and two; numbered 233, dated the twenty-sixth day of May, nineteen hundred and two; numbered 235, dated the twenty-sixth day of May, nineteen hundred and two; numbered 249, dated the thirtieth day of June, nineteen hundred and two; numbered 269, dated the twenty-eighth day of April, nineteen hundred and fourteen; numbered 270, dated the twenty-eighth day of April, nineteen hundred and fourteen; numbered 305, dated the seventh day of December, nineteen hundred and eight; numbered 314, dated the twenty-seventh day of October, nineteen hundred and two; numbered 463, dated the twelfth day of April, nineteen hundred and ten; numbered 464, dated the twelfth day of April, nineteen hundred and ten; and numbered 523, dated the twenty-fourth day of February, nineteen hundred and sixteen.

All those licenses for dams issued at Lawrence numbered 100, dated the twelfth day of August, nineteen hundred and one; numbered 229, dated the ninth day of December, nineteen hundred and seven; numbered 230, dated the ninth day of December, nineteen hundred and seven; numbered 236, dated the ninth day of June, nineteen hundred and two; numbered 448/10, dated the first day of February, nineteen hundred and ten; and numbered 72046, dated the twenty-second day of December, eighteen hundred and ninety-six.

**62 Cancellling Crown grant of land in Town of Alexandra,
Otago**

Whereas on the thirtieth day of April, eighteen hundred and seventy-four, Section 1, Block XVIII, Town of Alexandra, was Crown-granted to the Superintendent of the Province of Otago in trust as a site for a public hospital: And whereas the land is not required as a site for a public hospital: Be it therefore enacted as follows:—

The Crown grant of Section 1, Block XVIII, Town of Alexandra, to the Superintendent of the Province of Otago is hereby cancelled, and the said land is hereby declared to be Crown land available for disposal under the Land Act 1948:

Provided that all proceeds, exclusive of title fees, from the disposal of the said land shall be paid to the Vincent Hospital and Charitable Aid Board for the benefit of Clyde Hospital.

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).

**63 Charlton Main Tail-race vested in Southland County
Council**

Whereas the administration of the Charlton Main Tail-race or Flood-channel was, in terms of an agreement dated the twenty-fourth day of February, nineteen hundred and two, vested in a Board of Trustees: And whereas since the said agreement was entered into local conditions have changed, and it is found that it would be advantageous to abolish the said Board and to vest the tail-race or flood-channel in the Southland County Council: Be it therefore enacted as follows:—

The Board of Trustees of the Charlton Main Tail-race is hereby abolished, and all the rights, assets, powers, obligations, and liabilities of the said Board in connection with the said tail-race or flood-channel are hereby vested in the Southland County Council, and the said Council may collect all unpaid rents due to the said Board.

64 Renewing timber license, Southland

Whereas by license dated the eighteenth day of September, nineteen hundred and twelve (issued under the Forest Regulations under the Land Act 1908, published in the *Gazette* of the fifteenth day of April, nineteen hundred and nine), William Ernest Guthrie, of Invercargill, sawmiller, was licensed to cut and remove from Crown lands situated in Block VI, Alton Survey District, in the Southland Land District, certain millable timber standing or lying thereon: And whereas the said William Ernest Guthrie failed through inadvertence to apply before the expiry of the said license for a renewal thereof: And whereas it is desirable that the said license be renewed: Be it therefore enacted as follows:—

- (1) The Minister may, for such period and upon such terms and conditions as he considers equitable, extend the said license as from the date of the expiry thereof.
- (2) The period during which the reserved areas attached to the said license may by the said regulations be reserved for the use of the licensee is hereby extended by the term for which the license is extended in accordance with subsection one hereof.

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).

65 Empowering Borough Councils to fill extraordinary vacancies by appointment in lieu of election in certain cases

[Repealed]

Sections 65, 66 and 67 were repealed, as from 28 August 1920, by section 2(1) Statutes Repeal and Expiring Laws Amendment and Continuance Act 1920 (1920 No 12).

66 Postponement of statutory meetings owing to influenza epidemic

[Repealed]

Sections 65, 66 and 67 were repealed, as from 28 August 1920, by section 2(1) Statutes Repeal and Expiring Laws Amendment and Continuance Act 1920 (1920 No 12).

67 Expenditure of local bodies in connection with influenza epidemic*[Repealed]*

Sections 65, 66 and 67 were repealed, as from 28 August 1920, by section 2(1) Statutes Repeal and Expiring Laws Amendment and Continuance Act 1920 (1920 No 12).

68 Validating loan proceedings of the Waikato River Board

Whereas the Waikato River Board, by special order on the tenth day of April, nineteen hundred and fourteen, under the provisions of the Local Bodies' Loans Act 1913, raised a loan of one thousand dollars at five dollars per centum interest and fifty cents per centum sinking fund for a term of twenty-one years for the purposes of improving and cleaning out, deepening, or widening and straightening, or altering the course of, the Maungatawhiri Creek, and providing for the first year's interest and sinking fund during the construction of the said works and the cost of raising the loan: And whereas on the tenth day of April, nineteen hundred and fourteen, the said Board passed a special resolution making and levying a special rate of five-twelfths of a cent in the dollar, A Class; fifteen forty-eighths of a cent in the dollar, B Class; and five twenty-fourths of a cent in the dollar, C Class, upon the rateable value (on the basis of the annual value) of all rateable property of the Pokeno Subdivision of the Waikato River Board, comprising the Pokeno Subdivision, for the purpose of providing for the interest and sinking fund on the said loan as provided by the said Act, which said rates have been subsequently duly paid by the ratepayers of the said Pokeno Subdivision: And whereas debentures have been issued under the common seal of the Board representing the said loan, all of which debentures have been sold: And whereas, owing to inadvertence, the said special resolution was not gazetted as required by the said Act: And whereas it appears that the ratepayers have not been misled by such omission or irregularity, and it is expedient to validate the same: Be it therefore enacted that the special rate so made and the said debentures are hereby declared to be and are valid and in full force and effect and were duly made and issued under the provisions of the Local Bodies' Loans Act 1913.

The words “one thousand dollars”, “five dollars”, “fifty cents”, “five twelfths of a cent in the dollar”, “fifteen forty-eighths of a cent in the dollar”, and “five twenty-fourths of a cent in the dollar” were substituted, as from 10 July 1967, for the words “five hundred pounds”, “five pounds”, “ten shillings”, “one penny in the pound”, “three farthings in the pound”, and “one halfpenny in the pound” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

**69 Christchurch Tramway Board empowered to work
quarries**

[Repealed]

Section 69 was repealed, as from 28 October 1920, by section 70 Christchurch Tramway District Act 1920 (1920 No 15). *See* that section as to things not affected by repeal.