

Reserves and other Lands Disposal and Public Bodies Empowering Act 1922

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| | Reserves made available for disposal under the Land Act 1908. | |

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 1922.

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

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

A reference to the Land Act 1924 was substituted, as from 1 January 1925, for a reference to the Land Act 1908 pursuant to section 390 Land Act 1924 (1924 No 31). That reference was in turn substituted, as from 1 April 1949, by a reference to the Land Act 1948 pursuant to section 185(1) Land Act 1948 (1948 No 64).

3 Governor-General may vest certain tidal lands in Bay of Islands Harbour Board

- (1) The Governor-General may, by Order in Council, vest in the Bay of Islands Harbour Board in trust, without power of sale, as a harbour endowment such portions of the tidal lands within the Port of Bay of Islands as may be described in such order.
- (2) The District Land Registrar at Auckland is hereby empowered and directed to issue to the said Board, on publication of any such Order in Council in the *Gazette*, certificates of title in respect of the lands described in such order.

4 Declaring Poor Knights Islands to be a scenic reserve

Whereas by a notice published in the *Gazette* of the twentieth day of September, eighteen hundred and eighty-three, the islands hereinafter described were permanently reserved for lighthouse purposes: And whereas it is desirable that the reservation over the said islands should be cancelled, and that the said islands should be reserved for scenic purposes: Be it therefore enacted as follows:—

- (1) The reservation for lighthouse purposes over the islands hereinafter described is hereby cancelled, and the said islands are hereby declared to be reserved for scenic purposes, subject to the provisions of the Reserves Act 1977.
- (2) The reservation for scenic purposes shall be subject to any right or powers with regard to lighthouses now vested by any enactment in the Minister of Marine, with the exception of the powers given by paragraphs (f) and (g) of section two hundred and eighty-five of the Shipping and Seamen Act 1908.

- (3) The islands to which this section relates are those islands situated to the east of Sandy Bay, in the South Pacific Ocean, and known as Tawhiti Rahi, or Poor Knights Islands.

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

5 Authorizing Whangarei Borough Council to make certain payments in connection with acquisition of land for a scenic reserve

Whereas the Whangarei Borough Council (hereinafter referred to as the Council) agreed with the owners (hereinafter referred to as the vendors) of the lands hereinafter described to purchase for the sum of two thousand eight hundred dollars the said lands for scenic purposes, subject to the consent of the ratepayers of the borough being obtained: And whereas the Government of New Zealand, in consideration of the transfer to His Majesty of the said lands for the purpose of being reserved for scenic purposes under the Reserves Act 1977, agreed to contribute the sum of one thousand three hundred and seventy dollars towards the purchase of the lands: And whereas on the second day of July, nineteen hundred and nineteen, the Council submitted to a poll of the ratepayers of the Borough of Whangarei a proposal to borrow by way of special loan under the Local Bodies Loans Act 1913, the sum of one thousand four hundred dollars for the purpose of concluding the purchase of the said lands, and such proposal was declared to be carried: And whereas possession of the said lands was given by the vendors on the said second day of July, nineteen hundred and nineteen, and it was agreed by the Council to pay interest at the rate of six per centum per annum as from that date on the purchase-money or such portion thereof as was from time to time outstanding: And whereas there is no authority at law for the Council to purchase land for scenic purposes and to borrow money for that purpose, and it is desirable to validate the proceedings already taken, and to confer authority upon the Council to expend in connection therewith certain moneys as hereinafter set out: Be it therefore enacted as follows:—

- (1) The purchase of the said land shall be deemed to have been within the powers of the Council as if it had been required for a public work authorized to be undertaken by the Council.

- (2) The aforesaid poll of ratepayers of the Borough of Whangarei is hereby validated and declared to have been lawfully taken.
- (3) Any sum additional to the amount of the loan authorized by the said poll of ratepayers and of the aforesaid Government contribution required to complete the purchase of the said lands may be paid by the Council out of its ordinary revenue, and the Council may also pay to the vendor out of such revenue interest at the rate of six per centum per annum as from the said second day of July, nineteen hundred and nineteen, on the purchase-moneys or any portion thereof from time to time remaining outstanding.
- (4) On acquiring the title thereto the Council is empowered to transfer, in pursuance of the agreement entered into by it, the said lands to His Majesty, and the said lands shall thereupon be reserved for scenic purposes under the Reserves Act 1977, and the control thereof vested in the Council.
- (5) The lands to which this section relates are particularly described as follows:—

All that parcel of land belonging to one David Kerr Tennant, containing thirty-five acres one rood thirty-two perches, more or less, being Lot 3 on plan deposited in the Land Transfer Office, at Auckland, under No 13936, and being portion of Allotment 1 of the Parish of Whangarei, and part of the land described in certificate of title, Volume 49, folio 5, of the Land Transfer Register-book at Auckland:

Also all that parcel of land belonging to one James David McKenzie, containing forty-eight acres three roods thirty-eight and three-fifths perches, more or less, being Lot 1 on the plan deposited in the Land Transfer Office, at Auckland, under No 13936, and being portion of Allotment 1 of the Parish of Whangarei, and part of the land described in certificate of title, Volume 136, folio 113, of the Land Transfer Register-book at Auckland.

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

The words “one thousand three hundred and seventy dollars” and “one thousand four hundred dollars” were substituted, as from 10 July 1967, for

the words “six hundred and eighty-five pounds” and “seven hundred pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

**6 Authorizing renewal of perpetual lease of Section 103,
Parish of Tatarariki, North Auckland Land District**

Whereas the land hereinafter described was held by John Orsulich (hereinafter called the lessee) under a perpetual lease granted under the Land Act 1885, registered in Volume 67, folio 156, Auckland Land Registry Office, as No 902, which lease, dated the first day of July, eighteen hundred and ninety-three, expired on the thirtieth day of June, nineteen hundred and twenty-two: And whereas, owing to the procedure prescribed by section one hundred and fifty-one of the Land Act 1885, with respect to the renewal of perpetual leases not having been followed in the case of the said perpetual lease, the lessee has not had an opportunity of electing to accept a renewal of the said lease: And whereas it is considered equitable that the right of renewal conferred by the said perpetual lease should be exercisable, notwithstanding the omission to follow the procedure aforesaid and notwithstanding the expiration of the said lease: Be it therefore enacted as follows:—

- (1) Notwithstanding that his lease has now expired, the North Auckland Land Board may, on the application of the lessee, made before the thirty-first day of December, nineteen hundred and twenty-two, grant him a renewal of his lease as from the first day of July, nineteen hundred and twenty-two, on the same terms as if all the provisions of the Land Act 1885, in respect of the renewal of perpetual leases had been duly complied with, and all the steps taken or hereafter to be taken by the said Land Board to determine the terms of the renewal shall be as valid as if they had been taken within the time and in the manner prescribed in that Act.
- (2) The land to which this section relates is particularly described as follows:—

All that area in the North Auckland Land District, containing by admeasurement one hundred and thirty-nine acres two roods, being Section 103 of the Parish of Tatarariki.

7 Closing road along Oratia Stream, North Auckland Land District, and authorizing disposal thereof

Whereas, in consequence of a new and more convenient road having been constructed, the road along the Oratia Stream, hereinafter described, is no longer required for the purpose for which it was intended, and it is desirable to close the same and to dispose of the land comprised therein under the Land for Settlements Act 1908: Be it therefore enacted as follows:—

- (1) Notwithstanding anything in section one hundred and thirty of the Public Works Act 1908, the hereinafter-described river-bank road is hereby closed, and the land comprised therein is hereby declared to be settlement land available for disposal under the Land for Settlements Act 1908.
- (2) The road hereby closed is more particularly described as follows:—

All that area in the North Auckland Land District, containing by admeasurement two acres one rood five perches, more or less, being portion of a road adjoining Section 42, Waari Hamlet, Block II, Titirangi Survey District: bounded, commencing at the southernmost corner of Section 42, Waari Hamlet; towards the east generally by a public road, 63 links and 285.8 links; towards the south by the said public road, 25 links, to the Oratia Stream; towards the south-west and north-west generally by the right bank of the said Oratia Stream to a public road; towards the north-east by the last-mentioned public road, 102 links; towards the south, east, and north-east generally by Section 42, Waari Hamlet, 213.7, 256.8, 263.6, 512.2, and 233.7 links respectively to the point of commencement: be all the aforesaid linkages a little more or less: as the same is delineated on plan marked L and S 2/34, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

8 Amalgamating Kaimaumau and Rangaunu Domains

- (1) The public domains hereinafter described, known as the Kaimaumau Domain and the Rangaunu Domain, are hereby amalgamated, and shall henceforth be known as the Kaimaumau Domain.

- (2) The Kaimaumu Domain Board in office on the passing of this Act shall be the Domain Board of the Kaimaumu Domain hereby constituted as if it had been duly appointed as such pursuant to the provisions in that behalf of section forty of the Public Reserves and Domains Act 1908.
- (3) The land formerly known as the Kaimaumu Domain is more particularly described as follows:—
All that area in the North Auckland Land District, containing by admeasurement fifty-four acres two roods thirty perches, more or less, being Section 4, Block I, Rangaunu Survey District.
- (4) The land formerly known as the Rangaunu Domain is more particularly described as follows:—
All that area in the North Auckland Land District, containing by admeasurement thirty-six acres and twenty-three perches, more or less, being Section 19, Block II, Rangaunu Survey District.

**9 Authorizing change of purpose of reservation over
Allotment 97A (ER), Parish of Waikomiti, North
Auckland Land District**

Whereas the land hereinafter described is vested in the Crown in trust as an endowment for primary-education purposes: And whereas it is deemed essential that the said land should be vested in the Auckland City Council in trust for water-supply purposes: Be it therefore enacted as follows:—

- (1) On payment by the Auckland City Council of such amount as may be agreed upon between the Minister of Education and the said Council the Governor-General may, by Warrant under his hand, cancel the reservation as an endowment for primary-education purposes over the land hereinafter described, and may declare the said land to be permanently reserved for water-supply purposes, and to be vested in the Corporation of the City of Auckland in trust for such purposes.
- (2) The proceeds from the disposal of the said land, after deducting the costs and expenses (if any) incidental to such disposal, shall be invested in the purchase by the Minister

of Education of other land to be held as an endowment for primary-education purposes.

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

All that area in the North Auckland Land District, containing by admeasurement one hundred and eleven acres three roods, more or less, being Allotment 97A (ER), Parish of Waikomiti: as the same is more particularly delineated on plan marked L and S 1/552, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

10 Fixing rate of interest on moneys borrowed from Public Trustee for purposes of Auckland Trades Hall

Whereas by section two of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1910, the Public Trustee was empowered to expend, by way of advances out of the funds of the Public Trust Office, the sum of twelve thousand dollars for the purposes of the Auckland Trades Hall, and the said sum of twelve thousand dollars, bearing interest at the rate of four and a half per centum per annum, has been advanced by the Public Trustee accordingly: And whereas by virtue of the said Act the said hall is vested in the Public Trustee as security for the repayment of the said capital sum, and for the payment of the interest from time to time accruing thereon: And whereas no provision is made by the said enactment or by the agreement made for the purposes thereof between the Public Trustee and the Auckland Trades Hall Trustees for the repayment to the Public Trustee of the capital sum advanced by him as aforesaid: And whereas no part of the said capital sum has been repaid: And whereas, though it is not practicable or desirable in the interests of the Trades Hall Trustees or their beneficiaries that the Public Trustee should enforce the charge over the property created in his favour by the said enactment, it is desirable that the repayment of the advances made by the Public Trustee in aid of the Trades Hall Trustees should not be indefinitely postponed: Be it therefore enacted as follows:—

All capital moneys heretofore advanced by the Public Trustee to the Auckland Trades Hall Trustees, as hereinbefore recited,

and outstanding on the first day of January, nineteen hundred and twenty-three, shall be repayable to the Public Trustee on the expiration of five years from that date, and shall, as from the said first day of January, nineteen hundred and twenty-three, until repayment, bear interest at the rate current on the said first day of January, nineteen hundred and twenty-three, and chargeable in respect of advances from the Common Fund of the Public Trust Office made by way of mortgage on the security of real estate.

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

11 Authorizing Auckland City Council to contribute to benefit associations, &c, formed among its tramway employees

The Auckland City Council may pay and contribute such sum or sums of moneys as it shall from time to time think fit to or for any society, association, or club formed by or among the employees of the Tramway Department of the said Council for purposes of recreation or mutual benefit of such employees:

Provided that any such payment or contribution shall not in any year exceed one-quarter per centum of the gross revenue of the Tramway Department for that year.

12 Authorizing Manukau County Council to grant to Mangere Board of Trustees a lease of portion of Section 48, Village of Mangere

[Repealed]

Section 12 was repealed, as from 23 October 1952, by section 5(3) Reserves and Other Lands Disposal Act 1952 (1952 No 69).

13 Authorizing Auckland Harbour Board to lease certain land to Auckland City Council

The Auckland Harbour Board is hereby empowered to lease to the Corporation of the City of Auckland an area of land not exceeding five acres, and being part of Block VIII of the land reclaimed from the sea by the said Board in the Auckland Harbour, and known as the Freeman’s Bay reclamation, upon

such terms and conditions as may be agreed on between the said Board and the said Corporation.

14 Authorizing issue to Corporation of Thames Borough of certificate of title in respect of part of Block IV, Thames Survey District

[Repealed]

Section 14 was repealed, as from 7 November 1929, by section 3 Reserves and other Lands Disposal Act 1929 (1929 No 18).

15 Authorizing Tauranga County Council to transfer to certain trustees a public-hall site at Katikati

Whereas by memorandum of transfer No 4113 the land known as the Katikati Public Hall site, being all that piece of land, containing two roods, more or less, included in certificate of title, Volume 30, folio 95, Auckland Land Registry, was transferred to certain trustees in trust for the inhabitants of the Katikati District: And whereas by transfer No 49803 the said land was for purposes of convenience transferred to the inhabitants of the Katikati Road District: And whereas the Katikati Road Board has now been dissolved and the Katikati Road District merged in the County of Tauranga, and the said land has become vested in the Corporation of the said county: And whereas the ratepayers of the Katikati District have requested the Tauranga County Council to transfer the said land to William John Gray, William Taylor, Noble Johnston, William Thomas Rea, and James Henry Lockington, to be held in trust for the inhabitants of the Katikati District, and the Tauranga County Council has agreed to make such transfer on obtaining legislative authority therefor: Be it therefore enacted as follows:—

- (1) The Tauranga County Council may transfer to William John Gray, William Taylor, Noble Johnston, William Thomas Rea, and James Henry Lockington, all of Katikati, farmers, all that piece of land, containing two roods, more or less, being Lot 1 of a subdivision of Allotment 54, Parish of Tahawai, being all the land comprised in certificate of title, Volume 30, folio 95, Auckland Land Registry, to hold such land in trust as a site for a public hall for the inhabitants of the area formerly comprised in the Katikati Road District.

- (2) No gift or stamp duty shall be payable in respect of such transfer.

16 Part 13 of Land Act 1908, not to apply to acquisition of certain land by New Zealand Co-operative Dairy Company (Limited)

Whereas it is desirable that the New Zealand Co-operative Dairy Company (Limited) should be permitted to acquire the land hereinafter described: And whereas the said company is precluded by law from acquiring such land: Be it therefore enacted as follows:—

- (1) Nothing in Part 13 of the Land Act 1908, shall apply to the acquisition by the New Zealand Co-operative Dairy Company (Limited) of the land hereinafter described.
- (2) The land to which this section relates is all that area of land, containing eighty-one acres two roods twenty perches, more or less, being Lot 26 and part of Lot 28 on a plan deposited in the Land Registry Office, at Auckland, under No 7492, which said parcel of land is portion of the blocks situated in the Waihou Survey District called Tahanui No 1A, Tahanui No 2A, Tahanui No 3A, Tahanui No 4A, and Tangikou, and is the whole of the land comprised in Volume 270, folio 128, of the Register-book at Auckland.

17 Authorizing Waihi Borough Council to borrow \$12,000 for purchase of certain land, and authorizing lease of portions of such land for building-sites
[Repealed]

This section was repealed, as from 10 December 1976, by section 12(5) Local Legislation Act 1976 (1976 No 160).

18 Authorizing Auckland Land Board to grant to Whakatane Harbour Board a lease of a certain wharf and shed

Whereas by a Proclamation published in the *Gazette* of the eighteenth day of May, nineteen hundred and eleven, portion of Allotment 47, Parish of Rangitaiki, was taken for the purpose of a canal and road in connection with Rangitaiki River drainage-works: And whereas upon portion of the land so taken there have been erected a wharf and goods-shed: And whereas the said wharf and shed are no longer

exclusively required for the purposes of such works, and application has been made by the Whakatane Harbour Board for a lease thereof: And whereas it is desired to grant to the said Board a lease for a term not exceeding ten years of the said wharf and shed, and of the land upon which they are situated, but there is no statutory power to do so: Be it therefore enacted as follows:—

- (1) The Auckland Land Board is hereby authorized to grant to the said Harbour Board a lease of the said wharf and shed, and of the land hereinafter described upon which they are situated, for a term not exceeding ten years, at such rental and subject to such terms and conditions as the Minister of Lands shall approve.
- (2) No dues, tolls, fees, or other charges shall be payable by the Crown in respect of the use of the said wharf or shed, nor shall any such dues, tolls, fees, or charges be payable by any person engaged in the service of the Crown in respect of any matter arising out of or incidental to such service.
- (3) The land to which subsection one hereof relates is particularly described as follows:—

All that area in the Auckland Land District, containing one rood eighteen and three-tenths perches, more or less, being part of road reserve (along the Rangitaiki Canal Reserve), Block IV, Awa-o-te-Atua District: commencing at a point 89959.9 links south and 174680.6 links east of F Maketu: bounded towards the south-east by a line bearing $321^{\circ} 16'$, 50 links; towards the north-west by a line bearing $49^{\circ} 4'$, 141.2 links; again towards the south-west by a line bearing $319^{\circ} 4'$, 92.9 links; again towards the north-west by the Rangitaiki River; towards the north-east by a line bearing $139^{\circ} 4'$, 149.6 links; and towards the south-east by a line bearing $229^{\circ} 4'$, 343.8 links, to the point of commencement: be all the aforesaid bearings and distances more or less: as the same is delineated on the plan marked L and S 15/11/86, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured red.

19 Authorizing postponement of rates made and levied under Hauraki Land Drainage Act 1910, and certain other Acts
[Repealed]

This section was amended, as from 1 April 1957, by section 20(3) Rangitaiki Land Drainage Act 1956 (1956 No 34) by omitting the words “the Rangitaiki Land Drainage Act 1910”.

This section was repealed, as from 29 June 1988, by section 209(1) Rating Powers Act 1989 (1989 No 135) (as amended by section 4(2)(c) Rating Powers Amendment Act (No 2) 1989 (1989 No 135)).

20 Exempting certain land from rates made and levied under Section 6 of Rangitaiki Land Drainage Act 1910
[Repealed]

Section 20 was repealed, as from 1 April 1957, by section 20(1) Rangitaiki Land Drainage Act 1956 (1956 No 34).

21 Providing for a financial adjustment between Waipa and Otorohanga Counties with respect to certain portions of areas formerly comprised in Kakepuku and Wharepapa Road Districts

Whereas by section fifteen of the Waikato and King-country Counties Act 1921-22, the Kakepuku and Wharepapa Road Districts were declared to be merged in the counties of Waipa and Otorohanga respectively: And whereas portion of the area formerly comprised in the said Kakepuku Road District is within the boundaries of the County of Otorohanga as defined in Schedule 1, and a portion of the area formerly comprised in the said Wharepapa Road District is within the boundaries of the Waipa County as defined in Schedule 8 to that Act: Be it therefore enacted as follows:—

- (1) Notwithstanding anything to the contrary in the said section fifteen of the Waikato and King-country Counties Act 1921-22, that portion of the area formerly comprised in the Kakepuku Road District now within the boundaries of the Otorohanga County shall not be deemed to have been merged in the Waipa County, and that portion of the area formerly comprised in the Wharepapa Road District now within the boundaries of the Waipa County shall not be deemed to have been merged in the Otorohanga County.
- (2) The provisions of subsections two to six of section sixteen of the Counties Act 1920, shall apply as between the said counties

of Waipa and Otorohanga in respect of each of such portions as aforesaid in the same manner as if, in each case, the portion affected had been included in the county within the boundaries of which it now lies by virtue of a Proclamation under section fourteen of the Counties Act 1920, altering the boundaries of the said counties.

- (3) This section shall be deemed to have come into force on the first day of April, nineteen hundred and twenty-two (being the date of the coming into operation of the Waikato and King-country Counties Act 1921-22).

22 Setting apart portion of Waikarakia Block, Auckland Land District, as a reserve for the Koheriki Tribe

Whereas in or about the year eighteen hundred and eighty-two a promise was made on behalf of the Government of New Zealand that portion of the Waikarakia Block would be reserved for the use or benefit of the Koheriki (or Ngatamatira) Tribe of Maori: And whereas a Commission appointed under the Commissions of Inquiry Act 1908, on the eighth day of June, nineteen hundred and twenty, has recommended that such promise should be fulfilled, and it is desired to give effect to such recommendation: Be it therefore enacted as follows:—

- (1) The land hereinafter described is hereby reserved for the use and benefit of the Koheriki (or Ngatamatira) Tribe of Maori.
- (2) The provisions of section eleven of the Maori Land Amendment Act 1912, as amended by section thirteen of the Maori Land Amendment Act 1914, shall apply to the land hereinafter described, and the Maori Land Court shall have jurisdiction accordingly.
- (3) The land to which subsections one and two hereof relate is particularly described as follows:—

All that area situate in the Auckland Land District, containing by admeasurement one thousand three hundred and sixty acres, more or less, being part of the land known as Waikarakia Block, situate in Block VII, Wharekawa Survey District, and Blocks I and II, Piako Survey District, Waikato County: bounded towards the north by Crown land; towards the east generally by other portion of Waikarakia Block; towards

the south by Lots 69, 45, and Allotment 5 of Lot 46, Parish of Maramarua; towards the west generally by Allotment 4 of Lot 46, Parish of Maramarua, by a public road, by southern and part of eastern boundary of Lot 165, Parish of Koheroa, again by public road aforesaid, and by part of the eastern boundary of Lot 165 aforesaid: as the same is more particularly delineated on plan marked L and S 22/959/1, deposited in Head Office, Department of Lands and Survey, Wellington, and thereon edged red.

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

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

23 Authorizing joint action by certain East Coast County Councils to prevent the spread of cattle-tick

- (1) The Councils of the counties of Cook, Matakaoa, Uawa, Waiapu, and Waikohu may jointly spend during the financial year ending the thirty-first day of March, nineteen hundred and twenty-three, a sum not exceeding one thousand two hundred and sixty dollars for the purpose of carrying out concerted measures for preventing the spread of cattle-tick in the district comprising those counties.
- (2) The amount of such joint expenditure to be contributed by each Council shall be such as may be agreed on by the said Councils.
- (3) The said Councils, or any two or more of them, may thereafter in any year jointly expend for the purpose aforesaid a sum not exceeding one thousand two hundred and thirty dollars.
- (4) The contribution to be made in any year by any such Council towards such joint expenditure shall be such sum as bears to the total expenditure for such year the same proportion as the rateable value of the county bears to the total rateable value of all the counties sharing such expenditure.
- (5) The powers conferred on the County Councils aforesaid by this section shall be in addition to, and not in substitution for, those contained in section two hundred and three of the Counties Act 1920.

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

24 Vesting certain lands in Corporation of County of Hawke’s Bay

Whereas the Hawke’s Bay County Council purchased out of its general county funds the areas of land hereinafter described: And whereas the titles to the said areas of land were taken in the name of His Majesty the King instead of in the name of the Chairman, Councillors, and Inhabitants of the County of Hawke’s Bay: And whereas the said areas of land are now no longer required by the said Council, and it has been resolved by the said Council to sell the same: And whereas it is expedient that titles to the said pieces of land should be issued in the name of the Chairman, Councillors, and Inhabitants of the County of Hawke’s Bay: Be it therefore enacted as follows:—

- (1) The Governor-General may, by Warrant under his hand, authorize and direct the issue of certificates of title to the said pieces of land in favour of the Chairman, Councillors, and Inhabitants of the County of Hawke’s Bay.
- (2) The lands to which this section relates are particularly described as follows:—

All that parcel of land situate in the Provincial District of Hawke’s Bay, containing by admeasurement four acres one rood one perch, more or less, being portion of the Pekapeka No 2 Block and comprising Lot No 2 on deposited plan No 1793, Land Transfer Office, Napier, and being part of the land comprised in certificate of title, Volume 47, folio 59, Hawke’s Bay Registry:

Also all that parcel of land situate as aforesaid, containing by admeasurement five acres one rood thirty-five and a half perches, more or less, being portion of Section 13 of the Rissington Estate and of a closed road, comprising Lot No 1 on deposited plan No 2118, Land Transfer Office, Napier, and being part of the land comprised in certificate of title, Volume 51, folio 107, Hawke’s Bay Registry.

25 Amalgamating Patutahi Town Domain and Patutahi Domain

- (1) The public domains hereinafter described, known as the Patutahi Town Domain and Patutahi Domain, are hereby amalgamated, and shall henceforth be known as the Patutahi Domain.
- (2) The Order in Council published in the *Gazette* of the fourth day of December, nineteen hundred and nineteen, vesting in the Patutahi Town Board the control of the Patutahi Town Domain is hereby revoked.
- (3) The Patutahi Domain Board in office on the passing of this Act shall be the Domain Board of the Patutahi Domain hereby constituted as if it had been duly appointed as such pursuant to the provisions in that behalf of section forty of the Public Reserves and Domains Act 1908, and shall include, in addition to the persons now appointed as members thereof, the Chairman for the time being of the Patutahi Town Board.
- (4) The Patutahi Domain Board may, at any time within three years from the passing of this Act, pay to the Patutahi Town Board, in respect of the cost of construction of the hall erected on the Patutahi Town Domain by the said Town Board, such amount as may be agreed on by the said Boards and approved by the Minister of Lands.
- (5) The land formerly known as the Patutahi Town Domain is particularly described as follows:—

All that area in the Hawke's Bay Land District, containing two acres three roods, more or less, being Sections 17 to 20 and 24 to 30 (inclusive), Patutahi Township: bounded towards the north-east by Hall Street, 700 links; towards the south-east by Onslow Street, 500 links; towards the south-west by Atkinson Street, 400 links; towards the north-west by Section 21, said Patutahi Township, 250 links; again towards the south-west by Sections 21, 22, and 23, said Township of Patutahi, 300 links; and again towards the north-west by Biggs Street, 250 links:

Also all that area, containing six acres two roods twenty-four perches, more or less, being Sections 65 to 76 (inclusive), Patutahi Township; Sections 102 to 113 (inclusive), Patutahi Township, and closed road: bounded towards the north-east

by Seddon Street, 700 links; towards the south-east by Onslow Street, 950 links; towards the south-west by Hall Street, 700 links; and towards the north-west by Biggs Street, 950 links:

Be all the aforesaid linkages more or less: as the same are delineated on the plan marked L and S 1/286, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

- (6) The land formerly known as the Patutahi Domain is particularly described as follows:—

All that area in the Hawke's Bay Land District, containing by admeasurement sixty-one acres and twenty-two perches, more or less, being Section 81, Block I, Turanganui Survey District: bounded towards the north-east by a road-line for a distance of 3023 links; towards the south-east by part of Whenuakura B Block for 1639 links; towards the south-west by Sections 32 and 33 for 2737 links; and towards the north-west by Section 35 for 2796 links: be all the aforesaid linkages more or less: as the same is delineated on the plan marked L and S 1/10, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered pink.

26 Special provisions respecting the acquisition of certain land as an addition to Huatoki Scenic Reserve, Taranaki Land District

[Repealed]

Section 26 was repealed, as from 31 October 1936, by section 12(3) Reserves and other Lands Disposal Act 1936 (1936 No 49).

The expression "seven hundred dollars" was substituted, as from 10 July 1967, for the expressions "three hundred and fifty pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

27 Exchanging portion of Huatoki Domain, in the Taranaki Land District, for other land

Whereas by a notice in the *Gazette* of the first day of September, nineteen hundred and twenty-one, Section 1, Huatoki Settlement, was permanently reserved for recreation purposes: And whereas by an Order in Council published in the *Gazette* of the thirteenth day of October, nineteen hundred and twenty-one, the said land was declared to be subject to the provisions of Part 2 of the Public

Reserves and Domains Act 1908, as the Huatoki Domain: And whereas by an Order in Council published in the *Gazette* of the seventeenth day of November, nineteen hundred and twenty-one, the said domain was placed under the control of the Huatoki Domain Board: And whereas it is desired to exchange that portion of the said domain described in subsection three hereof for the settlement land described in subsection four hereof: Be it therefore enacted as follows:—

- (1) The reservation for the purposes of recreation and of a domain over the land described in subsection three hereof and the vesting of the control of the said land in the Huatoki Domain Board are hereby cancelled, and the said land is hereby declared to be settlement land subject to the provisions of the Land for Settlements Act 1908.
- (2) The land described in subsection four hereof is hereby permanently reserved for recreation purposes and declared to form part of and to be included in the Huatoki Domain, and the control thereof is hereby vested in the Huatoki Domain Board.
- (3) The land to which subsection one hereof relates is particularly described as follows:—

All that area in the Taranaki Land District, containing one acre one rood twenty-one perches, more or less, being part of Section 1s, Huatoki Settlement, bounded as follows: On the south-west by Section 3S, Huatoki Settlement, 303 links; on the north-west by Huatoki Stream; on the north-east by portion of Section 60, Town of Saxton, 263.1 links; on the south-east by Section 11S, Huatoki Settlement, 215.4 links; and by Huatoki Road, 197.5 links: as the same is delineated on a plan marked L and S 1/700, deposited at the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured green.
- (4) The land to which subsection two hereof relates is particularly described as follows:—

All that area in the Taranaki Land District, containing two acres two roods six perches, more or less, being part of Section 3S, Huatoki Settlement, bounded as follows: On the east by the east bank of the Huatoki Stream; on the north by Section

1S, Huatoki Settlement, 539.8 links; on the west and south by the Doralto and Huatoki Roads, 1266.8 links: as the same is delineated on a plan marked L and S 1/700, deposited at the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured red.

28 Validating transfer by Eltham County Council to Eltham Borough Council of site for septic tank and the granting of a certain easement

Notwithstanding anything in the Public Works Act 1908, the Counties Act 1920, or any other Act, the memorandum of transfer dated the eighteenth day of August, nineteen hundred and twenty-two, made and executed between and by the County of Eltham and the Borough of Eltham, transferring part of Allotment 1 of part of Section 76, Block X, Ngaire Survey District, to the Eltham Borough for a septic-tank site, and the memorandum of transfer of grant of easement dated the said eighteenth day of August, nineteen hundred and twenty-two, made and executed between and by the same parties, granting to the Eltham Borough Council an easement in perpetuity from the Eltham Road to the aforesaid septic-tank site, and from the said site to the stream, shall be valid and binding in all respects; and the District Land Registrar of the Taranaki Land Registration District shall, on presentation to him of such documents, register the same against the lands affected thereby.

29 Authorizing Public Trustee to pay to Inglewood Borough Council interest on certain moneys

[Repealed]

This section was repealed, as from 21 October 1959, by section 9(3) Reserves and Other Lands Disposal Act 1959 (1959 No 50).

30 Section 88 of Reserves and other Lands Disposal and Public Bodies Empowering Act 1921-22, amended

Section eighty-eight of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1921-22, is hereby amended by adding the following as subsection three thereof:—

“(3) Nothing in the Public Works Act 1908, or any other Act shall so operate as to prohibit the Opunake Town Board from stopping that part of Macaulay Terrace described in the last preceding subsection.”

31 Authorizing payment towards upkeep of certain roads out of revenue derived from license to mill timber granted to Omatane Timber Company (Limited)

Whereas on the twenty-sixth day of October, nineteen hundred and twenty-one, a license was granted to the Omatane Timber Company (Limited) to mill the timber on the land hereinafter described, which license will expire on the twenty-fifth day of October, nineteen hundred and twenty-six: And whereas by a Proclamation published in the *Gazette* of the sixteenth day of March, nineteen hundred and twenty-two, the said land was set apart, together with other land, as and for a provisional State forest: And whereas it is desirable that the revenue hereafter received from the sale of the said timber should be paid into the State Forests Account, and that the local authority within whose district the said forest is situated should be assisted by a contribution towards the cost of improving, repairing, and maintaining the roads over which the said timber is conveyed: Be it therefore enacted as follows:—

- (1) All revenue hereafter derived from the sale of the said timber shall be paid into the State Forests Account.
- (2) With respect to the revenue received prior to the passing of this Act from the sale of the said timber there shall be paid to the said local authority out of the Consolidated Fund an amount not exceeding one-third of such revenue.
- (3) Notwithstanding anything to the contrary in the Forests Act 1921-22, there shall be paid to the said local authority from time to time as the Commissioner of State Forests may direct, out of the State Forests Account, an amount not exceeding one-third of the revenue hereafter received in respect of the said timber.
- (4) The moneys paid to the said local authority under the authority of this section shall be applied exclusively to such works as the Commissioner of State Forests may approve in connection with the construction, repair, or maintenance of the roads

or bridges within the district of the said local authority over which the said timber is carried.

- (5) If it should appear that any moneys paid to the said local authority hereunder have not been properly applied to the objects for which they were so paid, the Minister of Finance may proceed for the recovery of such moneys as a debt due to the Crown by the said local authority, or, in his discretion, may deduct the amount of such moneys from any subsidy or other moneys payable at any time to the said local authority under any Act.
- (6) The land to which this section relates is particularly described as follows:—

All that area in the Wellington Land District, containing by admeasurement four hundred and sixty-five acres and twenty perches, more or less, being Sections 19 and 20, Block IV, and Sections 12, 14, 15, 16, and 18, Block VIII, Hautapu Survey District.

32 Authorizing acquisition of fee-simple of certain lands in Kakahi Village Settlement and Town of Kakahi

- (1) The owner of any renewable lease heretofore granted in respect of Crown lands within the Kakahi Village Settlement as defined by Proclamation dated the eighteenth day of September, nineteen hundred and eight, and published in the *Gazette* of the twenty-fourth day of September, nineteen hundred and eight, or the owner of any renewable lease heretofore granted in respect of Crown lands within the Town of Kakahi as defined by Warrant dated the twenty-third day of May, nineteen hundred and eleven, and published in the *Gazette* of the eighth day of June, nineteen hundred and eleven, may, at any time during the currency of his lease, acquire the fee-simple of the land comprised therein in the same manner in all respects, and upon the same terms, and subject to the same conditions, as if the said land were settlement land held under renewable lease.
- (2) All the provisions of Part 4 of the Land Laws Amendment Act 1912, as amended by the Land Laws Amendment Act 1913 (relating to the acquisition of the fee-simple of settlement lands held under renewable lease), shall, with the necessary

modifications, apply to the acquisition of the fee-simple pursuant to this section.

33 Changing purpose of reservation over drill-shed site at Apiti, and enabling effect to be given to a certain agreement

Whereas by a notice published in the *Gazette* of the fourteenth day of October, nineteen hundred and fifteen, pursuant to section one hundred and twenty-three of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1913, the reservation for recreation purposes over part of Section 51, Block XI, Apiti Survey District, containing two roods sixteen perches, comprising portion of the Apiti Domain, was cancelled, and the said area was set apart as a site for a drill-shed and otherwise for military or defence purposes, subject to the provisions of subsections two and three of the said enactment: And whereas under a memorandum of agreement made on the first day of July, nineteen hundred and sixteen, between His Majesty and the Apiti Domain Board, it was agreed, *inter alia*, that His Majesty would insure and keep insured to the full insurable value thereof the drill-shed and buildings erected on the said area, and that in the event of such shed or buildings being damaged or destroyed by fire all moneys received in respect of such insurance would forthwith be applied in reinstating or rebuilding the said buildings so damaged or destroyed: And whereas the said drill-shed has been destroyed by fire, and it is desired that power be obtained to carry out an arrangement made between the Minister of Defence, the Minister of Lands, the Apiti Domain Board, and the Apiti Public Hall Trustees, to the effect as hereinafter appears: Be it therefore enacted as follows:—

- (1) The reservation as a site for a drill-shed and otherwise for military or defence purposes over part of Section 51, Block XI, Apiti Survey District, containing two roods sixteen perches, and the subjection of the said land to the provisions of section one hundred and twenty-three of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1913, are hereby cancelled, and the said land is hereby reserved for recreation purposes reincorporated with the Apiti Domain and declared to be subject to Part 2 of the Public Reserves and Domains Act

1908, under the control and management of the Apiti Domain Board.

- (2) The agreement of the first day of July, nineteen hundred and sixteen, hereinbefore referred to is hereby cancelled, and the Minister of Defence is hereby authorized to pay to the Apiti Domain Board as a contribution towards the cost of erecting a public hall on Section 100, Township of Apiti, an amount not exceeding seven hundred dollars as insurance-money receivable by him in respect of the destruction by fire of the aforesaid drill-shed.
- (3) Such payment shall be deemed to be a full and final discharge of all liability on the part of His Majesty to reinstate the drill-shed building on the aforesaid site pursuant to clause six of the aforesaid agreement, and shall be applied by the Apiti Domain Board in or towards the erection of a public hall on Section 100, Township of Apiti.
- (4) The said public hall when erected shall be available for use by the Minister of Defence for military or defence purposes in such manner and to such extent as may be agreed on by the Apiti Domain Board and the Minister of Defence, but subject always to the following conditions:—
 - (a) The Minister of Defence shall have the right of utilizing the said public hall for the said purposes on three days or on three nights in each fortnight, and, if required, for one continuous period of two weeks each year.
 - (b) The Minister of Defence shall not be liable for the payment of any charges for the use of the said public hall, except reasonable charges for lighting and caretaking in respect of the period when the premises are used for the aforesaid purposes, and charges in respect of any damage to the said hall caused by the use thereof for the said purposes.
 - (c) The Minister of Defence shall arrange so far as possible that parades shall not be held on Friday nights, and shall give notice of the dates of such parades to the Apiti Domain Board one month in advance of such dates.
 - (d) The Apiti Domain Board shall insure and keep insured to the full insurable value thereof the said public hall and buildings connected therewith, and in the event

of such buildings being damaged or destroyed by fire all moneys received in respect of such insurance shall forthwith be applied in reinstating or rebuilding the said buildings so damaged or destroyed; and the provisions hereof with respect to the rights of the Minister of Defence shall continue to apply to all future buildings erected in place of the aforesaid new public hall.

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

34 Providing for dissolution of Apiti Public Hall trust, and disposal of funds thereof

Whereas the Apiti Public Hall Trustees are a body corporate constituted under the Public Libraries Powers Act 1875, with all the powers, rights, and immunities vested in such bodies with respect to the erection, control, and management of the Apiti Public Hall on Section 100, Township of Apiti: And whereas the said public hall has been destroyed by fire, and it is proposed that a new public hall shall be erected on the aforesaid land by the Apiti Domain Board: And whereas it is desired that the said Trustees shall be empowered to pay to the said Board in or towards the construction of the proposed new hall such funds as are now in their possession: And whereas it is desired to dissolve the said Corporation, but no provision has been made in the aforesaid declaration or in by-laws of the said Corporation for such dissolution: Be it therefore enacted as follows:—

- (1) The Apiti Public Hall Trustees are hereby authorized to pay to the Apiti Domain Board all moneys at present in the hands of the said Trustees.
- (2) Such moneys when received by the Apiti Domain Board shall be applied in or towards the erection of a public hall on Section 100, Township of Apiti.
- (3) On the filing in the office of the Registrar of the High Court nearest to the aforesaid public-hall site of a copy of a special resolution by the said Trustees to the effect that their incorporation as aforesaid is dissolved, passed after the making of the aforesaid payment and the winding-up of their

affairs, the incorporation of the said Trustees shall be deemed to be dissolved.

The words “High Court” in subsection (3) were substituted, as from 1 April 1980, for the words the “Supreme Court” pursuant to section 12 Judicature Amendment Act 1979 (1979 No 124).

**35 Validating acts of Manawatu and Aorangi Drainage
Boards pending election of Board of united district**

The members of the Board of the Aorangi Drainage District and the member of the Board of the Manawatu Drainage District shall respectively be deemed to have lawfully continued in office during the period between the date on which those districts were declared to form one united district under the Land Drainage Act 1908, by name the Manawatu Drainage District, and the date on which the members of the first Board of the said united district came into office and all acts performed by them during such period are hereby validated in so far as those acts were necessary for the purpose of carrying out any works or contracts in process of being carried out by them on the date of the constitution of the said united district.

**36 Special provisions with respect to exercise of the powers
of Manawatu-Oroua River Board and certain Drainage
Boards**

Whereas certain portions of the Manawatu-Oroua River District constituted under the River Boards Act 1908, by Proclamation gazetted on the second day of September, nineteen hundred and twenty-two, are also comprised in certain land-drainage districts constituted under the Land Drainage Act 1908: And whereas it is desirable to ensure that, in the exercise of the powers conferred on the Manawatu-Oroua River Board and on the Boards of the several land-drainage districts, works shall not be carried out by any of such Boards detrimental to the works constructed or maintained by the others: Be it therefore enacted as follows:—

- (1) Before the Manawatu-Oroua River Board commences any river-work in any portion of its district which is also comprised within a land-drainage district it shall give not less than fourteen days’ notice to the Board of such drainage

district, and therewith shall supply full particulars of the work to be carried out.

- (2) Before the Board of any of the land-drainage districts comprised in whole or in part within the Manawatu-Oroua River District commences any new work in the river district it shall give not less than fourteen days' notice to the River Board, and therewith shall supply full particulars of the work to be carried out.
- (3) Nothing in the last preceding subsection shall apply to work in course of construction at the date of the passing of this Act, or to any work of maintenance, repair, improvement, or reconstruction, or to the construction of subsidiary drains linking up with existing drains.
- (4) If any Board giving notice as aforesaid does not within the time specified therein receive any objection in writing from the Board to which such notice was given, it may forthwith proceed with the work.
- (5) If any objection is made in writing and an agreement between the Boards concerned cannot be reached, the Board proposing to carry out the work shall refer the matter to the Engineer-in-Chief of the Public Works Department for decision.
- (6) The Engineer-in-Chief, or some other Engineer of the Department appointed by him, after making such inquiry as he thinks fit, shall determine whether the work shall be carried out as proposed by the Board or with any modification indicated by him.
- (7) If in accordance with the last preceding subsection it is determined that the work or the work with modifications indicated should be carried out, the Board which submitted the matter for determination may forthwith proceed to carry out the work in accordance with the determination.
- (8) Nothing herein shall apply in respect of the carrying-out by any Board of any urgent work to meet any emergency.
- (9) Nothing in subsection two of section seventy-three of the River Boards Act 1908, shall be so construed as to deprive the Manawatu-Oroua River Board of jurisdiction over any part of the Manawatu-Oroua River District.

**37 Exchanging land vested in Borough of Levin Corporation
for land reserved for police purposes**

Whereas the land described in subsection three hereof is vested in the Corporation of the Borough of Levin in trust as a reserve for municipal purposes: And whereas the land described in subsection four hereof is vested in the Crown and reserved for police purposes: And whereas it is desired to carry out an exchange of the said parcels of land as hereinafter appears: Be it therefore enacted as follows:—

- (1) The reservation over the parcel of land described in subsection three hereof and the trust affecting the same are hereby cancelled, and the said land is hereby vested in His Majesty as a reserve for police purposes.
- (2) The reservation over the parcel of land described in subsection four hereof is hereby cancelled, and the said land is hereby vested in the Corporation of the Borough of Levin in trust as an endowment for municipal purposes.
- (3) The land hereby vested in His Majesty as a reserve for police purposes is particularly described as follows:—
All that parcel of land, containing one rood, more or less, being Section 4, Block VI, Town of Levin.
- (4) The land hereby vested in the Corporation of the Borough of Levin is particularly described as follows:—
All that parcel of land, containing two roods, more or less, being Sections 8 and 10, Block IV, Town of Levin.
- (5) The District Land Registrar for the Land Registration District of Wellington is hereby empowered and directed to make such endorsements or memorials on Crown grants or certificates of title as may be rendered necessary by the provisions of this section.

**38 Authorizing Masterton Borough Council to borrow for
the purpose of refunding a certain amount to the North
Ward Account**

The Masterton Borough Council may, by way of special loan under the Local Bodies Loans Act 1913, and without taking the steps described in sections eight to twelve of that Act, borrow, on the security of a special rate on all rateable property within the South Ward of the Borough of Masterton,

the sum of one thousand two hundred and fifty-two dollars (being moneys owing to the North Ward by the South Ward of the said borough) and place the same to credit of the North Ward Account, to be available for expenditure as ordinary revenue.

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

39 Providing for representation of parents on first Board of Wairarapa High School

- (1) Notwithstanding anything to the contrary in section ninety of the Education Act 1914, as amended by section twenty-two of the Education Amendment Act 1920, the Governor-General may, by Order in Council, make regulations providing for the election of three members of the Wairarapa High School Board by the parents resident in such district as may be defined by such regulations of pupils holding free places at the secondary schools, district high schools, or technical high schools situated within such district.
- (2) The members elected pursuant to such regulations shall hold office until the first election under the Education Act 1914, of members of the said Board by the parents of the pupils attending the Wairarapa High School.

40 Vesting site of Boys' Institute at Petone in Wellington Education Board

Whereas in or about the year eighteen hundred and ninety-eight several persons in Petone joined together in purchasing a piece of land, containing nineteen and three-tenths perches, being Lot No 78 on the plan deposited in the District Land Registry, at Wellington, and numbered 51, for the purposes of a boys' institute, and the title thereto was recorded in the names of Alexander Thomson, Presbyterian minister; John George Abraham Castle, meat-preserver; and Richard Mothes, land agent; all of Petone, and all of whom are now dead: And whereas no formal declaration of trust of any kind was made in respect of the said land, and no money was subscribed in excess of the purchase-money for the said land, and there are not and never have been any funds which can

be devoted to carrying on a boys' institute in accordance with the projections of the subscribers to the purchase of the said land: And whereas no rates have been paid to the Borough of Petone for many years in respect of the said piece of land: And whereas the most useful purpose to which such piece of land can be assigned is that of an extension of the playground attached to the Main School at Petone: Be it therefore enacted as follows:—

- (1) All that piece of land above described is hereby vested in the Education Board of the District of Wellington for the purposes of the playground attached to the Main School at Petone.
- (2) The District Land Registrar at Wellington is hereby directed and empowered to make such entries in the Register and such endorsements or memorials on certificates of title as are necessary to give full effect to this section.

41 Authorizing Governor-General to lease lands in Belmont Survey District reserved for post and telegraph purposes

- (1) Notwithstanding anything to the contrary contained in the Public Reserves and Domains Act 1908, it shall be lawful for the Governor-General to grant leases of the lands hereinafter described or any portions thereof, being lands reserved for post and telegraph purposes, on such terms and conditions as he may see fit, without offering such leases by auction or by public tender.
- (2) The lands to which this section relates are particularly described as follows:—
All those parcels of land, containing seven acres three roods, more or less, being Lots 1 and 2, Melling Settlement (part of Section 75, Hutt District, Belmont Survey District)

42 Validating certain expenditure by Hutt County Council out of moneys borrowed for water-supply at Paekakariki

The expenditure by the Hutt County Council, out of moneys borrowed by way of special loan under the Local Bodies Loans Act 1913, for the supply of water for domestic and other purposes at Paekakariki, of an amount sufficient to provide fire-prevention appliances is hereby validated and declared to have been lawfully incurred.

43 Authorizing reservation as a site for post-office of certain land in Blocks VII and XI, Port Nicholson Survey District, acquired for purposes of workers dwellings

Whereas the land hereinafter described was acquired by His Majesty for the purpose of providing sites for the erection of workers' dwellings: And whereas the said land has not been utilized for such purpose, and is now required as a site for a post-office: Be it therefore enacted as follows:—

- (1) Upon the payment by the Postmaster-General to the State Advances Account of the sum of six hundred and sixty dollars the Governor-General may, by Warrant under his hand, declare the said land to be permanently reserved as a site for a post-office.
- (2) The land to which this section relates is particularly described as follows:—

All that parcel of land in the Wellington Land District, situated in Blocks VII and XI, Port Nicholson Survey District, containing by admeasurement twenty-one and four twenty-fifths perches, be the same a little more or less, being a portion of Sections 9 and 13, Watts Peninsula District, and being the whole of the land shown on a plan numbered 250/5, and deposited in the Wellington District Office of the Department of Lands and Survey.

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

44 Authorizing Wellington City Council to grant to certain companies rights to lay petroleum conduit-pipes along or under streets

- (1) The Wellington City Council may, by special resolution, grant to any person, firm, or company a right or easement, for such period not exceeding fifty years and on such terms and conditions as the Council may think fit, authorizing such person, firm, or company to lay conduit-pipes for petroleum in the City of Wellington under or along any street or other public highway or (with the consent of the owners) along any private way; but no such grant shall be to the exclusion of like grants to any other person, firm, or company.

- (2) The grant of any such right or easement shall be subject to the payment of such rent, and to the observance of such conditions as to size, construction, repair, and maintenance of such conduit-pipes, and as to repair of any street, public highway, or private way under or along which they are laid, as the Council thinks fit.

45 Vesting in Wellington City Corporation certain land at Miramar as a recreation-ground

Whereas the vendor of certain lands at Miramar acquired by the Housing Board under the Housing Act 1919, for the erection of workers' dwellings thereon dedicated the land hereinafter described as a playing-area for the occupiers of the dwellings to be erected in the vicinity thereof: And whereas it is desired that the said land should be vested in the Corporation of the City of Wellington in trust as a recreation-ground: And whereas the Wellington City Council has agreed to accept the said land for the said purposes: Be it therefore enacted as follows:—

- (1) The land hereinafter described is hereby permanently reserved as a recreation-ground, and declared to be vested in the Corporation of the City of Wellington in trust for that purpose.
- (2) The land to which this section relates is particularly described as follows:—

All that parcel of land in the Wellington Land District, containing by admeasurement two acres two roods, more or less, being part of Sections 9 and 11, Watts Peninsula Registration District, situate in Block VII, Port Nicholson Survey District, and being that piece of land marked "Crawford Green" on the plan deposited in the Land Transfer Office, at Wellington, and numbered provisionally 4159, and being the land coloured green in outline on the plan deposited in the Head Office, Lands and Survey Department, Wellington, and numbered L and S 22/2673/7.

46 Authorizing disposal of Town Acre 667, City of Nelson, now held in trust for purposes of the Society of Friends

Whereas Robert Lindsay, late of Brighouse, near Halifax, in the County of York, in England, duly made his last will and testament, bearing date the twenty-eighth day of August, eighteen hundred

and fifty-six, and duly made a codicil to such will bearing date the twenty-eighth day of July, eighteen hundred and fifty-seven, and by such codicil devised and bequeathed all that parcel of land, being Town Acre No 667 on the plan of the City of Nelson, in New Zealand, with the buildings then used as a meeting-house by the Society of Friends, unto certain persons therein described so long as they should continue members of the Society of Friends according to the regulations of the yearly meeting, and to their heirs and assigns respectively, to hold the same upon trust for the same purposes for which the same were then held or used, and gave power to such trustees to appoint new trustees so qualified by membership and of conveying such property to new trustees: And whereas the before-mentioned meeting-house no longer exists on the said lands, and the said Society of Friends have no organization or branch of the society in the City of Nelson, and it is desirable that the trustees for the time being acting under the trusts of the said codicil in respect of the before-mentioned lands should be empowered to sell the said acre, with the exception of a small portion thereof wherein certain former members of the said society are buried, and to hold and invest the proceeds of such sale upon trust for the furtherance and extension of the objects of the said Society of Friends within New Zealand in pursuance of the directions of the representative committee of the yearly meeting of such society held in London, now known as the **Meetings for Sufferings**: Be it therefore enacted as follows:—

- (1) It shall be lawful for the trustees for the time being of the said lands, acting under the trusts conferred by the said codicil, absolutely to sell and dispose of the said Town Acre No 667, excepting thereout the small portion thereof wherein certain former members of the said society are buried, in such manner and for such price as they in their absolute discretion shall think fit, and to convey the fee-simple and inheritance of such trust premises then sold to the purchaser or purchasers thereof, and no purchaser or other person paying money to the said trustees shall be afterwards answerable or accountable for such money or be bound to see to the application thereof.
- (2) The moneys to be received on any such sale shall be held by such trustees upon trust for the furtherance and extension of the objects of the said Society of Friends within the Dominion of New Zealand in pursuance of the directions

of the representative committee of the yearly meetings of such society held in London, known as the **Meetings for Sufferings**.

47 Cancelling reservation over portion of mental hospitals endowment in City of Nelson, and authorizing disposal thereof

- (1) The reservation over Sections 695, 700, 701, 706, 707, and 712 (originally Crown-granted as Section F) in the City of Nelson, being parts of the lands described in Schedule 4 to the Mental Hospitals Reserves Act 1908, as an endowment for the establishment and maintenance of mental hospitals is hereby cancelled. Wherever in the aforesaid leases the Commissioner of Crown Lands, the Land Board, or the Receiver of Land Revenue for the Auckland Land District is referred to, such references shall be deemed to be references to the Hamilton Domain Board.
- (1A) Schedule 1 to the Hamilton Domains Act 1911, is hereby extended by incorporating therein, under the heading "Town of Hamilton East," a reference to the lands referred to in the last preceding subsection and described in subsection three hereof, and those lands may be dealt with accordingly in the manner described in section two of the said Hamilton Domains Act 1911.
- (2) The Governor-General may dispose of the said land by way of sale on such terms and conditions as he thinks fit, but subject to any lease or leases of any part or parts of the said land subsisting at the time of such disposal.

Subsection (1) was amended, as from 6 November 1924, by section 47(a) Reserves and other Lands Disposal and Public Bodies Empowering Act 1924 (1924 No 55) by inserting the words "Wherever in the aforesaid leases the Commissioner of Crown Lands, the Land Board, or the Receiver of Land Revenue for the Auckland Land District is referred to, such references shall be deemed to be references to the Hamilton Domain Board".

Subsection (1A) was inserted, as from 6 November 1924, by section 47(b) Reserves and other Lands Disposal and Public Bodies Empowering Act 1924x (1924 No 55).

48 Authorizing Collingwood County Council to erect and maintain a war memorial on church property at Gibbstown

- (1) The Collingwood County Council may, with the consent of the Nelson Diocesan Trust Board, which consent the said Board is hereby empowered to give, provide and maintain, upon the land hereinafter described, an approved war memorial within the meaning of section fifteen of the Finance Act 1919, and for the purpose of maintaining such memorial the said Council or any persons authorized in that behalf by the Council may enter upon such land at all reasonable times.
- (2) The land to which this section relates is particularly described as follows:—

All that land being parts of Lots 33 and 34, Gibbstown, on a plan deposited in the Land Registry Office, at Nelson, under No 775, and being part of Section 200, Takaka (Aorere), situated in Block XV of the Pakawau Survey District, containing twelve perches, bounded as follows: Commencing at a point distant 55 links from the northern corner of the said Lot 33, on the north-westward (140 links) by Elizabeth Street, and on the south-westward, southward, and eastward (170 links) by other parts of the said Lots 33 and 34.

49 Section 5, Block XIII, Town of Seddon, made available for disposal under Land for Settlements Act 1908

Whereas by virtue of a Warrant published in the *Gazette* of the twenty-sixth day of January, nineteen hundred and eleven, Section 5, Block XIII, Town of Seddon, in the Marlborough Land District, containing one rood twenty-four perches, more or less, was permanently reserved for plantation purposes: And whereas the said land is no longer required for such purposes, and it is desired that it should be disposed of under the provisions of the Land for Settlements Act 1908: Be it therefore enacted as follows:—

The reservation for plantation purposes over the said Section 5, Block XIII, Town of Seddon, is hereby cancelled, and the said land is hereby declared to be settlement land available for disposal under the Land for Settlements Act 1908.

50 Authorizing issue of certificate of title in respect of certain land reclaimed from Picton Harbour

Whereas the land hereinafter described is reclaimed from Picton Harbour: And whereas prior to the enactment of section eighty of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1910, which vested in the Corporation of the Borough of Picton the parcel of land described therein, it was arranged between the Picton Borough Council and the owner of Section 2, Town of Picton, that, in consideration of the said owner relinquishing the foreshore or other rights pertaining to the frontage of the said Section 2, the land hereinafter described would be vested in the said owner: And whereas it is desirable that effect should be given to this arrangement: Be it therefore enacted as follows:—

- (1) The Governor-General is hereby empowered, by Warrant under his hand, to authorize the issue of a certificate of title to the owner of Section 2, Town of Picton, of the land hereinafter described, provided that the said owner accepts such title in full satisfaction for any loss of foreshore or other rights as aforesaid.
- (2) Nothing in Part 13 of the Land Act 1908, shall so operate as to prevent the issue of such certificate of title to such owner.
- (3) The land to which this section relates is particularly described as follows:—

All that parcel of land in the Marlborough Land District, being Section 1175, Town of Picton, containing by admeasurement an area of eight perches, more or less, bounded as follows: To the north by Section 1172, Town of Picton, 101.5 links; to the south-east and south by the original boundary of Section 2, Town of Picton, and by Section 1165, Town of Picton, 19.6 links; and towards the west by Section 1164, Town of Picton, 88.4 links: be all the aforesaid linkages more or less: as the same is delineated on plan marked L and S 6/1/315, deposited in the Head Office, Department of Lands and Survey, Wellington, and thereon bordered red.

51 Cancelling setting-apart as a Provisional State Forest of Section 1, Block IX, Wakamarina Survey District, and declaring the same to be a scenic reserve

Whereas by a Proclamation published in the *Gazette* of the eighth day of May, nineteen hundred and nineteen, the land hereinafter described was set apart as portion of a provisional State forest: And whereas it is desirable that the said land should be permanently set apart as a scenic reserve: Be it therefore enacted as follows:—

- (1) The setting-apart as provisional State forest of the land hereinafter described is hereby cancelled, and the said land is hereby declared to be a scenic reserve subject to the provisions of the Reserves Act 1977.
- (2) The land to which this section relates is particularly described as follows:—

All that land in the Marlborough Land District, containing an area of ninety-six acres, more or less, being Section 1, Block IX, Wakamarina Survey District, bounded as follows: Commencing at a peg in the north-west corner approximately 100 links from the Pelorus River; thence in an easterly direction by a public road one chain wide along the bank of that river to Section 24, Block IX aforesaid; thence in a southerly direction by the last-mentioned section, 2250 links; thence in an easterly direction by Sections 24 and 23, Block IX aforesaid, 4006.3 links; thence in a southerly direction by Section 22, Block IX aforesaid, 1190 links; thence in a westerly direction to Trig K by Section 5, Block IX aforesaid, 2029.9 links; thence in a westerly direction to Peg XVI by provisional State forest, 5592.2 links; thence in a northerly direction by provisional State forest, 2620.6 links, to the point of commencement: be all the aforesaid linkages more or less: as the same is delineated on a plan marked L and S 4/354, deposited at the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

A reference to Reserves and Domains Act 1953 in subsection (1) was substituted, as from 1 April 1954, for a reference to the Scenery Preservation Act 1908 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).

52 Changing purpose of reservation over Section 339, Block XI, Waiho Survey District, and vesting same in Westland Hospital Board

Whereas by a notice published in the *Gazette* of the twenty-ninth day of June, eighteen hundred and ninety-nine, Section 339, Block XI, Waiho Survey District, containing two hundred acres, more or less, was permanently reserved for commonage and as a resting-place for travelling stock: And whereas it is desirable that the portion of the said land described in subsection two hereof should be reserved as a site for a hospital, and vested in the Westland Hospital Board: Be it therefore enacted as follows:—

- (1) The reservation over the land described in subsection two hereof for the purpose of commonage and a resting-place for travelling stock is hereby cancelled, and the said land is hereby declared to be reserved as a site for a hospital or other institution within the meaning of section sixty-one of the Hospitals and Charitable Institutions Act 1909, and to be vested in trust for that purpose in the Westland Hospital Board.
- (2) The land to which the last preceding subsection relates is particularly described as follows:—

All that area in the Westland Land District, being Reserve No 386, and being hitherto a portion of Reserve No 339, situate in Block XI, Waiho Survey District, containing by admeasurement four acres, more or less, bounded as follows: Commencing at a point on the north-eastern boundary of Reserve 339, distant 2163.7 links from the south-east corner of said Reserve 339; thence 1000 links, on a bearing of 233°; thence 400 links, on a bearing of 323°; thence 1000 links, on a bearing of 53°, to north-eastern boundary of Reserve 339; thence along said boundary a distance of 400 links, on a bearing of 143°, to the point of commencement: as the same is more particularly delineated on plan numbered L and S 6/1/283, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

53 Authorizing Ashley Domain Board to apply its revenues towards cost of protecting northern bank of Ashley River
[Repealed]

Section 53 was repealed, as from 11 November 1925, by section 21(8) Ashley River Improvement Act 1925 (1925 No 41).

54 Vesting certain property in Evangelical Lutheran Concordia Conference Trust Board

Whereas by section seventy-eight of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1917, certain property therein described or referred to, being land and chattels held in trust for the religious purposes of the German Protestant inhabitants of the Provincial District of Canterbury, was vested in the Public Trustee freed from the aforesaid trust, to be held by him upon such trusts and for such intents, ends, and purposes, and with such powers, discretions, and authorities, as the Governor-General in Council may from time to time direct: And whereas no such trusts have been directed by the Governor-General in Council, and it is desired to vest the said property in the Evangelical Lutheran Concordia Conference Trust Board, being a body duly incorporated under the Religious, Charitable, and Educational Trusts Act 1908, to be held by it on such trusts, and with such powers and authorities, as may from time to time be determined by the Governor-General in Council: Be it therefore enacted as follows:—

- (1) The property vested in the Public Trustee by section seventy-eight of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1917, is hereby vested, without further conveyance, transfer, or other assurance, in the Evangelical Lutheran Concordia Conference Trust Board (hereinafter referred to as the Board), to be held subject to this section in trust for such purposes as may from time to time be declared by the Governor-General in Council.
- (2) All moneys and other personal property vested in the Public Trustee as hereinbefore recited, or being the proceeds of the sale or other disposal of any such property, shall (after deduction therefrom of such amount by way of commission as the Public Trustee, in accordance with the practice of the Public Trust Office, determines) forthwith after the passing

of this Act be paid or delivered by the Public Trustee to the Board.

- (3) The Governor-General may from time to time, by Order in Council, declare the trusts subject to which the said property shall be held, and may define the powers of the Board in respect thereof, including such powers of disposal by way of sale or lease as the Governor-General thinks fit.
- (4) The District Land Registrar for the Canterbury Land Registration District is hereby empowered and directed to make such endorsement on any certificate of title as may be necessary to give effect to this section in so far as it relates to land subject to the Land Transfer Act 1952.
- (5) No action or other proceeding shall lie against His Majesty or the Public Trustee, or any other person acting on behalf of His Majesty or the Public Trustee, for any act done or omitted to be done before the passing of this Act in respect of any property vested in the Public Trustee as aforesaid.
- (6) Section seventy-eight of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1917, is hereby repealed.

55 Authorizing Christchurch City Council to borrow \$10,000 for extension of abattoirs

The Christchurch City Council may, without taking the steps described in sections eight to twelve of the Local Bodies Loans Act 1913, borrow by way of special loan under that Act the sum of ten thousand dollars, and expend the same in enlarging and improving the Christchurch Abattoirs.

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

56 Authorizing Ashburton County Council to make a compassionate allowance to the widow of the late County Clerk

The Ashburton County Council may, out of its ordinary revenues, pay to Adelaide Mainwaring, widow of the late Frederic Mainwaring, formerly Clerk of the said County

Council, a sum not exceeding three hundred dollars by way of compassionate allowance.

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

57 Changing purpose of Section 1, Block XXIV, Town of Waikouaiti, from lighthouse-site to recreation purposes as an addition to Karitane Domain

Whereas by notice published in the *Gazette* of the eighteenth day of December, eighteen hundred and eighty-four, Section 1, Block XXIV, Town of Waikouaiti, containing sixteen acres one rood sixteen perches, was reserved as a site for a lighthouse: And whereas it is desired to change the purpose of the reservation of the said land: Be it therefore enacted as follows:—

The reservation as a site for a lighthouse over Section 1, Block XXIV, Town of Waikouaiti, is hereby cancelled, and the said land is hereby reserved for recreation purposes as an addition to the Karitane Domain and declared to be subject to the provisions of Part 2 of the Public Reserves and Domains Act 1908, under the control of the Karitane Domain Board.

58 Authorizing exchange of portion of scenic reserve in Otago Land District for private land

Whereas by a Proclamation published in the *Gazette* of the twenty-second day of August, nineteen hundred and twelve, parts of Sections 33 and 34, Block VIII, North Harbour and Blueskin Survey District, in the Otago Land District, containing seven acres three roods nineteen perches, more or less, were taken for scenic purposes under the Public Works Act 1908, and the Scenery Preservation Act 1908: And whereas it is desired, in order to obtain road access to the scenic reserve, to exchange that portion of the said land described in subsection three hereof for the area of private land described in subsection four hereof: Be it therefore enacted as follows:—

- (1) Upon the conveyance or transfer to His Majesty of the private land described in subsection four hereof the Governor-General may, by Proclamation, revoke the reservation for scenic purposes over the land described in subsection three hereof;

and may, by Warrant under his hand, authorize the issue of a certificate of title to the owner of such private land in respect of the land over which the reservation is revoked in pursuance of this section.

- (2) The land conveyed or transferred to His Majesty under the authority of this section shall be declared by Proclamation to be reserved for scenic purposes, and to be subject to the provisions of the Reserves Act 1977.
- (3) The land over which the reservation may be revoked under the authority of subsection one hereof is particularly described as follows:—

All that area in the Otago Land District, containing by admeasurement three roods thirty-one perches, more or less, being parts of Sections 33 and 34, Block VIII, North Harbour and Blueskin Survey District: bounded towards the north-east by other parts of Sections 33 and 34 aforesaid, 527.4 links; towards the south-east by Section 32, 413.8 links; and towards the west by other parts of Sections 33 and 34 aforesaid, 629.7 links: be all the aforesaid linkages more or less: as the same is delineated on the plan marked L and S 4/356, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured red.

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

All that area in the Otago Land District, containing by admeasurement three roods thirty-one perches, more or less, being part of Section 33, Block VIII, North Harbour and Blueskin Survey District: bounded towards the north-west by Section 34, 320.4 links; towards the north-east by a public road, 500 links; and towards the south-west by Section 33 aforesaid, 596.1 links: be all the aforesaid linkages more or less: as the same is delineated on the plan marked L and S 4/356, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured red.

A reference to Reserves and Domains Act 1953 in subsection (2) was substituted, as from 1 April 1954, for a reference to the Scenery Preservation Act 1908 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).

59 Authorizing Governor-General to cancel reservation for recreation purposes over certain land in Otago Land District and to sell the same to the Vincent County Council

Whereas by a notice published in the *Gazette* of the twenty-fourth day of December, eighteen hundred and seventy-nine, certain lands described in such notice were permanently reserved for recreation purposes: And whereas by Order in Council published in the *Gazette* of the twelfth day of February, eighteen hundred and eighty, the said lands were brought under the operation and declared to be subject to the provisions of the Public Domains Act 1860: And whereas by an Order in Council published in the *Gazette* of the thirteenth day of August, nineteen hundred and fourteen, the control of the said lands was vested in the Clyde Domain Board: And whereas it is desirable that the Vincent County Council should be allowed to purchase the hereinafter-described portion of the said lands: Be it therefore enacted as follows:—

- (1) The Governor-General, in consideration of such payment by the Vincent County Council as may be deemed adequate by the Minister of Lands, may cancel the reservation for recreation purposes over the land hereinafter described and the vesting of the control of the said land in the Clyde Domain Board; and may, by Warrant under his hand, authorize the District Land Registrar of the Land Registration District of Otago to issue to the said Vincent County Council a certificate of title in respect of the said land.
- (2) The land to which the preceding subsection relates is particularly described as follows:—

All that area in the Otago Land District, containing by admeasurement one acre and thirty-six perches, more or less, being Sections 10, 11, and 12, and parts of Sections 13, 26, 27, 28, and 29, Block VII, Town of Clyde: bounded towards the north-east by Sunderland Street, 350 links; towards the south-east by other parts of Sections 13 and 26, 350 links; towards the south-west by other parts of Sections 26, 27, 28, and 29, 350 links; and towards the north-west by Sections 9 and 30, 350 links: be all the aforesaid linkages more or less: as the same is delineated on the plan marked L and S 1/112, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

60 Reviving renewable lease of Section 17A, Bellamy Settlement, Otago Land District

Whereas the Land Board of the Otago Land District, by resolution dated the twenty-fourth day of March, nineteen hundred and twenty, forfeited the interest of Thomas Phillips in a renewable lease registered in Volume 183, folio 39, Otago Land Registry Office, over Section 17A, Bellamy Settlement, in the said land district, for failure to comply with the conditions of the said lease, and notice of such forfeiture was duly published in the *Gazette* of the first day of July, nineteen hundred and twenty: And whereas it is deemed expedient to revoke the said forfeiture, and to revive the said lease: Be it therefore enacted as follows:—

- (1) The aforesaid resolution and notice of forfeiture are hereby revoked.
- (2) The aforesaid renewable lease and all mortgages and encumbrances (if any) affecting the same are hereby revived, and shall be deemed to have continued to operate as if the said lease had not been forfeited.
- (3) The District Land Registrar for the Land Registration District of Otago, on being requested so to do by the Commissioner of Crown Lands for the Otago Land District, shall make such entries in the Register as may be necessary to give effect to the provisions of this section.

61 Cancelling reservation as recreation-ground over Reserve No 5, Town of Balclutha, and vesting same in Balclutha Borough Corporation as a municipal endowment

[Repealed]

This section was repealed, as from 17 November 1950, by section 13 Balclutha Borough Vesting and Empowering Act 1950 (1950 No 12).

62 Authorizing incorporation in certain leases of certain severed areas and closed roads in Longwood Survey District

Whereas by a Proclamation published in the *Gazette* of the twenty-third day of March, nineteen hundred and twenty-two, the road adjoining Sections 41 and 47, Block I, and Sections 25, 26, 27, and 29, Block III, Longwood Survey District, was deviated, and portions of the said sections have thereby been severed: And

whereas the aforesaid Sections 41, 47, 25, and 27 are included in the national endowment, and the aforesaid Sections 26 and 29 are Crown lands: And whereas by a Proclamation pursuant to section three of the Discharged Soldiers Settlement Act 1915, published in the *Gazette* of the twenty-fifth day of October, nineteen hundred and seventeen, the aforesaid Section 27 was set apart for selection by discharged soldiers under the Land Act 1908: And whereas it is desirable that the portions of the said Sections 25, 26, and 29 so severed, together with the portions of closed road adjoining them, should be incorporated with the said Section 27, and that the portions of the said Sections 41, 47, and 27 so severed, together with the portions of closed road adjoining them, should be incorporated with the said Section 25 in such manner that the new road may become a common boundary of the aforesaid sections: Be it therefore enacted as follows:—

- (1) The parts of the said Section 27 severed as aforesaid are hereby declared to be no longer set apart for selection by discharged soldiers pursuant to the provisions of section three of the Discharged Soldiers Settlement Act 1915.
- (2) The severed lands and the portions of closed road described in subsection five hereof are hereby declared to be included in the national endowment and to be added to Section 25, Block III, Longwood Survey District.
- (3) The severed lands and the portions of closed road described in subsection six hereof are hereby declared to be added to Section 27, Block III, Longwood Survey District, to be included in the national endowment, and shall be deemed to be set apart pursuant to the Discharged Soldiers Settlement Act 1915, for selection by discharged soldiers.
- (4) The Commissioner of Crown Lands for the Southland Land District is hereby authorized and empowered to cancel the existing leases of the aforesaid Sections 25 and 27, and to issue to the respective lessees of the said sections new leases of Sections 25 and 27, Block III, Longwood Survey District, as altered by this section, subject to the following conditions:—
 - (a) Such new leases shall be antedated to the dates of such respective existing leases.

- (b) Each of the said new leases shall be subject to the same rental, terms, rights, interests, and encumbrances as the land comprised in the corresponding existing lease.
 - (c) No fee shall be payable in respect of the preparation or registration of such new leases.
 - (d) The District Land Registrar for the Land Registration District of Southland is hereby empowered and directed to do all things necessary with respect to the registration of such new leases, and generally to take such other action as may be necessary to give full effect to the provisions of this section.
- (5) The severed lands and parts of closed road to which subsection two hereof relates are particularly described as follows:—
- All those parcels of land situated in Southland Land District, containing by admeasurement a total area of seven acres and twenty-nine and one-tenth perches, more or less, and being the severed portions of Sections 41 and 47 and parts of closed road, Block I, containing three roods nine and one-fifth perches, and the severed portions of Section 27 and parts of closed road, Block III, Longwood Survey District, containing six acres one rood nineteen and nine-tenths perches: as the same are more particularly delineated on the plan marked L and S 26/1859, deposited in the Head Office, Department of Lands and Survey, at Wellington, under No 1949.
- (6) The severed lands and parts of closed road to which subsection three hereof relates are particularly described as follows:—
- All those parcels of land, situated in the Southland Land District, containing by admeasurement a total area of eleven acres and twenty and two-fifths perches, more or less, and being the severed portions of Sections 25, 26, and 29, containing seven acres three roods twenty-seven and three-fifths perches, and parts of closed road, containing three acres thirty-two and four-fifths perches, Block III, Longwood Survey District: as the same are more particularly delineated on the plan marked L and S 26/1859, deposited in the Head Office, Department of Lands and Survey, at Wellington, under No 1949.

63 Incorporating portion of closed road in lease of Section 5, Block XII, Wendon Survey District

Whereas by the second schedule to a Proclamation under section eleven of the Land Act 1908, published in the *Gazette* of the sixteenth day of February, nineteen hundred and twenty-two, a portion of roads, containing two acres two roods twenty-eight perches, intersecting Section 5, Block XII, Wendon Survey District, in the Land District of Southland, was closed, and a new road taken in lieu thereof: And whereas the said Section 5 is set apart as an endowment for primary education, and it is desirable that the said closed road should be included in the lease of the said section: Be it therefore enacted as follows:—

- (1) The area of two acres two roods twenty-eight perches occupied by the closed road hereinbefore referred to is hereby set apart as an endowment for primary education, and shall be deemed to be incorporated in the lease of Section 5, Block XII, Wendon Survey District, subject to the same terms, rights, titles, interests, and encumbrances as the residue of the land comprised in the said lease.
- (2) The District Land Registrar for the Land Registration District of Southland is hereby empowered and directed to amend accordingly the certificate of title in respect of Section 5, Block XII, Wendon Survey District; and the said District Land Registrar shall, upon receipt of an application in that behalf by the Commissioner of Crown Lands, endorse on the registered copy of the lease of the said section a memorial that the closed road referred to herein has been incorporated in the said lease pursuant to the provisions of this section.

64 Incorporating closed road in lease of Section 5, Block XI, Wendon Survey District

Whereas by Schedule 2 to a Proclamation under section eleven of the Land Act 1908, published in the *Gazette* of the sixteenth day of July, nineteen hundred and fourteen, a portion of road, containing three acres one rood thirty-one perches, adjoining Sections 3, 4, and 5, Block XI, Wendon Survey District, in the Land District of Southland, was closed, and is now known as Section 5R, and a new road was taken in lieu thereof: And whereas the aforesaid Section 5, Block XI, Wendon Survey District, is set apart as an endowment for primary

education, and it is desirable that the said closed road, now known as Section 5R, should be included in the lease of the said Section 5: Be it therefore enacted as follows:—

- (1) The area of three acres one rood thirty-one perches contained in the closed road hereinbefore referred to, now known as Section 5R, is hereby set apart as an endowment for primary education, and shall be deemed to be incorporated in the lease of Section 5, Block XI, Wendon Survey District.
- (2) The District Land Registrar for the Land Registration District of Southland is hereby empowered and directed to amend accordingly the certificate of title in respect of Section 5, Block XI, Wendon Survey District; and the said District Land Registrar shall, upon receipt of an application in that behalf by the Commissioner of Crown Lands, stating the alteration (if any) of rent payable, endorse on the registered copy of the lease of the said section a memorial that the portion of the closed road aforesaid, now known as Section 5R, has been incorporated in the said lease pursuant to the provisions of this section.

65 Special provision respecting overdraft of Ohai Railway Board

Whereas the Ohai Railway District was formed and the Ohai Railway Board (hereinafter in this section called the Board) was constituted under the Local Railways Act 1914, for the purpose of constructing a railway from Wairio to Birchwood: And whereas by section seventy-eight of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1916, the Board was required before constructing the said railway to purchase and take over the Wairio Railway and Coal Company's railway: And whereas the Board purchased and took over the last-mentioned railway at an expenditure of forty-eight thousand dollars, and a further expenditure of sixteen thousand dollars was incurred by the Board in extending and making the said railway suitable to serve the said district temporarily: And whereas the Board in order to meet the above-mentioned expenditure raised from the Public Trustee a loan of sixty thousand dollars, secured on a special rate levied on the rateable property within the said district, together with a charge on the assets and revenues of the Board: And whereas the first section

of the said railway from Wairio to Birchwood has been constructed out of revenue and moneys borrowed by way of bank overdraft in anticipation of revenue, which borrowed moneys at the thirty-first day of March, nineteen hundred and twenty-two, amounted to forty thousand dollars: And whereas the said forty thousand dollars constitutes the antecedent liability of the Board within the meaning of the Local Bodies Finance Act 1921-22, and the Board is raising a loan under section six of that Act to extinguish such antecedent liability: And whereas it will be impracticable to borrow further moneys on the security of a special rate or of a charge on the assets and revenues of the Board: And whereas the said Wairio-Birchwood Railway must be completed out of revenue, and it is desirable that the Board should be authorized to borrow in anticipation of revenue by way of overdraft: Be it therefore enacted as follows:—

- (1) The Board may from time to time prior to the thirty-first day of March, nineteen hundred and thirty-three, overdraw its bank account for the time being to such limit, not exceeding fifty thousand dollars, as it may require, notwithstanding that such limit may be in excess of any limit fixed with respect to Railway Boards by any Act.
- (2) It shall be the duty of the Board, on or before the said thirty-first day of March, nineteen hundred and thirty-three, to reduce its bank overdraft to the limit prescribed by the general law relating to Railway Boards then in force, but no bank dealing with the Board shall be concerned to inquire as to the Board's ability or be affected by notice of the Board's inability to comply with this subsection.
- (3) The Board may contract to pay and may pay interest on its overdraft at any rate not exceeding seven per centum per annum.
- (4) The Board may create a series of debentures for an aggregate amount not exceeding fifty thousand dollars, such debentures to provide for repayment on a date not later than the thirty-first day of March, nineteen hundred and thirty-three and to bear interest at a rate not exceeding six per centum per annum; and such debentures shall, subject to any charge created by debentures issued by the Board and now existing, confer a charge on all the Board's property and assets, present and future, including all revenue receivable by the Board in any

manner whatsoever, to secure the payment of principal and interest.

- (5) The charge conferred by the said debentures shall be enforceable in manner provided by the Local Bodies Loans Act 1913, and sections forty-two to fifty-one of that Act shall apply accordingly in so far as the same may be applicable.
- (6) The Board may hypothecate or mortgage such debentures to its bankers for the time being to secure the repayment of all advances made by such bankers to the Board and the payment of interest thereon.
- (7) Any debentures which may be released by the Board's bankers from their security may be sold by the Board:

Provided that after any such sale the overdraft limit hereinbefore prescribed shall be reduced by the amount of the debenture or debentures so sold and remaining unpaid.

Subsections (1), (2) and (4) were amended, as from 5 December 1927, by section 68 Local Legislation Act 1927 (1927 No 58) by substituting the words "nineteen hundred and thirty-three" for the words "nineteen hundred and twenty-eight".

The words "forty-eight thousand dollars", "sixteen thousand dollars", "sixty thousand dollars", "forty thousand dollars" and "fifty thousand dollars" were substituted, as from 10 July 1967, for the words "twenty-four thousand pounds", "eight thousand pounds", "thirty thousand pounds", "twenty thousand pounds" and "twenty-five thousand pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

66 Changing purpose of reservation over Section 2, Block XII, Paterson Survey District

Whereas by a notice published in the *Gazette* of the twenty-sixth day of October, eighteen hundred and ninety-nine, Section 2, Block XII, Paterson Survey District (Ulva Island), containing six hundred and forty acres, more or less, in the Southland Land District, was permanently reserved for the preservation of native game and flora: And whereas it is desirable that the provisions of the Reserves Act 1977, should apply to the said reserve: Be it therefore enacted as follows:—

Section 2, Block XII, Paterson Survey District, is hereby declared to be a scenic reserve subject to the provisions of the Reserves Act 1977.

References to Reserves and Domains Act 1953 were substituted, as from 1 April 1954, for references to the Scenery Preservation Act 1908 pursuant to section 107(1) Reserves and Domains Act 1953 (1953 No 69). Those references were in turn substituted, as from 1 April 1978, by references to the Reserves Act 1977 pursuant to section 125(1) Reserves Act 1977 (1977 No 66).

67 Authorizing Wesley Training College Board to lease (with option to purchase) certain land in City of Auckland to trustees for the Conference of the Methodist Church of New Zealand

Whereas under the provisions of the Methodist Charitable and Educational Trusts Act 1911, all that piece of land in the Provincial District of Auckland, containing three roods thirty-seven perches, more or less, being Lots 13, 14, 15, 16, and 17 on a plan of the subdivision of Allotment 20 of Section 3 of the City of Auckland, deposited in the Land Registry Office, at Auckland, under No 15537, which said piece of land is part of the land comprised in certificate of title, Volume 317, folio 145, of the Register-book of the Land Transfer Office, at Auckland, is vested in the Board of the Wesley Training College (hereinafter termed the Board) incorporated under the provisions of the said Act: And whereas the Conference of the Methodist Church of New Zealand (hereinafter termed the Conference) is desirous of acquiring the said land as a site for the erection of a college for theological students, and in connection therewith hostel accommodation for other students, and, in particular, for students from the Wesley Training College, now established at Paerata, who may desire to attend the Auckland University College or other advanced educational institutions in Auckland: And whereas the Conference has requested the Board to lease such land to trustees for the Conference, with a provision enabling such trustees to purchase the said land during the term of the lease, and it is advisable to authorize and empower the Board to grant such lease: Be it therefore enacted as follows:—

- (1) Notwithstanding anything contained in the Methodist Charitable and Educational Trusts Act 1911, or the Methodist Charitable and Educational Trusts Act Amendment Act 1914, it shall be lawful for the Board, in any lease of the said land which the Board under the powers vested in it by the said Acts may give to any persons nominated and appointed by the Conference as trustees (hereinafter termed the trustees) for

the purpose of holding in trust for the Conference the estate or interest in the said land vested in them by any such lease, to grant to the trustees, as a provision of such lease, the right or option at any time after the erection of such college and hostel accommodation and during the term of such lease on giving to the Board six calendar months' previous notice in writing of such their desire to purchase the fee-simple of the said land.

- (2) The price to be paid for such purchase shall be the full value of the said land at the time of the exercise of such option to purchase, exclusive of the value of all or any buildings erected thereon or other improvements made thereto by the trustees.
- (3) The value of the land as aforesaid shall be ascertained by two valuers (one of whom shall be appointed by the Board and one by the trustees) or by an umpire appointed by such valuers before entering on the consideration of such valuation, and the said lease may contain any subsidiary matter to give due effect to the provisions of this subsection.
- (4) Such sale may be for cash or upon such terms as may be agreed upon between the Board and the trustees.
- (5) The trustees shall stand possessed of all their estate and interest in the said land under and by virtue of the said lease upon the trusts of the Methodist Model Deed of New Zealand 1887, within the meaning of the Wesleyan Methodist Church Property Trust Act 1887.

**68 Validating certain unlawful expenditure of loan-moneys
by Manurewa Town Board and authorizing that Board to
borrow for completion of certain roadworks**

Whereas in the year nineteen hundred and twenty the Manurewa Town Board duly borrowed by way of special loan under the Local Bodies Loans Act 1913, the sum of sixteen thousand dollars, to be allocated, in the manner set out in the loan proposal submitted to the ratepayers, amongst certain roadworks: And whereas the said sum was unlawfully expended to the extent that the allocation thereof, as set out in the proposal submitted to the ratepayers, was not duly observed, and that the Board purchased certain roadmaking plant out of such sum: And whereas it is deemed expedient to validate such unlawful expenditure, and to authorize the said Board to borrow for the purpose of completing the works for which no portion of the

said sum of sixteen thousand dollars is, by reason of over-allocation of moneys to other works, available: Be it therefore enacted as follows:—

- (1) The expenditure by the Manurewa Town Board of the proceeds of such loan as aforesaid is hereby validated to the extent that such validation is rendered necessary by the purchase of such roadmaking plant, and by the expenditure on certain works of greater amounts than those set forth in the proposal submitted to the ratepayers with respect to the allocation of such proceeds.
- (2) The Manurewa Town Board may, by special loan under the Local Bodies Loans Act 1913, and without taking the steps described in sections eight to twelve of that Act, borrow the sum of five thousand one hundred and twenty-six dollars and apply the same towards the completion of those works in respect of which the full amount mentioned in such allocation as aforesaid has not been expended, and in the case of each such work the amount of such loan of five thousand one hundred and twenty-six dollars that may lawfully be expended shall be an amount representing the difference between the amount set out in such allocation and the amount of such loan of sixteen thousand dollars as aforesaid actually expended thereon.

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

69 Extending scope of works on which loan-moneys to be expended by Whangarei Harbour Board

[Repealed]

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

Section 69 was repealed, as from 1 July 2003, by section 266 Local Government Act 2002 (2002 No 84). See sections 273 to 314 of that Act as to the savings and transitional provisions.

70 Authorizing exchange of lands between the Dilworth Trust Board and the Diocesan High Schools Trust Board

- (1) Notwithstanding anything to the contrary contained in the will of James Dilworth, late of Auckland, gentleman (deceased), the Dilworth Trust Board, a body incorporated in Auckland under the Religious, Charitable, and Educational Trusts Act 1908, and in which is now vested the lands hereinafter firstly described, and the Diocesan High Schools Trust Board, a body incorporated in Auckland under the aforesaid statute, and in which is vested the lands hereinafter secondly described, are, and each of them is, for the purpose of straightening and adjusting the boundary-line between the respective properties of the said Boards, of which properties the lands above referred to and hereinafter described are respectively parts, hereby authorized and empowered to exchange the said pieces of land hereinafter firstly and secondly described the one for the other, and for such purpose to execute and perform all such deeds, documents, acts, matters, and things as may reasonably be required for such purpose.
- (2) Each of the said Trust Boards shall hold the piece of land to be conveyed to it by virtue of the powers hereby conferred upon and subject to the same trusts (if any) as now affect the other adjoining lands of the said Trust Boards respectively.
- (3) The lands referred to in subsection one hereof, as hereinafter firstly described, comprise all that piece of land, containing two perches, more or less, being part of Lot 63 on a plan lodged in the Deeds Register Office, at Auckland, under No 93 (black), which said piece of land is part of Original Lot 7, Section 6, of the Village of Mount St John, being a subdivision of part of Allotments 10 and others of Section 11 of the Suburbs of Auckland, the land hereby affected being part of said Allotment 10, and being bounded—
commencing at a point on the boundary-line between Original Lots 7 and 6 of Section 6, distant 171 feet 4 ½ inches from Clyde Street; towards the east by other part of the said Lot 63, 74 feet 11 inches; towards the south by other part of said Allotment 10, the property of the Diocesan High School Trust Board, 14 feet 6 ½ inches; and towards the north-west by part of Lot 6 of said Section 6, 74 feet 11 ½ inches.

- (4) The lands referred to in subsection one hereof as hereinafter secondly described comprises all that piece or parcel of land, containing two perches, more or less, and being part of Allotment 10 of Section 11 of the Suburbs of Auckland: bounded (commencing at the south-eastern corner of the land above described) towards the north by said Lot 63 on a plan lodged in the Deeds Register Office, at Auckland, under No 93 (black), being part of said Allotment 10, 19 feet 3 $\frac{3}{4}$ inches; towards the south-east by part of Lot 56 on the said plan No 93 (black), being part of Allotment 7 of said Section 11, 57 feet 10 $\frac{1}{2}$ inches; and towards the west by other part of said Allotment 10, the property of the Diocesan High Schools Trust Board, 56 feet 4 $\frac{3}{4}$ inches.

71 Authorizing Auckland Education Board to sell a certain school-site, and apply proceeds towards removal of existing school, &c

Whereas it is provided by subsection two of section six of the Education Reserves Act 1908, that in the case of the sale of a site for a public school the money received shall be invested in the purchase of another suitable site for a public school, or in land in fee-simple to be held by the Education Board for educational purposes: And whereas it is desirable that the Education Board of the District of Auckland should be empowered to sell the existing school-site at Huntly, hereinafter described, and to apply the proceeds of such sale towards the removal of the existing school buildings from the said site to another site and towards the erection of additions to such buildings: Be it therefore enacted as follows:—

- (1) Notwithstanding anything to the contrary contained in the Education Reserves Act 1908, or in any other Act, the Education Board of the District of Auckland may sell the school-site hereinafter described and apply the proceeds of such sale towards the removal of the existing school buildings from the said site to another site and towards the erection of additions to such buildings.
- (2) The school-site which the said Education Board is hereby authorized to sell is particularly described as follows:—
All that area in the Auckland Land District, containing one acre, more or less, and being part Lot 51, Parish of Taupiri.

72 Authorizing expenditure for water-supply purposes of loan and other moneys held by Hamilton Borough Council for other purposes

The Hamilton Borough Council is hereby authorized and empowered to expend—

- (a) The sum of one thousand two hundred and five dollars and ninety-seven and a half cents, being the unexpended balance of a loan of three thousand dollars authorized to be raised by the Hamilton Borough Council for the purpose of altering and improving the saleyards at Hamilton West and erecting a caretaker's cottage; and
- (b) The sum of eight hundred dollars, being the proceeds of the sale of the erections and fittings on the public saleyards at Hamilton,

for the purchase, construction, laying, and fitting of additional machinery, pipes, mains, fittings, and appliances for the supply of water in the Borough of Hamilton.

The words "one thousand two hundred and five dollars and ninety-seven and a half cents", "three thousand dollars" and "eight hundred dollars" were substituted, as from 10 July 1967, for the words "six hundred and two pounds nineteen shillings and ninepence", "one thousand five hundred pounds" and "four hundred pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

73 Conferring special power on Paeroa Borough Council with respect to water rates for ordinary supplies

Notwithstanding anything to the contrary in section eighty-two of the Municipal Corporations Act 1920, the power conferred on Borough Councils by subsection seven of that section with respect to water rates for extraordinary supplies of water may be exercised by the Paeroa Borough Council with respect to ordinary as well as extraordinary supplies of water.

74 Authorizing Governor-General to confer certain powers as to water-supply on Whakatane County Council, and to vest certain waterworks in Corporation of Whakatane County

Whereas consequent upon certain river-diversion works carried out pursuant to the Rangitaiki Land Drainage Act 1910, the Crown

deemed it necessary to install a water-supply system for the Town of Matata and the district adjoining: And whereas it is desirable that the Whakatane County Council, being the local authority for the district, should in future exercise powers of control over the said water-supply system: Be it therefore enacted as follows:—

- (1) The Governor-General may, in the manner prescribed by section one hundred and eighty-two of the Counties Act 1920, confer upon the Whakatane County Council such of the powers of Borough Councils as he thinks fit with respect to the supply of water for domestic purposes for the Town of Matata and the district adjoining as may be specially defined in the instrument conferring such powers, and may in like manner vest in the Corporation of the County of Whakatane the works already constructed in connection with the aforesaid water-supply system, and all pipe-line easements and other rights or appurtenances acquired by His Majesty in connection therewith.

- (2)

Subsection (2) was amended, as from 6 November 1924, by section 72 Reserves and other Lands Disposal and Public Bodies Empowering Act 1924 (1924 No 55) by inserting the words “from such date as may be determined by the Governor-General in Council”.

The Counties Act 1920 was repealed, as from 1 April 1957, by section 453(1) Counties Act 1956 (1956 No 41). That Act was in turn repealed, as from 1 April 1980, by section 9(1) Local Government Amendment Act 1979 (1979 No 59).

Subsection (2) was repealed, as from 1 April 1957, by section 20(1) Rangitaiki Land Drainage Act 1956 (1956 No 34).

75 Effecting exchange of portion of primary-education endowment for portion of Hamilton Domain

Whereas the land described in subsection three hereof is a primary-education endowment vested in the Crown in accordance with section two of the Education Reserves Amendment Act 1910: And whereas by a notice in the *Gazette* of the eighteenth day of February, eighteen hundred and eighty-six, the land described in subsection four hereof was permanently reserved for recreation-grounds, and is part of the Hamilton Domain and subject to the provisions of the Hamilton Domains Act 1911: And whereas it is desired to increase the area of the Whitiara School site

by effecting exchanges of land as hereinafter appear: Be it therefore enacted as follows:—

- (1) The reservation for the purposes of a primary-education endowment over the lands described in subsection three hereof is hereby cancelled, and the said lands are hereby declared to be subject to the provisions of Part 2 of the Public Reserves and Domains Act 1908, to be included in and to form part of the Hamilton Domain, under the control of the Hamilton Domain Board, but subject to the leases granted by His Majesty over the said lands under section two of the Education Reserves Amendment Act 1910, and section five of the Public Bodies Leases Act 1908. Wherever in the aforesaid leases the Commissioner of Crown Lands, the Land Board, or the Receiver of Land Revenue for the Auckland Land District is referred to, such references shall be deemed to be references to the Hamilton Domains Board.
- (1A) Schedule 1 to the Hamilton Domains Act 1911, is hereby extended by incorporating therein, under the heading “Town of Hamilton East,” a reference to the lands referred to in the last preceding subsection and described in subsection three hereof, and those lands may be dealt with accordingly in the manner described in section two of the said Hamilton Domains Act 1911.
- (2) The reservation for the purposes of a recreation-ground and domain over the land described in subsection four hereof is hereby cancelled, and the said land is hereby permanently reserved as a site for a public school
- (3) The land to which subsection one hereof relates is particularly described as follows:—

All that area in the Auckland Land District, containing one acre and one perch, more or less, being Lots 1, 2, and 3 of Allotment 303, Town of Hamilton East.
- (4) The land to which subsection two hereof relates is particularly described as follows:—

All that area in the Auckland Land District, containing one acre, more or less, being Section 209, Town of Hamilton West.

Subsection (1) was amended, as from 6 November 1922, by inserting the words “Wherever in the aforesaid leases the Commissioner of Crown Lands, the Land Board, or the Receiver of Land Revenue for the Auckland Land District is

referred to, such references shall be deemed to be references to the Hamilton Domains Board” pursuant to section 47(a) Reserves and Other Lands Disposal and Public Bodies Empowering Act 1922 (1922 No 50).

Subsection (1A) was inserted, as from 6 November 1922, by section 47(b) Reserves and Other Lands Disposal and Public Bodies Empowering Act 1922 (1922 No 50).

76 Section 5 of Rotorua Town Lands Act 1920, amended

Paragraph (d) of section five of the Rotorua Town Lands Act 1920, is hereby amended by inserting, before the word “interest” therein, the word “reversionary.”

**77 Restoring Takupu Island in Waikato River to original
Maori owners and their descendants**

Whereas by a Proclamation published in the *Gazette* of the seventeenth day of December, eighteen hundred and sixty-four, the island known as Takupu (or Motutukupu) in the Waikato River, containing twenty-three acres, more or less, was confiscated to the Crown: And whereas it is desirable that the said island should be restored to the original owners or to their descendants: Be it therefore enacted as follows:—

- (1) From and after the passing of this Act the said land shall be deemed to be customary land as defined by the Native Land Act 1909, and shall be held by the Maori or descendants of Maori who would have been entitled to the said land under the customs and usages of the Maori people if the Maori title thereto had not been extinguished.
- (2) The Maori Land Court is hereby empowered to investigate and determine the title to the said land and make an order accordingly.

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

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

78 Special provisions with respect to by-laws and other matters affecting the Waitomo County Council

[Repealed]

Section 78 was repealed, as from 1 July 2003, by section 266 Local Government Act 2002 (2002 No 84). See sections 273 to 314 of that Act as to the savings and transitional provisions.

79 Authorizing Mangawara River Board to borrow \$1300 to repay a Government advance

The Mangawara River Board may, by way of special loan under the Local Bodies Loans Act 1913, and without taking the steps described in sections eight to twelve of that Act, borrow the sum of one thousand three hundred dollars for the purpose of repaying to the Minister of Finance an advance made by him to the said Board to enable it to carry out certain river-works.

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

80 Authorizing New Plymouth High School Board to borrow \$6,400 from the Public Trustee

- (1) The New Plymouth High School Board, incorporated under the New Plymouth High School Act 1889, may, with the consent of the Governor-General in Council, borrow from the Public Trustee, and the Public Trustee may lend to the Board, a sum not exceeding six thousand four hundred dollars on the security of the rents and profits of the whole or any part of the land vested in the Board, at such rate of interest, and for such term of years, and upon such conditions as the Board, with the consent of the Governor-General in Council as aforesaid, and the Public Trustee may agree upon.
- (2) If the Public Trustee shall grant the said loan, the instrument or instruments of security may be in such form, and may confer on him such powers and remedies for raising and securing repayment of the principal and interest, and may contain such covenants, agreements, conditions, and provisions in every respect, as he shall require; and, in particular, any such instruments may empower him, in case of default of payment of any sum of interest or principal, or in the performance or observance of any of the covenants, agreements, conditions,

or provisions contained or implied in any such instruments, to appoint a receiver of the said rents and profits.

- (3) The advance of twenty-four thousand dollars already made to the Board by the Public Trustee and secured upon the said rents and profits of the said endowments shall be deemed to have been legally made in all respects, and all instruments executed by the Board by way of security for the repayment of the said sum of twenty-four thousand dollars and payment of interest thereon shall be deemed to have been lawfully executed as and from the date of execution of the same by or on behalf of the said Board.

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

81 Cancelling reservation for river-conservation purposes over Section 102, Block X, Huangarua Survey District, and authorizing disposal thereof

Whereas by notice in the *Gazette* of the thirtieth day of January, eighteen hundred and ninety, Section 102, Block X, Huangarua Survey District, was permanently reserved for river-conservation purposes: And whereas the said land is no longer required for the purposes for which it was reserved: Be it therefore enacted as follows:—

- (1) The reservation for the purposes of river conservation over the aforesaid Section 102 is hereby cancelled, and the land comprised therein is hereby declared to be Crown land available for disposal under the Land Act 1908.
- (2) Notwithstanding anything in section one hundred and thirty-one of the Land Act 1908, as to limitation of the area of any Crown land disposable thereunder, the said land, and any accretions thereto as disclosed by survey, may be disposed of to the adjoining occupier under the said Land Act 1908.
- (3) The land to which this section relates is particularly described as follows:—

All that area in the Wellington Land District, containing by admeasurement one hundred and one acres three roods twenty-eight perches, more or less, being Section 102, Block

X, Huangarua Survey District: as the same is delineated on plan numbered 6/5/98, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

82 Authorizing Wairarapa Electric-power Board to expend a loan of \$520,000 for purposes other than those stated in allocation submitted to ratepayers

Whereas the Wairarapa Electric-power Board was on the twenty-seventh day of April, nineteen hundred and twenty-one, duly authorized by the ratepayers of the Wairarapa Electric-power District to raise a loan of five hundred and twenty thousand dollars for certain purposes set out in the proposal submitted to such ratepayers: And whereas it is expedient that the Board should be authorized to expend any part or parts of the loan-moneys borrowed or to be borrowed in respect of the said loan in such manner as will also provide for the construction of hydro-generating works in addition to the transmission and distribution of electric energy: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in the Local Bodies Loans Act 1913, or in any other Act, it shall be lawful for the said Board to expend from time to time the whole or any part or parts of the sums borrowed or to be borrowed in respect of the said loan, in such manner as the Board may decide, upon works, buildings, land, and equipment necessary in connection with the generation, distribution, and utilization of electric energy, instead of in the manner provided in the allocation set forth in the proposal to borrow such moneys submitted to the ratepayers of the district.

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

83 Section 138 of Reserves and other Lands Disposal and Public Bodies Empowering Act 1921-22, amended

Section one hundred and thirty-eight of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1921-22, is hereby amended by inserting, after the words

“building a hostel,” the words “master’s residence, and school class-rooms.”

84 Redefining boundaries of a primary-education endowment in Rahu Survey District, Nelson Land District

Whereas by a Proclamation published in the *Gazette* of the thirteenth day of February, nineteen hundred and eight, Section 10, Block XV, and Section 3, Block XVI, Rahu Survey District, were reserved as an endowment for primary education: And whereas by a Warrant published in the *Gazette* of the first day of April, nineteen hundred and fifteen, an adjoining area of six hundred and forty-eight acres of a public utility reserve known as Section 2 of Square 182, Blocks III and IV, Lewis Survey District, was appropriated for an endowment for primary education: And whereas the aforesaid lands have been resurveyed, and it is desirable that they should be described as hereinafter appears: Be it therefore enacted as follows:—

- (1) The lands comprised in Section 10 of Block XV and in Section 3 of Block XVI, Rahu Survey District, together with the land comprised in the area of six hundred and forty-eight acres hereinbefore mentioned, are hereby declared to be Sections 3 and 10 of Block XVI, Rahu Survey District.
- (2) The lands to which this section relates are particularly described as follows:—

All that area in the Nelson Land District, containing by admeasurement one thousand seven hundred and twenty-four acres and thirty-four perches, more or less, being Sections 3 and 10, Block XVI, Rahu Survey District: bounded towards the north by Sections 8 and 2 of Blocks XV and XVI respectively of the said survey district, and by a road, 10630.7 links; towards the east generally by a provisional State forest reserve, 6847.5 links; towards the north-east, south-east, and again towards the north-east by the said provisional State forest reserve, 6027.1 links, 5238.1 links, and 916.6 links respectively; again towards the south-east by a road along the right bank of the Alfred River; and towards the south-west and west generally by a road along the right bank of the Maruia River: be all the aforesaid linkages more or less: excepting a road and Section 10A which are included within the above-described boundaries: as the same is delineated on

a plan marked L and S 20/143, deposited at the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

85 Validating loan of \$1500 raised by Buller County Council for repair and renovation of Millerton Drill-hall

Whereas by section fifty of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1920, the land on which the Millerton Drill-hall is erected was vested in the Corporation of the County of Buller: And whereas on the first day of July, nineteen hundred and twenty-one, the Buller County Council, purporting to act under and in accordance with the provisions of the Local Bodies Loans Act 1913, caused to be taken a poll upon a proposal to raise a special loan of one thousand five hundred dollars upon the security of a special rate on the unimproved value of all the rateable property in the Millerton Riding of the County of Buller for the purpose of repairing and renovating the said Millerton Drill-hall: And whereas the said proposal was carried, and the loan was raised and spent as proposed: And whereas doubts have arisen as to the power of the said Council to raise a loan for such purpose, and it is expedient that the said Council should be so empowered, and that the said loan should be validated as hereinafter appearing: Be it therefore enacted as follows:—

The said loan shall for all purposes be deemed to have been lawfully raised, and the said Council shall at all times be deemed to have been lawfully empowered to apply the moneys resulting therefrom in accordance with the purposes for which the raising of the same was authorized by the ratepayers of the said Millerton Riding.

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

**86 Changing to reservation for site for hot salt-water baths,
&c, purpose for which certain land in Borough of Picton
is reserved**

Whereas in pursuance of the provisions of section one hundred and twenty-two of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1915, Sections 1156, 1170, and 1171 of the Town of Picton, containing nine acres two roods fifteen perches, more or less (hereinafter referred to as the reserve), are now vested in the Corporation of the Picton Borough (hereinafter referred to as the Corporation) to be held and used exclusively as a recreation reserve subject to the provisions of the Public Reserves and Domains Act 1908: And whereas the Picton Borough Council is desirous of utilizing a portion of the reserve for the erection thereon of municipal hot salt-water baths and certain municipal buildings: And whereas it is expedient that the trusts and uses upon and to which the reserve is held by the Corporation should be so varied as to permit of the erection of such municipal hot salt-water baths and municipal buildings: Be it therefore enacted as follows:—

- (1) That portion of the reserve hereinafter described (which land is hereinafter referred to as the said land) shall be and the same is hereby released from the trusts and uses for and as a recreation reserve subject to the provisions of the Reserves Act 1977, upon which the reserve is now held by the Corporation, and shall be and the same is hereby vested in the Corporation in trust for the purpose of the erection thereon. The Picton Borough Council may, with the consent of the Minister of Lands and subject to such terms and conditions as he thinks fit, grant a lease of any part of the said land for the erection thereon by the lessee of such baths of hot salt-water baths and municipal buildings.
- (2) The District Land Registrar of the Marlborough Land Registration District shall, upon an application in that behalf being made by the Picton Borough Council, issue to the Corporation a certificate of title in respect of the said land.
- (3) The said land is more particularly described as follows:—
All that piece of land in the Marlborough Land District, containing by admeasurement two roods seventeen perches, more or less, being parts of Sections 1156 and 1170, Town of Picton, and being part of the land comprised in certificate of

title, Register-book, Volume 23, folio 96, Blenheim Registry: as the same is delineated and coloured red upon a plan thereof marked “Plan of Part Reserve D, Borough of Picton,” certified by Arthur Blundell Wright, a duly licensed surveyor, and numbered L and S 13/90/14, and deposited in the Head Office, Department of Lands and Survey, at Wellington.

Subsection (1) was amended, as from 25 October 1930, by section 25 Local Legislation Act 1930 (1930 No 39) by substituting the words “The Picton Borough Council may, with the consent of the Minister of Lands and subject to such terms and conditions as he thinks fit, grant a lease of any part of the said land for the erection thereon by the lessee of such baths” for the words “by the Picton Borough Council”.

A reference to the Public Reserves, Domains, and National Parks Act 1928 in subsection (1) was substituted, as from 1 April 1929, for a reference to the Public Reserves and Domains Act 1908 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).

87 Authorizing Wairau Harbour Board to charge against loan-moneys cost of preparing roll for poll on proposal to borrow under certain Acts

Whereas by the Wairau Harbour Board Act 1907, and the Wairau Harbour Board Loan and Enabling Act 1916, power is given to the Wairau Harbour Board to borrow any sum not exceeding ten thousand dollars for the purposes therein set forth: And whereas by the Wairau Harbour Board Empowering Act 1922, power is given to the said Board to make and levy rates within the Wairau Harbour District for the purpose of providing the annual charges upon the moneys borrowed under the powers in that behalf vested in it as aforesaid: And whereas it will be necessary for the Board to compile a roll of the ratepayers of the Wairau Harbour District for the purposes of taking the requisite poll upon the question of borrowing any moneys as aforesaid: And whereas it is expedient that the Board should be empowered to repay to its General Account from the proceeds of the loan the expenses incurred in compiling such roll of ratepayers and in taking such poll as aforesaid: Be it therefore enacted as follows:—

- (1) The Wairau Harbour Board shall be and is hereby authorized and empowered to repay to the General Account of the Board from the proceeds of any loan to be raised by virtue of the powers contained in the Wairau Harbour Board Act 1907, and the Wairau Harbour Board Loan and Enabling Act 1916, the expenses incurred by the Board and paid from its General Account in compiling the requisite roll of ratepayers of the Wairau Harbour District and in taking the poll of such ratepayers upon the question of raising such loan.
- (2) This enactment shall be read and construed along with the Wairau Harbour Board Act 1907, the Wairau Harbour Board Loan and Enabling Act 1916, and the Wairau Harbour Board Empowering Act 1922.

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

88 Providing for certain exchanges of land for the purpose of setting apart a more suitable area as the Clayton Domain

Whereas by a notice in the *Gazette* of the seventh day of August, nineteen hundred and nineteen, the land described in subsection five hereof was permanently reserved for a public recreation-ground: And whereas by an Order in Council in the *Gazette* of the eighth day of January, nineteen hundred and twenty, the said land was declared to be subject to the provisions of Part 2 of the Public Reserves and Domains Act 1908, as the Clayton Domain: And whereas by an Order in Council in the *Gazette* of the twelfth day of February, nineteen hundred and twenty, the said domain was placed under the control of the Clayton Domain Board: And whereas the said domain is unsuitable for the purposes for which it was reserved, and it is desired to set apart a more suitable area as the Clayton Domain by effecting exchanges of land as hereinafter provided: Be it therefore enacted as follows:—

- (1) The reservation over the domain described in subsection five hereof for the purposes of recreation and the vesting of the control of the said domain in the Clayton Domain Board are hereby cancelled.
- (2) On the acceptance on behalf of His Majesty of the surrender by the lessee of Section 1, Clayton Settlement, of that portion

of the said Section 1 described in subsection six hereof, the land described in subsection five hereof shall be deemed to be incorporated in the lease of the said Section 1; and the District Land Registrar for the Canterbury Land Registration District, on receipt of an application in that behalf from the Commissioner of Crown Lands, is hereby empowered and directed to make such endorsements on the said lease, and to take such other action as may be necessary to give effect to the provisions of this subsection.

- (3) On the acceptance on behalf of His Majesty of the surrender by the lessee of Section 16, Sherwood Downs Settlement, of that portion of the said Section 16 described in subsection seven hereof, the land described in subsection six hereof shall be deemed to be incorporated in the lease of the said Section 16; and the District Land Registrar for the Canterbury Land Registration District, on an application in that behalf from the Commissioner of Crown Lands, is hereby empowered and directed to make such endorsements on the said lease, and to take such other action as may be necessary to give effect to the provisions of this subsection.
- (4) On the acceptance on behalf of His Majesty of the surrender by the lessee of Section 16, Sherwood Downs Settlement, of that portion of the said Section 16 described in subsection seven hereof, the land so surrendered shall be deemed to be permanently reserved for recreation purposes as the Clayton Domain, to be subject to the provisions of Part 2 of the Public Reserves and Domains Act 1908, and to be under the control of the Clayton Domain Board.
- (5) The land to which subsection one hereof relates is particularly described as follows:—

All that area in the Canterbury Land District, containing by admeasurement ten acres, more or less, and being Reserve 3999, situated in Block XI, Opuha Survey District, and bounded as follows: Towards the north, east, and south by Section 1, Clayton Settlement, 1000 links, 1000 links, and 1000 links respectively; and towards the west by Clayton Road, 1000 links: as the same is more particularly delineated on plan L and S 1/649A, deposited in the Head Office,

Department of Lands and Survey, at Wellington, and thereon bordered blue.

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

All that area in the Canterbury Land District, containing by admeasurement ten acres one rood, more or less, and being part of Section 1, Clayton Settlement, situated in Block XI, Opuha Survey District, and bounded as follows: Towards the north-east and south-east by other part of the said Section 1, 1100 links and 1342.8 links respectively; towards the south-west by Crown land, 975 links; and towards the north-west and west by Deep Creek and by Clayton Road, 69 links: as the same is more particularly delineated on plan L and S 1/649A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered yellow.

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

All that area in the Canterbury Land District, containing by admeasurement six acres two roods thirty perches, more or less, and being Reserve 4062 (formerly part of Section 16, Sherwood Downs Settlement), situated in Block XI, Opuha Survey District, and bounded as follows: Towards the north-east by Butler's Road, 202.6 links and 693.7 links; towards the east by Clayton Road, 300 links; and towards the south, south-west, and north-west by the said Section 16, Sherwood Downs Settlement, 500 links, 1032 links, and 700 links respectively: as the same is more particularly delineated on plan L and S 1/649A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

89 Authorizing the granting of building leases over portions of Rangiora and Waikuku Beach Domain

- (1) Notwithstanding anything to the contrary in section thirty-four of the Public Reserves and Domains Act 1908, the Governor-General or the Minister of Lands may grant leases under that section over portions of Reserve 3224, Block VIII, Rangiora Survey District, in the Land District of

Canterbury (being part of the Rangiora and Waikuku Beach Domain), authorizing the lessees to erect buildings on the lands comprised in such leases.

- (2) No such lease shall comprise an area exceeding one rood, and no such area shall at any point be less than one chain from high-water mark, and the aggregate area so leased for building purposes shall not exceed twenty-two acres.
- (3) Every lease granted under this section shall provide for the erection of a house within a specified time on the land comprised in the lease in accordance with plans and specifications to be approved by the Rangiora and Waikuku Domain Board, and for the maintenance of the premises in good order to the satisfaction of the said Domain Board.

Subsection (1) was amended, as from 1 December 1950, by section 25(2) Reserves and Other Lands Disposal Act 1950 (1950 No 89) by inserting the words “or the Minister of Lands”.

90 Authorizing sale of certain lands vested in the Selwyn Plantation Board

[Repealed]

Section 90 was repealed, as from 1 April 1954, by section 30(1) Selwyn Plantation Board Act 1953 (1953 No 96).

91 Authorizing Ashburton Borough Council to transfer certain land to Canterbury Education Board, and vesting portion of a stopped street in that Board as a school-site

Whereas the land described in subsection three hereof is vested in the Corporation of the Borough of Ashburton in trust for municipal purposes: And whereas the land described in subsection four hereof is vested in the said Corporation: And whereas the land described in subsection five hereof is portion of Winter Street stopped under section one hundred and seventy-two of the Municipal Corporations Act 1920, and Schedule 4 thereto: And whereas it is desired that the aforesaid lands should be added to the present site of the Ashburton District School, the area of which is now inadequate for the purpose for which the said site was set apart: Be it therefore enacted as follows:—

- (1) The Ashburton Borough Council is hereby empowered to transfer to the Education Board of the District of Canterbury,

without receiving any payment or consideration therefor, all those parcels of land described in subsections three and four hereof, and the said lands shall be held by the said Board in trust for the purposes of a school-site.

- (2) The stopped portion of Winter Street described in subsection five hereof is hereby vested in the Education Board of the District of Canterbury in trust for the purposes of a school-site, subject to the reservation of a perpetual easement in favour of the Ashburton Borough Council for surface and underground drainage, and of right of entry to the said Council or its employees for the purpose of constructing or maintaining drains in or on the said land.
- (3) Portion of the lands to which subsection one hereof relates is particularly described as follows:—

All that area in the Canterbury Land District, containing by admeasurement twenty-four perches, more or less, and being Reserve 765, situated in the Borough of Ashburton: bounded towards the north-east by Short Street, 372 links; towards the south-west by Reserve 765X, 362 links; and towards the north-west by Winter Street, 85 links: as the same is more particularly delineated on plan L and S 6/6/349, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered purple.
- (4) Portion of the lands to which subsection one hereof relates is particularly described as follows:—

All that area in the Canterbury Land District, containing by admeasurement two roods thirteen perches, more or less, and being Reserve 765X, situated in the Borough of Ashburton: bounded towards the north-east by Reserve 765, 362 links, and by Short Street, 441.8 links; towards the south-west by Reserves 1833 and part 1642, 800 links; and towards the north-west by Winter Street, 100 links: as the same is more particularly delineated on plan L and S 6/6/349, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered blue.
- (5) The stopped portion of Winter Street to which subsection two hereof relates is particularly described as follows:—

All that area in the Canterbury Land District, containing by admeasurement one rood thirty-nine and three-tenths perches, and being Reserve 1833X (formerly part of Winter Street), situated in the Borough of Ashburton: bounded towards the north-east by the remaining part of Winter Street, 100 links; towards the south-east by Reserve 1833, 500 links; towards the south-west by Moore Street, 66.2 links; towards the west by a public street, 41.1 links; and towards the north-west by Reserve 3360, 476.5 links: as the same is more particularly delineated on plan L and S 6/6/349, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered green.

92 Enabling effect to be given to an agreement between the Minister of Agriculture and an association of persons respecting the Moa Seed Farm

Whereas it is desirable that the land hereinafter described and known as the Moa Seed Farm, formerly used for the training of discharged soldiers, but no longer required for that purpose, should be used for experimental purposes: And whereas an association of persons consisting of James Begg, of Dunedin, farmer; Edward Fawns Duthie, of Dunedin, settler; James Hugh Nimmo, of Dunedin, seed-merchant; and Joseph William Hadfield, of Otago, farm-manager, entered into an agreement, dated the tenth day of July, nineteen hundred and twenty-two, with the Minister of Agriculture whereby the said association of persons agreed on terms set out in the agreement to lease the said land and to carry out experiments on lines approved by the Minister of Agriculture, and subject to his supervision: And whereas special authority is necessary to enable the said agreement to be given effect to: Be it therefore enacted as follows:—

- (1) Notwithstanding anything to the contrary in the Land for Settlements Act 1908, or any other Act, the Governor-General may grant to the aforesaid association a lease of the said land on the terms set out in the aforesaid agreement between the Minister of Agriculture and the association, or on any other terms necessary to give effect to the said agreement.
- (2) The land to which this section relates is particularly described as follows:—

All that area in the Otago Land District, containing by admeasurement two hundred and nineteen acres and thirty-eight perches, more or less, being Sections 1, 2, 3, 4, 5, 6, 7, and 16, Westcott Settlement (Benger Survey District).

93 Amalgamating Waikaia and Happy Valley Domains

- (1) The public domains known as the Waikaia Domain and the Happy Valley Domain, being the lands hereinafter respectively described, are hereby amalgamated, and shall henceforth be known as the Waikaia Domain.
- (2) The Waikaia Domain Board in office at the passing of this Act shall be the Domain Board of the Waikaia Domain hereby constituted as if it had been duly appointed as such pursuant to the provisions in that behalf of section forty of the Public Reserves and Domains Act 1908.
- (3) The land formerly known as the Waikaia Domain is more particularly described as follows:—
All that area in the Southland Land District, containing five acres two roods, more or less, being Sections 1 to 22 (inclusive), Block IV, Town of Waikaia.
- (4) The land formerly known as the Happy Valley Domain is more particularly described as follows:—
All that area in the Southland Land District, containing fifty-five acres two roods, more or less, being Section 7, Block III, Waikaia Survey District.

94 A certain area to be deemed to form part of Borough of Whangarei for the purpose of certain loan proposals

Whereas it has been recommended by a Commission appointed under the Municipal Corporations Act 1920, by Warrant under the hand of the Governor-General, dated the twenty-third day of June, nineteen hundred and twenty-two, that a portion of the County of Whangarei, described in the report of the Commission, should be included within the boundaries of the Borough of Whangarei: And whereas the portion so recommended, with the exceptions hereinafter set out, are to be so included, pursuant to the provisions of the Municipal Corporations Act 1920, as from the first day

of April, nineteen hundred and twenty-three: And whereas it is desirable that for the purposes of certain loans shortly to be raised and benefiting the borough as proposed to be extended the land to be included should be deemed to have been already included: Be it therefore enacted as follows:—

- (1) Notwithstanding anything to the contrary in any Act, the land forming part of the County of Whangarei recommended by the said Commission for inclusion in the Borough of Whangarei (with the exception of all that land comprising one hundred and six acres one rood fourteen perches, more or less, being the property of the North Auckland Farmers' Co-operative Company (Limited), and Lot 1 on deposited plan 13934, and that part of the Coronation Scenic Reserve recommended to be included in the said borough) shall for all purposes in connection with any loan proposal to be submitted by the Council of the said borough to ratepayers prior to the first day of April, nineteen hundred and twenty-three, be deemed to be part of the said borough.
- (2) For the purposes of any loan proposal to be submitted by the Whangarei County Council to ratepayers of the county prior to the first day of April, nineteen hundred and twenty-three, the said portion of the county referred to in the last preceding subsection shall be deemed not to be included in the county.

95 Trustees authorized to lend money to Whangarei Fire Board for erection of a fire-station

Notwithstanding anything to the contrary in the Trustee Act 1908, it shall be lawful for a trustee, unless expressly forbidden by the instrument (if any) creating the trust, to lend to the Whangarei Fire Board such amount as the Minister of Internal Affairs may, pursuant to the Fire Brigades Act 1908, authorize that Board to borrow for the purpose of erecting a fire-station.

96 Authorizing exchange of land comprised in State forest in Waipu Survey District for other land

Whereas by a Proclamation in the *Gazette* of the seventh day of June, nineteen hundred and six, all that area of land in the North Auckland Land District, containing five hundred and seventy-three acres, more or less, being Section 2, Block I, Waipu Survey District, was

permanently reserved as and for a State forest: And whereas portion of the said State forest is no longer required for forest purposes: Be it therefore enacted as follows:—

- (1) The Governor-General may, in the name and on behalf of His Majesty, exchange with any person or persons the portion of the State forest reserve hereinbefore referred to for any area of forest land situated within a radius of ten miles of the said State forest.
- (2) If the value of the forest land accepted in exchange is less than the value of the aforesaid State forest, the Commissioner of State Forests may accept as equality of exchange such sum of money as may be mutually agreed on, and such money shall be paid to the credit of the State Forests Account.
- (3) The Governor-General may do or cause to be done all such acts and things, and make, sign, or execute all such instruments, as may be necessary to effectuate any such exchange.
- (4) Any land obtained in exchange as aforesaid by His Majesty shall be deemed to be set apart as a State forest and to be subject to the provisions of the Forests Act 1949.

The reference to the Forests Act 1949 in subsection (4) was substituted, as from 1 January 1950, for a reference to the Forests Act 1921-22 pursuant to section 73(1) Forests Act 1949 (1949 No 19).

97 Authorizing Mount Eden Borough Council to lay out certain land as streets

Notwithstanding anything in the Municipal Corporations Act 1920, or in any other Act to the contrary, the Mount Eden Borough Council may take under the Public Works Act 1908, or otherwise acquire the respective parcels of land laid out as streets, and known as Kelly Street and Avenham Walk, situated within the Borough of Mount Eden, and may lay out the same as streets, notwithstanding that such streets may be of less width than required by law:

Provided that no building permits other than permits for alterations of or additions to existing buildings, or permits for buildings to replace existing buildings, shall be issued by the said Council in respect of lands having a frontage to Avenham Walk.

**98 Provision for renewal of lease of certain land to Otahuhu
Borough Council for water-supply purposes**

Whereas by memorandum of lease dated the seventh day of October, nineteen hundred and ten, the Governor-General, acting under and by virtue of the powers conferred on him by section thirty-four of the Public Reserves and Domains Act 1908, leased to the body corporate known as the Inhabitants of the Otahuhu Road District for a period of twenty-one years from the twenty-fourth day of August, nineteen hundred and ten, those pieces of land situated in the Parish of Waitemata, containing together one acre one rood, be the same a little more or less, being portion of Allotment 60 of Section 12 of the Suburbs of Auckland, as delineated by the plan drawn upon the said memorandum of lease, edged red, and being part of the land comprised in certificate of title, Volume 6, folio 188, of the Register-book, at Auckland, for the purposes of a water-supply for the Otahuhu Road District, with the right to construct, erect, and maintain a reservoir and pumping-station thereon: And whereas by Proclamation published in the *Gazette* of the twenty-ninth day of August, nineteen hundred and twelve, the Borough of Otahuhu was constituted, and the property, rights, claims, obligations, contracts, and engagements of the said Otahuhu Road District became vested in the body corporate known as the Mayor, Councillors, and Burgesses of the Borough of Otahuhu: And whereas the said body corporate the Mayor, Councillors, and Burgesses of the Borough of Otahuhu is desirous of obtaining a right of renewal of the said memorandum of lease dated the seventh day of October, nineteen hundred and ten, for a further period of twenty-one years from the twenty-fourth day of August, nineteen hundred and thirty-one, being the date of expiry of the term of twenty-one years granted by the said memorandum of lease: And whereas the Mount Richmond Domain Board (being the Domain Board appointed under section forty of the Public Reserves and Domains Act 1908, to have control of the said Allotment 60 of Section 12 of the Suburbs of Auckland) has requested the Governor-General to grant such right of renewal: Be it therefore enacted as follows:—

- (1) The Governor-General may, in the name and on behalf of His Majesty, covenant with the body corporate the Mayor, Councillors, and Burgesses of the Borough of Otahuhu that should the said body corporate be desirous of taking a new

lease of the land demised by the said memorandum of lease dated the seventh day of October, nineteen hundred and ten, after the expiration of the term thereby granted, and at least three calendar months before the expiration thereof signify such its desire by a notice in writing addressed to and to be delivered at the office of the Mount Richmond Domain Board aforesaid (all rent or royalty payable under the said memorandum of lease having been duly paid and satisfied, and all covenants and conditions upon the part of the said body corporate having been duly performed and observed), the Governor-General, in the name and on behalf of His Majesty, will, at or before the expiration of the said term, at the cost and charge of the Otahuhu Borough Council, make and execute to the said body corporate a new and effectual lease of the said demised premises for a term of twenty-one years, to commence from the twenty-fourth day of August, nineteen hundred and thirty-one, being the date of expiry of the said term granted by the said memorandum of lease dated the seventh day of October, nineteen hundred and ten, and under the like covenants and conditions as are therein contained.

- (2) The Governor-General may, in the name and on behalf of His Majesty, do all such acts and things, and make and execute all such deeds, covenants, contracts, and writings, as may be necessary and requisite for the purpose of giving effect to the provisions of this section and of the covenant referred to in the preceding subsection without further authority than this section.
- (3) Any lease granted pursuant to the provisions of this section or of the covenant for renewal referred to in subsection one hereof shall be as valid and effectual as if the same had been granted under the provisions of the Public Reserves and Domains Act 1908.

99 Changing to reserve for public recreation purposes for which certain lands are vested in Tauranga Borough Corporation

Whereas Allotment 247 of Section 1, Town of Tauranga, containing two roods thirty-seven perches, more or less,

is vested in the Corporation of the Borough of Tauranga as a municipal endowment: And whereas Allotment 296 of Section 1, Town of Tauranga, containing two roods twenty-four perches, more or less, is vested in the said Corporation in trust for town-improvement and public recreation purposes: And whereas Allotment 297 of Section 1, Town of Tauranga, containing one acre one rood sixteen perches, more or less, is vested in the said Corporation as an endowment in aid of borough funds: And whereas Allotment 298 of Section 1, Town of Tauranga, containing two acres two roods, more or less, is vested in the said Corporation as a municipal endowment: And whereas the Tauranga Borough Council now desires the trusts of the said lands to be altered and all the said lands to be vested in the said Corporation as a reserve for public recreation purposes: Be it therefore enacted as follows:—

The vestings for the purposes aforesaid of Allotments 247, 296, 297, and 298 of Section 1, Town of Tauranga, in the Corporation of the Borough of Tauranga are hereby cancelled, and the said allotments are hereby vested in the said Corporation in trust as a reserve or reserves for purposes of public recreation—

100 Authorizing Kaituna River Board to levy on graduated scale a special rate to secure its antecedent liability loan
[Repealed]

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

Section 100 was repealed, as from 1 July 2003, by section 138(1) Local Government (Rating) Act 2002 (2002 No 6). See section 138(2) of that Act for the savings provision that provides that the Acts and regulations continue in force to the extent necessary for the levying and collection of rates made or levied for the financial year ending on 30 June 2003 or a previous financial year.

101 Setting apart certain land for the development of the Horahora water-power scheme

Whereas the land described in the Schedule to the Waikato Agricultural College Model Farm Act 1888, was vested in the Corporation of the County of Waikato by that Act for an estate in

fee-simple as an endowment for the said county, subject to being used as and for the purposes of an agricultural college and model farm: And whereas by section twelve of the Reserves and other Lands Sale, Disposal, and Enabling and Public Bodies Empowering Act 1901, the said Waikato Agricultural College Model Farm Act 1888, was repealed, and the Corporation of the County of Waikato was empowered to transfer the said land to His Majesty for the consideration therein mentioned: And whereas the said land was duly conveyed to His Majesty by the Corporation of the County of Waikato by deed of conveyance dated the thirteenth day of May, nineteen hundred and two: And whereas it is considered expedient to use the portion of the said land hereinafter described in connection with the development of water-power (Horahora scheme): Be it therefore enacted as follows:—

- (1) The land hereinafter described is hereby set apart for the development of water-power (Horahora scheme).
- (2) The sum of four thousand seven hundred and ninety-six dollars and twenty-five cents shall be transferred from the Electric-supply Account to the Consolidated Fund as consideration for such transfer.
- (3) The land to which subsection one hereof relates is particularly described as follows:—

All that area of land situated in the Auckland Land District, Waikato County, Kirikiriroa Road District, and comprising four acres three roods seven and two-fifths perches, and being portion of Allotment 223A, Kirikiriroa Parish, Block XIV, Komakorau Survey District (SO 22148): as the said land is more particularly delineated on the plan marked PWD 54088, deposited in the office of the Minister of Public Works, at Wellington, in the Wellington Land District, and thereon bordered red.

The words “four thousand seven hundred and ninety-six dollars and twenty five cents” in subsection (2) were substituted, as from 10 July 1967, for the words “two thousand three hundred and ninety-eight pounds two shillings and sixpences” pursuant to section 7(1) Decimal Currency Act 1964x (1964 No 27).

**102 Authorizing sale of part of Hamilton Domain when
certain other land taken for the purposes of that domain**

Whereas by the Public Works Amendment Act 1910, it is provided, *inter alia*, that the Governor-General may take, under the provisions of the Public Works Act 1908, any area of land required for recreation-grounds, and that any land so taken shall be deemed to have been taken as and for a public work duly authorized by the Public Works Act 1908: And whereas for the purpose of improving the recreation-grounds of the Borough of Hamilton and the surrounding district it is desirable that the land described in subsection three of this section shall be taken by the Governor-General under the authority aforesaid for recreation-grounds, and when so taken shall be set apart for the purposes of Part 2 of the Public Reserves and Domains Act 1908, and shall be Crown land subject to Part 2 of the Public Reserves and Domains Act 1908, and that on such setting-apart of such land as aforesaid the reservation over certain lands now forming part of the Hamilton Domain be cancelled: Be it therefore enacted as follows:—

- (1) Upon the taking of the land described in subsection three hereof by the Governor-General under the authority hereinbefore recited such land shall, by Proclamation, be set apart by the Governor-General for the purposes of Part 2 of the Public Reserves and Domains Act 1908, under the control of the Hamilton Domain Board.
- (2)
 - (a) Upon the taking of the land described in subsection three hereof under the authority hereinbefore recited the Governor-General may, by Warrant under his hand, cancel the reservation for the purposes of a domain over the whole or any part or parts of the lands in the Borough of Hamilton now subject as domain lands to the provisions of Part 2 of the Public Reserves and Domains Act 1908 and also the vesting of the control of the said lands in the Hamilton Domain Board, and thereupon the lands described in such Warrant shall be deemed to be subject to the provisions of the Land Act 1948, and available for disposal under that Act, subject also to any existing leases granted over them by the Governor-General.

- (b) The expenses of the Crown and of the Hamilton Domain Board in connection with the assessments or payment of compensation in connection with the taking, under the Public Works Act 1908, of the land described in subsection three hereof, or with any proceedings in a Court of Compensation in respect thereof, may be paid, without any further appropriation than this section, out of the Land for Settlements Account, into which account are payable the moneys derived from lands disposed of pursuant to the preceding paragraph.
- (3) The land to which subsection one hereof relates is particularly described as follows:—
- All that piece or parcel of land in the Provincial District of Auckland, containing fifty-seven acres, more or less, being parts of Allotments 363 and 365 of the Parish of Te Rapa, County of Waipa: bounded (commencing at a point being the intersection of the northern corner of Lot 6 on a plan deposited in the Land Registry Office, at Auckland, under No 3796, with Lake Rotoroa) on the north-east by the said lake, and thence in a north-westerly direction by the said lake, 2800 links, to the south-easternmost corner of a drain reserve running in a north-westerly direction through said Allotments 363 and 365; thence on the north-west by the southern boundary of the said drain reserve, 1610.4 links, to the railway; thence on the west by the said railway, 2670 links; thence on the south by lines running in easterly directions through said Allotments 365 and 363, 2440 links and 277 links respectively, to the western corner of said Lot 6 on said plan No 3796; thence on the south-east by the said Lot 6, 1100 links, to the point of commencement: be the said several admeasurements a little more or less.
- (4) The land to which subsection two hereof relates is particularly described as follows:—
- All that piece or parcel of land in the Provincial District of Auckland, containing one acre one rood thirty-six perches, more or less, being Section 28 of the Town of Hamilton West; and also all that piece or parcel of land in the said provincial district, containing one acre one rood thirty-one perches, more or less, being part of Section 16 of the Hamilton West Town

Belt: bounded (commencing at the north-westernmost corner of said Section 16) on the north by Section 17 of the Hamilton West Town Belt, 250 links; on the east by other part of said Section 16, 577 links; on the south by Allotment 24, Parish of Waipa, 250 links; and on the west by the Ohaupo Road, 577 links, to the point of commencement: be the said several admeasurements a little more or less.

Subsection (2)(a) was amended, as from 6 November 1924, by section 58(a) Reserves and other Lands Disposal and Public Bodies Empowering Act 1924 (1924 No 55) by substituting the words “in the Borough of Hamilton now subject as domain lands to the provisions of Part 2 of the Public Reserves and Domains Act 1908” for the words “described in subsection four hereof”.

A reference to the Land Act 1924 in subsection (2)(a) was substituted, as from 1 January 1925, for a reference to the Land Act 1908 pursuant to section 390 Land Act 1924 (1924 No 31). That reference was in turn substituted, as from 1 April 1949, by a reference to the Land Act 1948 pursuant to section 185(1) Land Act 1948 (1948 No 64).

The original subsection (2)(b) as amended, as from 6 November 1924, by section 58(b) Reserves and other Lands Disposal and Public Bodies Empowering Act 1924 (1924 No 55) by substituting the words “and towards the payment of the expenses of the Crown and of the Hamilton Domain Board in connection with the assessments or payment of such compensation, or with any proceedings in a Court of compensation in respect thereof, and, to such extent as may be approved by the Minister of Lands, towards the improvement of the land described in subsection three hereof” for the words “and for the improvement of such land”.

Subsection (2)(b) was substituted, as from 1 October 1925, by section 18(1) Reserves and other Lands Disposal and Public Bodies Empowering Act 1925 (1925 No 46).

Subsection (4) was repealed, as from 6 November 1924, by section 58(c) Reserves and other Lands Disposal and Public Bodies Empowering Act 1924 (1924 No 55).

103 Defining Section 22A, Hamilton West Belt, for purposes of Hamilton Domains Act 1911

Whereas by section five of the Hamilton Domains Act 1911, Section 22A of the Hamilton West Belt was vested in the Mayor, Councillors, and Burgesses of the Borough of Hamilton for an estate in fee-simple, without power of sale, as a municipal endowment or for municipal purposes: And whereas in Schedule 3 to the said Act the said Section 22A was shown as containing two acres, but was not otherwise described: And whereas it is desirable that the said Section

22A should be clearly defined: Be it therefore enacted as follows:—

Section 22A, Hamilton West Belt, referred to in Schedule 3 to the Hamilton Domains Act 1911, is more particularly described as all that piece of land comprised within Section 22A, Hamilton West Belt: as the same is shown on a plan deposited in the Land Registry Office, at Auckland, under No 16167, and thereon subdivided into Lot 1 and Lot 2.

104 Authorizing exchange of land vested in Hamilton Borough Corporation for portion of domain land

Whereas the Hamilton Borough Council desires to exchange the land described in subsection three hereof for the land described in subsection four hereof, which last-mentioned land is part of a public domain under Part 2 of the Public Reserves and Domains Act 1908, but there is no statutory authority for the making of such exchange: Be it therefore enacted as follows:—

- (1) The vesting in the Mayor, Councillors, and Burgesses of the Borough of Hamilton of the land described in subsection three hereof is hereby cancelled, and the said land is hereby vested in His Majesty, and declared to form part of the Hamilton Domain lands for the purpose of public recreation and to be subject to the provisions of Part 2 of the Public Reserves and Domains Act 1908.
- (2) The reservation over the land described in subsection four hereof for the purpose of public recreation is hereby cancelled, and the said land is hereby vested in the Corporation of the Mayor, Councillors, and Burgesses of the Borough of Hamilton for an estate in fee-simple, without power of sale, as a municipal endowment or for municipal purposes; and the District Land Registrar of the District of Auckland is hereby empowered and directed to cancel all existing titles to the said land, and to issue a certificate of title in respect thereof to the Corporation of the Mayor, Councillors, and Burgesses of the Borough of Hamilton.
- (3) The land to which subsection one hereof relates is particularly described as follows:—

All that piece or parcel of land in the Provincial District of Auckland, containing two roods thirty and thirteen-twentieths perches, more or less, and being Lot 1 on a plan deposited in the Land Registry Office, at Auckland, under No 16167, which said piece of land is part of Section 22A, Town of Hamilton West, vested in the Mayor, Councillors, and Burgesses of the Borough of Hamilton by section five of the Hamilton Domains Act 1911.

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

All that piece or parcel of land in the Provincial District of Auckland, containing eighteen and thirty-seven hundredths perches, more or less, and being part of Sections 5, 7, 5A, and 7A of the Hamilton West Town Belt, and the whole of the land comprised on a plan deposited in the Lands and Survey Office, at Auckland, under No 21612.

105 Including portions of a closed road in primary-education endowment, Block XII, Hangaroa Survey District

Whereas by a Proclamation under section eleven of the Land Act 1908, published in the *Gazette* of the thirty-first day of August, nineteen hundred and twenty-two, portions of road, containing sixteen acres one rood thirty-five perches, intersecting Section 3, Block XII, Hangaroa Survey District, in the Land District of Hawke's Bay, and described in Schedule 2 to that Proclamation, were closed: And whereas the said Section 3 is set apart as an endowment for primary education, and it is desirable that the said portions of closed road should be included in and form part of the said endowment: Be it therefore enacted as follows:—

- (1) The said area of sixteen acres one rood thirty-five perches is hereby set apart as an endowment for primary education, and shall be deemed to be included in and to form part of Section 3, Block XII, Hangaroa Survey District.
- (2) On receipt of a certificate under the hand of the Commissioner of Crown Lands for the Hawke's Bay Land District, setting forth a description of the boundaries of Section 3, Block XII, Hangaroa Survey District, or of any subdivisions thereof, as altered pursuant to this section, the District Land Registrar for the Land Registration District of Hawke's Bay is hereby

empowered and directed to make such endorsements on the certificate of title to the said Section 3, and to take such other action as may be necessary to give effect to the provisions of this section.

106 Vesting in Wellington City Corporation for road purposes land now held by Wellington Harbour Board for a signal-station

Whereas the parcel of land hereinafter described is by virtue of section nine of the Wellington Corporation and Harbour Board Streets and Lands Act 1892, vested with other lands in the Wellington Harbour Board in trust for the purposes of a signal-station: And whereas the Mayor, Councillors, and Citizens of the City of Wellington are desirous of acquiring the said parcel of land for the purpose of constructing thereon a road: Be it therefore enacted as follows:—

- (1) The parcel of land hereinafter described in the Schedule hereto is hereby vested in the Mayor, Councillors, and Citizens of the City of Wellington in trust for road purposes.
- (2) The land to which this section relates is particularly described as follows:—

All that piece or parcel of land situated at Mount Victoria, in the Wellington Land District, containing by admeasurement three roods four and thirteen-hundredths perches, more or less, being part of the land described in Schedule 7 to the Wellington Corporation and Harbour Board Streets and Lands Act 1892, and situated in Block VII, Port Nicholson Survey District, bounded as follows: Commencing at the south-eastern corner of the land described in the said Schedule 7; thence in a north-westerly direction along the south-western boundary of the said land, on a bearing $293^{\circ} 15'$, for a distance of 219.92 links; thence by lines the bearings and distances of which are $38^{\circ} 3'$, 144.63 links; $56^{\circ} 34'$, 48.04 links; $107^{\circ} 26'$, 42.15 links; $125^{\circ} 17'$, 83.16 links, to a point on the south-eastern boundary of the land described in the said Schedule 7; and thence along the said south-eastern boundary, on a bearing $203^{\circ} 15'$, for a distance of 193.54 links to the commencing-point.

107 Authorizing Governor-General to declare to be a public street vested in Wellington City Corporation the road along foreshore of defence reserve at Watt's Peninsula

Whereas by Proclamation dated the twenty-eighth day of May, eighteen hundred and eighty-six, and published in the *Gazette* of the third day of June, eighteen hundred and eighty-six, Sections 1 and 2 and part Section 3, Block VII, Port Nicholson Survey District, in the Land District of Wellington, comprising approximately two hundred and forty-five acres, were taken under the provisions of the Public Works Act 1882 Amendment Act 1885, for the construction of defence-works at Watts Peninsula, Wellington: And whereas the piece of land situated in Block VII, Port Nicholson Survey District, and adjoining the land hereinbefore referred to on the northern side thereof is Crown land (being Military Reserve excepted from a grant to the New Zealand Land Company, dated the twenty-seventh day of January, eighteen hundred and forty-eight): And whereas a road has been constructed by His Majesty along the foreshore of the land hereinbefore mentioned (the approximate position of the said road being shown in red colour on the plan marked PWD 5558, deposited in the office of the Minister of Public Works, at Wellington): And whereas it is considered expedient to declare the said road to be a public street vested in the Corporation of the City of Wellington, subject to the right of the Minister of Defence to close the same to the use of the public at any time and from time to time and for any period as in the opinion of the said Minister may be advisable or necessary for any defence or military purpose: Be it therefore enacted as follows:—

- (1) The Governor-General may, by notice in the *Gazette*, declare the said road to be a public street under the Municipal Corporations Act 1920, vested in the Corporation of the City of Wellington.
- (2) Notwithstanding anything to the contrary in the Municipal Corporations Act 1920, such vesting as aforesaid shall take effect subject to the following conditions, namely:—
 - (a) The Minister of Defence may for any defence or military purpose at any time or from time to time and for any period close the said road to the use of the public.
 - (b) Whenever the Minister of Defence decides to close the said road he may cause to be erected thereon such no-

tices declaring the said road closed, together with such barricades, as he deems advisable, and thereupon the said road shall be closed to the use of the public until the said notices and barricades are removed under the authority of the Minister of Defence. Such barricades shall be adequately lighted at night.

- (c) Before closing the said road the Minister of Defence shall wherever practicable give public notice in one or more newspapers circulating in the City of Wellington of his intention to close the road, but it shall not be obligatory for such notice to be given.
- (d) Every person shall be liable to a fine not exceeding two hundred dollars who, without the authority of the Minister of Defence, enters upon the said road when closed as aforesaid, or who mutilates, takes away, damages, destroys, or alters the position of any notice or barricade erected on the said road.
- (e) Nothing in the last preceding paragraph shall be deemed to interfere with or restrict the provisions of any other law or statute under which any such person could be punished for any such offence, save that such person shall not be punished twice for the same offence.

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

108 Authorizing local authorities in Nelson Provincial District to contribute to funds of Nelson Progress League

- (1) It shall be lawful for any local authority the district of which is within or partly within the Provincial District of Nelson 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 Nelson Progress League.
- (2) In this section the term **local authority** shall include a Harbour Board.

Subsection (1) was amended, as from 6 November 1924, by section 141 Reserves and other Lands Disposal and Public Bodies Empowering Act 1924 (1924 No 55) by omitting the words “ending not later than the thirty-first day of March, nineteen hundred and twenty-five”.

109 Authorizing local authorities in Marlborough Provincial District to contribute to funds of Marlborough Progress League

It shall be lawful for any local authority the district of which is within or partly within the Provincial District of Marlborough to contribute out of its general fund or account such a sum in any year ending not later than the thirty-first day of March, nineteen hundred and twenty-five, as the local authority may think fit as a subscription to the funds of the Marlborough Progress League.

110 Authorizing Picton Borough Council to consolidate certain loans

Whereas the Picton Borough Council, in pursuance and exercise of the powers conferred upon it by the Municipal Corporations Act 1920, the Local Bodies Loans Act 1913, and other enabling Acts, duly passed special orders for the borrowing of the under-mentioned moneys—namely, on the seventh day of September, nineteen hundred and eighteen, the sum of four thousand four hundred dollars for the term of thirty-six and a half years, for the purpose of providing plant and machinery for electrical purposes; on the seventeenth day of September, nineteen hundred and eighteen, the sum of sixteen hundred dollars for the purchase of a stone-crusher, motor, and motor-lorry: And whereas special orders were duly confirmed pledging special rates as security for the said loans: And whereas the Picton Borough Council, being unable to raise the said loans at the prescribed rate of interest—namely, five and a quarter per centum per annum—borrowed the said sums by way of temporary loans: And whereas, pursuant to section one hundred and nineteen of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1920, the said Council is authorized to borrow the sum of two thousand two hundred dollars for the purpose of recouping its General Fund: And whereas, pursuant to the Local Bodies Finance Act 1921-22, the said Council is authorized to borrow the sum of forty dollars and ninety and five-sixths cents, being the amount of its antecedent liability: And whereas, on account of a loan of thirteen thousand six hundred and ninety dollars authorized on the twenty-first day of November, nineteen hundred and sixteen, for electric-lighting purposes, there remain unissued

debentures to the total value of two thousand two hundred dollars, and it is desirable to cancel the said debentures and to raise the said sum of two thousand four hundred dollars as hereinafter appears: And whereas it is desirable to authorize the said Council to take the steps hereinafter set out: Be it therefore enacted as follows:—

- (1) In lieu of exercising separately the authorities hereinbefore recited the Picton Borough Council is hereby authorized and empowered to borrow under the provisions of the Local Bodies Loans Act 1913, but without taking the steps prescribed by sections eight to twelve thereof, a consolidated loan of seventeen thousand two hundred and forty-one dollars and ninety and five-sixths cents, bearing interest at a rate not exceeding six per centum per annum.
- (2) The sum so borrowed shall be applied to the purposes hereinbefore recited, save that the sum of six thousand dollars raised for the purposes hereinbefore first recited shall be applied in repayment of the temporary loans aforesaid.
- (3) The debentures to the value of two thousand four hundred dollars created under the aforesaid loan authority for thirteen thousand six hundred and ninety dollars, but still unissued, are hereby cancelled.

The words “four thousand four hundred dollars”, “sixteen hundred dollars”, “two thousand two hundred dollars”, “forty dollars and ninety and five-sixths cents”, “thirteen thousand six hundred and ninety dollars”, “two thousand four hundred dollars”, “seventeen thousand two hundred and forty-one dollars and ninety and five-sixths cents”, “six thousand dollars” and “thirteen thousand six hundred and ninety dollars” in subsection (2) were substituted, as from 10 July 1967, for the words “two thousand two hundred pounds”, “eight hundred pounds”, “one thousand one hundred pounds”, “twenty pounds nineteen shillings and one penny”, “six thousand eight hundred and forty-five pounds”, “one thousand two hundred pounds”, “eight thousand six hundred and twenty pounds nineteen shillings and one penny”, “three thousand pounds” and “six thousand eight hundred and forty-five pounds” pursuant to section 7(1) Decimal Currency Act 1964x (1924 No 55).

111 Declaring severed portions of Education Endowment Reserve No 129, Westland Land District, to be a road

Whereas by Proclamation published in the *Gazette* of the fourteenth day of December, eighteen hundred and ninety-three, an area of twelve acres three roods thirty-three perches, being part of Education Endowment Reserve No 129, Block VII, Waimea Survey District, was taken for the purposes of the Greymouth-Hokitika

Railway: And whereas it is now desired that the severed portions of Education-endowment Reserve No 129, situated between the aforesaid railway and Road Reserve No 7 should be declared to be a road: Be it therefore enacted as follows:—

(1) The reservation as an endowment for the purposes of education over the land hereinafter described is hereby cancelled, and the said land is hereby dedicated for road purposes.

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

All that area in the Westland Land District, containing one acre one rood and ten and one-half perches, more or less, being parts of Primary-education Reserve 129, Block VII, Waimea Survey District, and being Lot 7 and Lot 8, as delineated on the plan marked L and S 16/803, and deposited at the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured burnt sienna and yellow respectively.

112 Allocating for various purposes portions of Road and Railway Reserve No 7, Westland Land District

Whereas by a notice published in the *Gazette* of the twentieth day of July, eighteen hundred and sixty-eight, an area of one hundred and ninety-four acres, described on the maps deposited with the Chief Surveyor of the Westland Land District as Road and Railway Reserve No 7, was set apart as a reserve for the purposes of a road and railway: And whereas by notice in the *Gazette* of the fourteenth day of December, eighteen hundred and ninety-three, a portion of this Road and Railway Reserve No 7 as therein described was taken for railway purposes: And whereas it is now desirable that further portions of the aforesaid Road and Railway Reserve No 7 should be allocated for different purposes as hereinafter appear: Be it therefore enacted as follows:—

(1) The reservation over that portion of the aforesaid Road and Railway Reserve No 7 described in subsection eight thereof is hereby cancelled, and the said land is hereby declared to be included in and to form part of Section 2545, Block VII, Waimea Survey District.

- (2) The reservation over those portions of the aforesaid Road and Railway Reserve No 7 described in subsection nine hereof is hereby cancelled, and the said lands are hereby declared to be included in and to form part of Section 2544, Block VII, Waimea Survey District.
- (3) The reservation over those portions of the aforesaid Road and Railway Reserve No 7 described in subsection ten hereof is hereby cancelled, and the said lands are hereby declared to be included in and to form part of Section 3342, Block VII, Waimea Survey District.
- (4) The reservation over that portion of the aforesaid Road and Railway Reserve No 7 described in subsection eleven hereof is hereby cancelled, and the said land is hereby declared to be included in and to form part of Section 2550, Block VII, Waimea Survey District.
- (5) The reservation over that portion of the aforesaid Road and Railway Reserve No 7 described in subsection twelve hereof is hereby cancelled, and the said land is hereby declared to be included in and to form part of Section 3216, Block VII, Waimea Survey District.
- (6) The reservation over those portions of the aforesaid Road and Railway Reserve No 7 described in subsection thirteen hereof is hereby cancelled, and the said lands are hereby dedicated for road purposes.
- (7) The District Land Registrar of the Westland Land Registration District is hereby empowered and directed to make such endorsements on certificates of title and to take such other action as may be necessary to give effect to the provisions of this section.
- (8) The land to which subsection one hereof relates is particularly described as follows:—

All those portions of the aforesaid Road and Railway Reserve No 7, being Lot 1 thereof, containing an area of three acres three roods twenty-one perches, more or less: as the same are delineated on plan marked L and S 16/803, deposited at the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured neutral tint.

- (9) The land to which subsection two hereof relates is particularly described as follows:—
All those portions of the aforesaid Road and Railway Reserve No 7, being Lot 10 thereof, containing an area of twelve acres and four perches, more or less: as the same are delineated on plan marked L and S 16/803, and deposited at the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered neutral tint.
- (10) The land to which subsection three hereof relates is particularly described as follows:—
All that portion of the aforesaid Road and Railway Reserve No 7, being Lot 12 thereof, containing one perch; also all that portion of the said reserve, being Lot 13 thereof, containing three roods thirty perches, more or less: as the same are delineated on the plan marked L and S 16/803, and deposited at the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured blue and green respectively.
- (11) The land to which subsection four hereof relates is particularly described as follows:—
All that portion of the aforesaid Road and Railway Reserve No 7, being Lot 15 thereof, containing an area of two acres two roods thirty-eight perches, more or less: as the same is delineated on the plan marked L and S 16/803, deposited at the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured green.
- (12) The land to which subsection five hereof relates is particularly described as follows:—
All that portion of the aforesaid Road and Railway Reserve No 7, being Lot 16 thereof, containing an area of one acre two roods seventeen perches, more or less: as the same is delineated on the plan marked L and S 16/803, deposited at the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured green.
- (13) The lands to which subsection six hereof relates are particularly described as follows:—
All those portions of the aforesaid Road and Railway Reserve No 7, being Lot 2 thereof, containing eight perches (hatched red); Lot 3, containing seven acres two roods thirty-four

perches (bordered blue); Lot 4, containing two acres and thirty perches (bordered green); Lot 5, containing one rood twenty-five perches (bordered orange); Lot 9, containing twenty-four perches (bordered citrine); Lot 11, containing ten acres two roods thirty-five perches (bordered blue); and Lot 14, containing twenty-eight acres one rood fifteen perches (coloured burnt sienna): as the same are delineated on plan marked L and S 16/803, and deposited at the Head Office, Department of Lands and Survey, at Wellington.

113 Dedicating as a road portion of land in Blocks VI and VII, Waimea Survey District, taken for purposes of Greymouth-Hokitika Railway

Whereas by a Proclamation published in the *Gazette* of the fourteenth day of December, eighteen hundred and ninety-three, an area of fifteen acres one rood fourteen perches of Crown land, situated in Blocks VI and VII, Waimea Survey District, in the Westland Land District, was taken for the purposes of the Greymouth-Hokitika Railway: And whereas it is desired to dedicate as a road that portion of the said land hereinafter described, which is not now required for railway purposes: Be it therefore enacted as follows:—

- (1) The reservation for railway purposes over the land hereinafter described is hereby cancelled, and the said land is hereby dedicated for the purposes of a road.
- (2) The land to which the preceding subsection relates is particularly described as follows:—

All that area in the Westland Land District, containing one acre one rood ten perches, more or less, being Lot 6: as delineated on plan marked L and S 16/803, and deposited at the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured yellow.

114 Authorizing taking of polls of electors on proposals to include certain lands in Borough of Riccarton

- (1) The Governor-General may, if he thinks fit, by Order in Council, direct that a poll be taken within the area recommended for inclusion in the Borough of Riccarton by a Commission appointed under the Municipal Corporations Act 1920, by Warrant under the hand of the Governor-General

dated the eighteenth day of March, nineteen hundred and twenty-two, upon a proposal that such area or such part or parts thereof be included in the said Borough of Riccarton, or that separate polls be taken in respect of such parts of such area as may be described in such Order.

- (2) The provisions of paragraphs (f), (g), and (h) of subsection one of section one hundred and thirty-two of the Municipal Corporations Act 1920, shall apply with respect to any such poll.

115 Vesting in Otago Education Board control and management of Balclutha High School

[Repealed]

Section 115 was repealed, as from 5 December 1927, by section 72 Local Legislation Act 1927 (1927 No 58).

116 Excluding certain lands from Mount Bengier Rabbit District

[Repealed]

This section was repealed, as from 25 October 1960, by section 13 Reserves and Other Lands Disposal Act 1960 (1960 No 108). Section 13 of that Act enabled certain land to be added to the Mount Bengier Rabbit District.

117 Validating certain unauthorized expenditure of Otautau Town Board

- (1) The payment of the sum of seventeen dollars and twenty and five-sixths cents by the Otautau Town Board during the financial year ended on the thirty-first day of March, nineteen hundred and twenty-two, in excess of the limit of unauthorized expenditure fixed by section one hundred and twenty-one of the Public Revenues Act 1910, is hereby validated and declared to have been lawfully made.
- (2) The Otautau Town Board is hereby empowered to refund to the persons entitled such sums as were paid by those persons as members of the Otautau Town Board pursuant to a surcharge by the Audit Office on the members of the Otautau Town Board in respect of the said sum of seventeen dollars and twenty and five-sixths cents.

The words “seventeen dollars and twenty and five-sixths cents” in subsection (1) were substituted, as from 10 July 1967, for the words “eight pounds twelve shillings and one penny” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

**118 Authorizing Costley Training Institution Trust Board to
expend moneys for certain purposes**

[Repealed]

This section was repealed, as from 9 October 1975, by section 2(2) Costley Training Institution Amendment Act 1975 (1975 No 65).

**119 Vesting certain lands in Mount Eden Borough
Corporation, dedicating certain lands as streets, and
altering boundaries of Mount Eden Borough and City
of Auckland**

Whereas the land described in subsection four hereof comprises portion of the recreation-ground reserve described in the Schedule to the Epsom and Mount Eden Reserve Act 1890: And whereas the lands described in subsections five and six hereof are regarded as set apart as a road reserve: And whereas it is desirable that the lands described in subsections four and five hereof should be vested in the Corporation of the Borough of Mount Eden as a recreation reserve, and that the lands described in subsection six hereof should be dedicated as public streets: Be it therefore enacted as follows:—

- (1) The reservation as a recreation-ground as aforesaid over the land described in subsection four hereof, and the vesting of the said land in trustees by section two of the Epsom and Mount Eden Reserve Act 1890, are hereby cancelled, and the said lands, together with the portions of road reserve described in subsection five hereof, the existing reservation over which is hereby cancelled, are hereby vested in the Corporation of the Borough of Mount Eden in trust as a recreation reserve subject to the provisions of Part 1 of the Public Reserves and Domains Act 1908.
- (2) The lands described in subsection six hereof are hereby dedicated as public streets.
- (3) The boundaries of the Borough of Mount Eden are hereby altered so as to include the lands hereinafter described, and the boundaries of the City of Auckland are hereby altered so as to exclude the said lands.

- (4) The land over which the reservation as a recreation-ground is cancelled by subsection one hereof is particularly described as follows:—
All that parcel of land, containing one acre two roods eight perches, more or less, being part of Allotment 49 of Section 6, Suburbs of Auckland: as the same is delineated on a plan numbered L and S 1/398, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered pink.
- (5) The portions of road reserve referred to in subsection one hereof are particularly described as follows:—
All those parcels of land, containing together six acres one rood thirty-two perches, more or less, being portions of road reserve adjoining Section 6, Suburbs of Auckland: as the same are delineated on plan marked and deposited as aforesaid and thereon bordered blue.
- (6) The lands to which subsection two hereof relates are particularly described as follows:—
Firstly, all that parcel of land, containing three roods sixteen perches, more or less, being part of road reserve adjoining Section 6, Suburbs of Auckland: as the same is delineated on plan marked and deposited as aforesaid and thereon bordered green.
Secondly, all that parcel of land, containing three roods sixteen perches, more or less, being portion of road reserve adjoining Section 6, Suburbs of Auckland: as the same is delineated on plan marked marked and deposited as aforesaid and thereon bordered yellow.

120 Authorizing One Tree Hill Road Board to expend for purposes other than those for which it was raised unexpended balance of a loan of \$14,000

Whereas in December, nineteen hundred and twenty, the One Tree Hill Road Board raised a loan of fourteen thousand dollars for the purpose of making additions to the existing waterworks plant by the installation of dechlorinating-filters and new machinery, which said loan was secured by a special rate on all the rateable property throughout the One Tree

Hill Road District: And whereas in December, nineteen hundred and twenty, the said Board also raised a loan of eleven thousand six hundred dollars for the purpose of extending the water-supply throughout a special area of the said district, which said loan was secured by a special rate on all the rateable property within the said special area: And whereas, after the completion of the works for which the said loan of fourteen thousand dollars was raised, the Board has a surplus unexpended of the said loan-moneys amounting to five thousand eight hundred and forty-two dollars: And whereas the said loan of eleven thousand six hundred dollars was insufficient to complete the said works for which it was raised, and it is desirable that power should be given enabling the said Board to expend the said surplus in or towards the completion of the works for which the said loan of eleven thousand six hundred dollars was raised: Be it therefore enacted as follows:—

The One Tree Hill Road Board is hereby authorized to expend the whole or any part of the sum of five thousand eight hundred and forty-two dollars, being the unexpended surplus of its loan of fourteen thousand dollars aforesaid, in or towards completing the extension of the water-supply throughout the special area created in respect of the said loan of eleven thousand six hundred dollars.

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

121 Closing portion of a road in Suburbs of Tauranga, and vesting the same in Tauranga Hospital Board

Whereas Allotment 60, Suburbs of Tauranga, is vested in the Tauranga Hospital Board: And whereas the said Board has agreed to purchase Allotment 29, Suburbs of Tauranga, for the purpose of erecting thereon a public hospital: And whereas a public road known as Pitt Street lies between the said Allotment 60 and the said Allotment 29: And whereas it is desirable to close that part of the said road between the said allotments to provide adequate grounds for the said hospital, and the Tauranga County Council has

consented to such closing and to the vesting of the closed road in the Tauranga Hospital Board: Be it therefore enacted as follows:—

- (1) The part of the public road or street hereinafter described is hereby closed.
- (2) The part of the public road or street declared to be closed by the last preceding subsection is hereby vested in the Tauranga Hospital Board.
- (3) The part of the public road or street hereinbefore closed and vested in the Tauranga Hospital Board is particularly described as follows:—

All that piece of land situate in the Auckland Land District, containing three roods thirty-five perches, more or less, being part of the land shown as Pitt Street on a plan deposited in the Survey Office, at Auckland, under No 441, being that part of the said street lying between Clark Street on the west and Cameron Road on the east: bounded on the north by Allotment 60, Suburbs of Tauranga, and on the south by Allotment 29, Suburbs of Tauranga.

122 Certain land in Hawke's Bay Land District to be deemed to have been taken as a site for a public cemetery

Whereas by a Warrant published in the *Gazette* of the second day of October, nineteen hundred and two, pursuant to section six of the Cemeteries Act 1882, on the assumption that the land described in the Schedule to such Warrant had been permanently set apart as a public cemetery, trustees were appointed to provide for the maintenance and care of the said land as a public cemetery: And whereas burials have taken place on the said land, which is now known as the Araroa Public Cemetery: And whereas the said land is Maori land, part of the Whetamatarau Block, and has not been acquired or taken by the Crown for the aforesaid purpose: Be it therefore enacted as follows:—

- (1) The land hereinbefore referred to shall be deemed to have been set apart as a site for a cemetery as on the twenty-sixth day of September, nineteen hundred and two, and shall be deemed to have been taken for that purpose under the Public Works Act 1894.

- (2) The compensation to be paid to the Maori owners of such land shall be such amount as the Maori Land Court shall determine as the amount that would have been payable if the said land had been so taken on the twenty-sixth day of September, nineteen hundred and two, the date of the aforesaid Warrant.

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

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

123 Authorizing exchange of primary-education endowment in Hawke’s Bay Land District for private land

Whereas the land described in subsection three hereof is vested in the Crown in trust as an endowment for primary education: And whereas it is desired to exchange the said land for the area of private land described in subsection four hereof: Be it therefore enacted as follows:—

- (1) Upon the conveyance or transfer to His Majesty of the private land described in subsection four hereof the Governor-General may, by Warrant under his hand, cancel the reservation as an endowment for primary-education purposes over the land described in subsection three hereof, and may, notwithstanding anything to the contrary in any Act, by Warrant under his hand, authorize the issue of a certificate of title to the owner of the private land aforesaid in respect of the land over which the reservation has been cancelled in pursuance of this section.
- (2) The land transferred or conveyed to His Majesty under the authority of this section shall thereupon be deemed to be permanently reserved as a site for a public school.
- (3) The land to which subsection one hereof relates is particularly described as follows:—

All that parcel of land in the Hawke’s Bay Land District, being Town Section 407, Town of Napier, containing two roods, and bounded as follows: Commencing at north-west corner; thence bounded on north-west by Napier Terrace for a distance of 200 links; thence on the north-east by Town Section 408 for a distance of 250 links; thence on south-east by Suburban

Section 33 for a distance of 200 links; thence on the south-west by Town Section 406 for a distance of 250 links to the point of commencement: as the same is delineated on a plan marked L and S 6/6/192, and deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered blue.

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

All that parcel of land in the Hawke's Bay Land District, being part of Town Section 406 and Suburban Sections 32 and 33, Town of Napier, containing two roods thirty-five and a half perches, and bounded as follows: Commencing at a point 18.2 links in a south-westerly direction from the north-west corner of Town Section 407; thence bounded on the north-east by part Town Section 406 for a distance of 245.3 links; thence again on the north-east by parts of Town Section 406 and Suburban Section 32 for a distance of 173.8 links; thence on north-west by parts of Suburban Sections 32 and 33 for a distance of 60 links; thence on the north-east by part Suburban Section 33 for a distance of 359.8 links; thence on the south-east by Colenso Avenue for a distance of 120.5 links; thence on south-west by part Suburban Section 32 for a distance of 448.2 links; thence again on south-west by parts Suburban Section 32 and Town Section 406 for a distance of 308.4 links; thence on the north-west by Napier Terrace for a distance of 59.2 links to the point of commencement: as the same is delineated on a plan marked L and S 6/6/192, and deposited in the Head Office of the Department of Lands and Survey, at Wellington, and thereon bordered red.

124 Authorizing expenditure by Hawera Borough Council of proceeds of sale of a borough reserve

Whereas the Mayor, Councillors, and Burgesses of the Borough of Hawera (hereinafter referred to as the Corporation) in the year nineteen hundred and sixteen sold Allotment 9 of Section 35, Town of Hawera, theretofore held by the Corporation as a borough reserve for the sum of four hundred and forty-nine dollars, and such sum has not been expended, and is held by the Corporation subject to the provisions

of section one hundred and fifty-one of the Municipal Corporations Act 1920: And whereas Mrs Rhoda Lucy Pease, of Hawera, has offered to the Corporation a piece of land, containing approximately eight and a half acres, being part of Section 107, Patea Survey District, situate near the mouth of the Waihi Stream, for a public reserve for the recreation, amusement, and health of the inhabitants of the Borough of Hawera, and also a further area of land intended to be laid off and constructed as a public road giving access from an existing public road to such reserve: And whereas the Corporation is desirous of accepting such offer, and of forming and metalling such new road, and of laying out and beautifying such reserve, and of applying the sum of four hundred and forty-nine dollars above mentioned for such purposes: Be it therefore enacted as follows:—

The Corporation is hereby authorized to expend the said sum of four hundred and forty-nine dollars towards the acquisition, laying-out, and beautifying of such reserve, and towards acquiring, laying-off, constructing, forming, metalling, or otherwise providing roads, streets, or other means of access to such reserve.

The words “four hundred and forty-nine” were substituted, as from 10 July 1967, for the words “two hundred and twenty-four pounds ten shillings” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

125 Authorizing Horowhenua County Council to expend for purposes other than those for which it was raised unexpended balance of a loan of \$1,500

Whereas the Horowhenua County Council borrowed, in the manner prescribed by the Local Bodies Loans Act 1913, the sum of one thousand five hundred dollars for the purpose of constructing North Bank Road, Otaki Gorge, and has already expended portion of such sum in survey work: And whereas it is inexpedient to proceed further with the construction of such road, and the ratepayers of the North Bank Road, Otaki Gorge Special-rating Area, of the County of Horowhenua, desire the substitution of two bridges for such road: Be it therefore enacted as follows:—

The Horowhenua County Council may expend on the construction of such bridges as aforesaid the unexpended balance of the said loan of one thousand five hundred dollars.

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

126 Validating certain payments to members of Ahikouka River Board

Whereas certain present and former members of the Ahikouka River Board rendered certain services to that Board in connection with works carried out by it under the River Boards Act 1908: And whereas the Board made payments to the said members on account of such services, and it is desired to validate such payments: And whereas one of the said members refunded to the Board the payments made to him, and it is desired to authorize the Board to repay the amount of such payments: Be it therefore enacted as follows:

- (1) All payments heretofore made by the Ahikouka River Board in respect of services rendered to the Board by persons who at the time of rendering such services were members of the Board are hereby validated.
- (2) Any sum heretofore paid by the Board to any person in respect of services rendered while a member of the Board, and refunded by him to the Board, may be repaid to such person by the Board.

127 Empowering Wellington City Council to borrow without consent of ratepayers moneys required to carry out certain sand-drift operations

[Repealed]

Section 127 was repealed, as from 6 November 1924, by section 126(4) Reserves and other Lands Disposal and Public Bodies Empowering Act 1924 (1924 No 55).

See section 126 of that Act as to making special provisions with respect to operation under the Sand-drift Act 1908, proposed to be carried out at Lyall Bay, in the City of Wellington.

128 Certain land in Mount Arthur Survey District reserved as endowment for secondary education

Section 82, Square 7, Block XVI, Mount Arthur Survey District, Nelson Land District, containing an area of two hundred and thirteen acres, is hereby declared to be reserved and set apart as an endowment for secondary education.

129 Vesting certain land in Riccarton Borough Corporation

Whereas in or about the month of September, eighteen hundred and seventy-eight, a plan designated deposit plan No 242 was deposited in the Land Transfer Office, at Christchurch, showing a subdivision of part of Rural Section 145, Christchurch Survey District, and also showing certain right-of-ways coloured brown on the said plan: And whereas the said lands coloured brown on the said plan, excepting thereout a strip of Picton Avenue, 50 links in length and 100 links in width, intersecting one of the said right-of-ways, are not and never have been used as right-of-ways by the persons entitled to use the same, and it is expedient that the same should be vested in the Corporation of the Borough of Riccarton for the general purposes of the borough: Be it therefore enacted as follows:—

- (1) The said lands coloured brown on the said deposit plan No 242, excluding the above-described portion of Picton Avenue, are hereby vested in the Corporation of the Borough of Riccarton for an estate in fee-simple under the Land Transfer Act 1915, freed and discharged from all encumbrances, right-of-ways, easements, or other rights or claims affecting the same.
- (2) The District Land Registrar at Christchurch is hereby directed and empowered to issue a certificate of title under the Land Transfer Act 1915, to the said Corporation in respect of the said lands.
- (3) The said Corporation is hereby authorized to use the said lands for the general purposes of the Corporation, or to lease, sell, exchange, or otherwise dispose of the same (or partly the one way and partly the other) as the said Corporation may think fit.
- (4) Every person having any estate or interest in the lands hereby vested in the said Corporation, or injuriously affected or suffering any damage by reason of such vesting, shall be entitled to claim compensation for the same from the said Corporation in the same manner as if the said lands had been

taken by the said Corporation for public works under the Public Works Act 1908.

130 Authorizing Christchurch Tramway Board to make certain special arrangements for the taking of a poll on certain loan proposals

Whereas both the Christchurch Tramway Board (hereinafter referred to as the Board) and the Christchurch City Council (hereinafter referred to as the Council) contemplate raising special loans during the financial year ending on the thirty-first day of March, nineteen hundred and twenty-three, and, for the purpose of economy, the Board proposes to hold the poll to sanction the Board's proposed special loan upon the same day as that to be fixed by the Council for the poll to sanction the Council's proposed special loan, and for that part of the Board's district which is coterminous with the Council's district to use the same Deputy Returning Officers, poll-clerks, polling-booths, scrutineers, and roll as are respectively appointed, prepared, provided, and used by the Council for the poll to be held by the Council: Be it therefore enacted as follows:—

Notwithstanding anything in the Christchurch Tramway District Act 1920, the Local Bodies Loans Act 1913, and the Local Elections and Polls Act 1908, it shall be lawful for the Board, in respect of that part of the Board's district which is coterminous with the district of the Council, to use for the purpose of the poll to sanction the Board's proposed special loan the same roll as shall be prepared, corrected, completed, authenticated, and used by the Council for the purpose of the poll to sanction the Council's proposed special loan, and for the same purpose to use the Deputy Returning Officers, poll-clerks, scrutineers, and polling-booths respectively appointed and provided by the Council for the purpose of the poll to sanction the Council's proposed special loan, subject in both cases to the consent of the Council being first obtained; and in respect of such part of the Board's district it shall not be necessary for the Board to prepare, provide, or use any roll other than the roll provided and used by the Council,

or to appoint any Deputy Returning Officers, poll-clerks, or scrutineers, or to provide any polling-booths.

131 Authorizing temporary stopping of portion of Cashel Street, Christchurch, for the purposes of an Exhibition of New Zealand industries

Whereas the Industrial Corporation of New Zealand purposes holding an Exhibition of New Zealand industries in the King Edward Barracks, Christchurch, and upon portions of Cashel Street adjoining such barracks during the months of November and December, nineteen hundred and twenty-two: And whereas the Christchurch City Council has granted the said corporation permission temporarily to enclose a portion of Cashel Street between Cambridge Terrace and Montreal Street and to erect buildings thereon for the purposes of such Exhibition: And whereas doubts having arisen as to the power of the said Council to grant such permission it is expedient to remove those doubts, and to empower the Christchurch City Council to grant or otherwise to validate such permission as aforesaid: Be it therefore enacted as follows:—

- (1) The Christchurch City Council is hereby empowered to grant permission to the Industrial Corporation of New Zealand in connection with the Exhibition of New Zealand industries to be held in Christchurch during the months of November and December, nineteen hundred and twenty-two, and during the erection and demolition of the buildings to be used in connection therewith, to close against traffic, either vehicular, pedestrian, or otherwise, such portion of Cashel Street in the City of Christchurch adjoining the King Edward Barracks as lies between Cambridge Terrace and Montreal Street, save and except the footpath on the southern side of Cashel Street and a strip of the roadway of the said street twelve feet in width measured from the edge of the curbstone of the footpath on the southern side of the said street, to enclose the same with and to erect buildings thereon for the purposes of the Exhibition aforesaid.
- (2) The granting by the Christchurch City Council before the passing of this Act of any consent or permission to close the portion of Cashel Street aforesaid for the purposes of such

Exhibition is hereby validated and declared to have been lawfully granted.

**132 Vesting part of Beckenham Domain in Canterbury
Education Board as a site for a swimming-bath**

Whereas the parcel of land, containing eleven acres one rood twenty-four perches, situate at Beckenham, in Christchurch, being all the land included in certificate of title, Volume 254, folio 264, is now vested in His Majesty for the purpose of a recreation-ground pursuant to Part 2 of the Public Reserves and Domains Act 1908: And whereas the Christchurch City Council was, by an Order in Council dated the twenty-sixth day of August, nineteen hundred and twelve, and published in the *Gazette* of the twenty-ninth day of the same month, appointed to be the Beckenham Domain Board having control of the said parcel of land as a domain in accordance with Part 2 of the said Act: And whereas the Beckenham School, established under the Education Act 1914, is situate in close proximity to the said domain, and the Education Board of the District of Canterbury, at the request and on behalf of the Beckenham School Committee, is desirous of constructing on the parcel of land hereinafter described, being part of the said domain, a public swimming-bath for the use of the said school and for public use, and has proposed to the Christchurch City Council to construct, equip, and maintain a swimming-bath to the approval of the said Christchurch City Council upon the parcel of land hereinafter described upon having the same transferred to or otherwise vested in the said Education Board for the purposes of such swimming-bath: And whereas the Christchurch City Council as such Domain Board has approved of and is desirous of accepting the said proposal: And whereas it is expedient that the said last-mentioned parcel of land should be vested in the said Education Board accordingly: Be it therefore enacted as follows:—

- (1) The District Land Registrar for the Land Registration District of Canterbury is hereby empowered and directed, subject to a Warrant in that behalf under the hand of the Governor-General, to issue to and in the name of the Education Board of the District of Canterbury a certificate of title in respect of all that parcel of land, containing by admeasurement thirty-one perches and four-fifths of a perch, more or less, being part of the said domain and of the land included in certificate of

title, Volume 254, folio 264: commencing at a point on the southern boundary of the land described in the said certificate of title which bears $268^{\circ} 57'$ in a south-westerly direction distant 122.5 links from the north-east corner of Lot 10, deposit plan 2623; thence by a straight line in a north-westerly direction, bearing $358^{\circ} 57'$, a distance of 106.6 links; thence by a straight line in a south-westerly direction, bearing $268^{\circ} 57'$, a distance of 186.4 links; thence by a straight line in a south-easterly direction, bearing $178^{\circ} 57'$, a distance of 106.6 links; thence in a north-easterly direction, bearing $88^{\circ} 57'$, along the southern boundary of the land described in the said certificate of title a distance of 186.6 links to the commencing point.

- (2) The land described in the preceding subsection shall be held in trust by the said Education Board as a site for a public swimming-bath.
- (3) After the issue of such certificate of title as aforesaid and the erection of the said swimming-bath the control and management of the bath so erected shall be and the same is hereby vested in the said Education Board of the District of Canterbury.

133 Vesting certain land in Lyttelton Borough Corporation as a waterworks reserve

Whereas by the Lyttelton Waterworks Transfer Act 1878, the lands described therein are vested in the Corporation of the Borough of Lyttelton, subject to the terms and conditions, rights, powers, and privileges specified in Schedule 2 to that Act: And whereas it is desirable that the adjoining land hereinafter described should be vested in the said Corporation subject to the same terms, conditions, rights, powers, and privileges as aforesaid: Be it therefore enacted as follows:—

- (1) The land described in subsection three hereof is hereby vested in the Corporation of the Borough of Lyttelton as a water-works reserve subject to the terms, conditions, rights, powers, and privileges specified in Schedule 2 to the Lyttelton Water-works Transfer Act 1878.
- (2) The District Land Registrar of the Land Registration District of Canterbury is hereby empowered and directed, subject to a

Warrant in that behalf under the hand of the Governor-General, to issue to the said Corporation a certificate of title in respect of the said land.

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

All that area in the Canterbury Land District, containing by admeasurement three roods, more or less, and being part of Section 77, situated in Block XVI, Christchurch Survey District—commencing at a point on the northern boundary of the said Section 77 distant 1355 links from the north-west corner thereof: bounded towards the north by Section 329, 214.5 links; towards the south-east, south-west, and north-west by other part of the said Section 77, 416 links, 200 links, and 338 links respectively: as the same is more particularly delineated on plan L and S 6/1/336, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

134 Vesting certain lands in Corporation of Mackenzie County for forestry purposes

Whereas the lands hereinafter enumerated have been permanently reserved for plantation purposes, and the control thereof has been vested in the Mackenzie County Council: And whereas it is desired that the said lands should be vested in the Corporation of the Mackenzie County in trust for forestry purposes: Be it therefore enacted as follows:—

- (1) The said reserves are hereby vested in the Corporation of the Mackenzie County in trust for forestry purposes, subject to the following conditions:—
- (a) The Mackenzie County Council shall within six months after the passing of this Act prepare a general forest working plan of future operations to cover a period of not less than five years; such working plan shall specify fully the silvicultural operations proposed to be carried on during the currency of the plan and such other matters as the Director of Forestry thinks fit.
 - (b) It shall not be lawful for the said Council to carry on such silvicultural operations unless and until such plan has been approved by the Commissioner of State

Forests, and all such operations shall be carried on according to such plan as approved by the said Commissioner and under the supervision of the Director of Forestry.

- (c) The said Council shall, as soon as practicable after the passing of this Act, appoint some fit person to supervise and manage all tree-planting operations which may be undertaken by the said Council, and generally to advise the said Council on all matters pertaining to its forestry operations.
- (d) The Council may dispose of, by private sale, tender, or auction, any timber, trees, tree-seeds, firewood, or any forest-produce on or from the reserves herein referred to.
- (e) All moneys received as rents, fees, proceeds of sale of forest-produce, or otherwise from the said reserves shall be spent solely on the administration, management, and development for forestry purposes and other purposes incidental thereto of the said reserves.
- (f) The said Council, with the consent of the Governor-General first had and obtained, may exchange any area of land subject to this section for the fee-simple of any other land which is deemed to be more suitable for forestry purposes, and on any such exchange may pay or receive by way of equality of exchange any sum not exceeding twenty-five per centum of the estimated value of the land so exchanged.
- (g) All existing leases of the said reserves which were granted by the Governor-General prior to the passing of this Act shall have the same effect as though they had been granted by the said Council; and all rents reserved by the said leases, and the benefit of every covenant or provision therein having reference to the subject-matter thereof and on the lessee's part to be observed or performed, and every condition of re-entry and other condition therein, may be recovered, enforced, and taken advantage of by the said Council.
- (h) The said Council may from time to time make such by-laws, not inconsistent with this section, as may be

deemed necessary for the more efficient control and administration of the said reserves, and such by-laws may provide for a penalty not exceeding one hundred dollars for any breach of any such by-laws. No such by-law shall have force or effect unless and until approved by the Commissioner of State Forests and until a notice of such approval has been published in the *Gazette*.

- (i) In April of each year the said Council shall furnish to the Commissioner of State Forests a report for the year ending on the preceding thirty-first day of March, presenting in complete detail full particulars of the technical operations, and of the administration of all the reserves vested hereby in the said Council and of the financial operations relating thereto, and shall at the same time submit a plan of operations and management for the ensuing year, which shall be effective on approval by the Commissioner of State Forests.
- (2) The reserves to which this section relates are the following reserves in the Canterbury Land District, namely:—

| Reserve | | | | Reserve | |
|------------|-----|---|----|-----------|----|
| No | A | R | P | No | A |
| 2916 | 831 | 0 | 0 | 2925..... | 60 |
| 2917 | 220 | 0 | 0 | 2926..... | 43 |
| 2918 | 564 | 1 | 35 | 2927..... | 7 |
| 2919 | 82 | 2 | 0 | 2928..... | 74 |
| 2920 | 148 | 3 | 0 | 2930..... | 40 |
| 2921 | 143 | 1 | 0 | 2931..... | 10 |
| 2922 | 271 | 2 | 0 | 2932..... | 3 |
| 2959 | 161 | 2 | 0 | 2950..... | 2 |
| 2924 | 80 | 0 | 0 | | |

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

135 Authorizing Teviot Electric-power Board to pay to certain ratepayers moneys expended by them in acquiring certain property for the Board

Whereas certain ratepayers in the Teviot Electric-power District, being an electric-power district duly constituted under the provisions of the Electric-power Boards Act 1918, formed a provisional committee which carried out the preliminary procedure necessary for the constitution of such district: And whereas such ratepayers purchased certain property, which such Board has now been authorized to use in accordance with the provisions of the Electric-power Boards Act 1918, and the Public Works Act 1908: And whereas it is expedient to authorize the Teviot Electric-power Board to pay such ratepayers such amounts as were expended by them in the purchase of such property: Be it therefore enacted as follows:—

The Teviot Electric-power Board is hereby authorized to make and levy a uniform rate over the Teviot Electric-power District for the purpose of providing funds for the payment of such sum or sums as were expended by the provisional committee of the Teviot Electric-power Board in the purchase of property now being used by such Board, and to pay to the persons comprising such provisional committee as aforesaid such sums as were expended by them in the purchase of such property; and the Board may include such sum in any estimate of expenditure prepared by the Board, pursuant to section forty-one of the Electric-power Boards Act 1918, for any year, or may apportion such sum among the estimates of two or more years.

136 Authorizing exchange of lands between the Otago Harbour Board and the Otago Education Board

Whereas the Otago Harbour Board (hereinafter called the Harbour Board) is seised of an estate in fee-simple in all those parcels of land, containing seventy-two acres, more or less, situated in the

Provincial District of Otago, being part of the Otago Harbour Board endowment, and being all the land comprised in certificate of title, Register-book, Volume 189, folio 132, in the Land Registry Office, at Dunedin: And whereas the Education Board of the District of Otago (hereinafter called the Education Board) is seised of an estate in fee-simple in all that parcel of land, containing one acre one rood one perch and three-fifths of a perch, more or less, situated in the City of Dunedin, being sections numbered respectively 2, 3, 4, 7, and 12, Block LXIX, on the Land Transfer record map of the said city, deposited in the office of the Chief Surveyor at Dunedin, and being all the land comprised in certificate of title, Register-book, Volume 109, folio 211: And whereas the Harbour Board has agreed with the Education Board, subject to the necessary power being conferred by legislation, to exchange part of its said land, not exceeding five acres in area, for the said land of the Education Board, with the buildings and fences thereon, and to lease part of its said land, not exceeding three acres in area, to the Education Board upon the terms hereinafter mentioned: Be it therefore enacted as follows:—

- (1) The Harbour Board is hereby empowered to transfer to the Education Board any part of the said land of the Harbour Board not exceeding five acres in area for the purposes of a school-site, and the Education Board is hereby empowered to transfer to the Harbour Board the said Sections 2, 3, 4, 7, and 12 freed from any trust for educational purposes.
- (2) The Harbour Board is hereby empowered to lease to the Education Board and the Education Board is hereby empowered to accept a lease of any part of the said land of the Harbour Board not exceeding three acres in area for the term of fifty years, at such rent and with, upon, and subject to such terms, conditions, and provisions as may be agreed upon between the Education Board and the Harbour Board, including provisions for payment of valuation for improvements and for renewal for one or more recurring periods.
- (3) The District Land Registrar for the Land Registration District of Otago is hereby authorized and directed to accept for registration and to register the said lease notwithstanding anything contained in section one hundred and sixteen of the Public Works Act 1908.

This section was amended, as from 29 August 1923, by section 104 Reserves and other Lands Disposal and Public Bodies Empowering Act 1923 (1923 No 35) by substituting the reference to “Block LXIX” for a reference to “Block LIX”.

137 Authorizing grant to Southland Electric-power Board of permission to use and occupy portions of a scenic reserve

Whereas by Proclamation issued pursuant to section seventy-five of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1921-22, and published in the *Gazette* of the fifth day of October, nineteen hundred and twenty-two, the land therein described was set apart as a scenic reserve under the Scenery Preservation Act 1908: And whereas it is expedient that the Southland Electric-power Board should be authorized to construct within the said scenic reserve certain works which the said Board is authorized to undertake: Be it therefore enacted as follows:—

The Minister charged with the administration of the Scenery Preservation Act 1908, may authorize the Southland Electric-power Board, subject to such conditions as he may see fit to impose, to use and occupy such portion or portions of the said scenic reserve as may be necessary for or in connection with any works which the said Board is authorized to construct or may hereafter be authorized to construct in accordance with the provisions of the Electric-power Boards Act 1918.

138 Providing for revesting in former Maori owners of a Maori-school site in Whangape Survey District

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

- (1) The reservation as a site for a Maori school over the land hereinafter described is hereby cancelled, and the said land is hereby set aside for the use and benefit of the original Maori owners thereof or their successors, and the provisions of

section eleven of the Maori Land Amendment Act 1912, as amended by section thirteen of the Maori Land Amendment Act 1914, shall apply to the said land, and the Maori Land Court shall have jurisdiction accordingly.

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

All that parcel of land situated in the Whangape Survey District, known by the name of Te Paheke Block, in the North Auckland Land District, containing by admeasurement five acres and thirty-five perches, be the same a little more or less: bounded towards the north by a line, 766 links; towards the east by the Rotokakahi River; towards the south by a line, 768 links; and towards the west by a line, 700 links.

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

The words “Maori Land Court” in subsection (1) were substituted, as from 27 November 1947, for the words “Native Land Court” pursuant to section 9(2)(a) Maori Purposes Act 1947 (1947 No 59).

139 Providing for revesting in former Maori owners of a Maori school-site in the Parish of Motukaraka

Whereas by deed dated the twenty-fourth day of December, eighteen hundred and eighty, certain aboriginal Maori transferred the land hereinafter described to the Crown for the purposes of a site for a Maori school at Motukaraka: And whereas the said land is not now required for the said purpose, and it is desirable that it should revert to the original Maori owners or their successors: Be it therefore enacted as follows:—

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

All that parcel of land situated in the Parish of Motukaraka, in the District of Hokianga, and known as Matataiki, containing by admeasurement two acres one rood, be the same a little more or less: bounded towards the north-east by a line, 963 links; thence on the north-west by a line, 250 links, to the Matataiki Creek; towards the south-west by a line, 1000 links, to a road; and thence by the road, 99 links and 157 links, to the point of commencement: as the same is delineated on the plan shown on the deed conveying the land to the Crown.

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

The words “Maori Land Court” in subsection (1) were substituted, as from 27 November 1947, for the words “Native Land Court” pursuant to section 9(2)(a) Maori Purposes Act 1947 (1947 No 59).

140 Authorizing exchange of provisional State forest for other land in Waipoua Survey District

Whereas by a Proclamation in the *Gazette* of the twenty-fifth day of November, nineteen hundred and twenty, all that area of land in the North Auckland Land District, containing by admeasurement two hundred and twenty-seven acres three roods twenty-nine perches, more or less, being Section 2, Block VIII, Hokianga Survey District, was set aside as and for portion of a provisional State forest: And whereas the said land is no longer required for this purpose: And whereas it is desired to exchange it for Section 12, Block I, Waipoua Survey District, which is more suitable for forestry purposes: Be it therefore enacted as follows:—

- (1) The Governor-General may, by Proclamation, cancel the reservation as a provisional State forest over the said Section 2, Block VIII, Hokianga Survey District, and may, in the name and on behalf of His Majesty, exchange that land for Section 12, Block I, Waipoua Survey District, containing by admeasurement fifty acres, more or less.
- (2) The Governor-General may do or cause to be done all such acts and things, and make, sign, or execute all such instruments, as may be necessary to effectuate such exchange.
- (3) The land obtained in exchange as aforesaid by His Majesty shall thereupon be deemed to be set apart as a provisional State

forest, and shall be subject to the provisions of the Forests Act 1949.

The reference to the in subsection (3) was substituted, as from 1 January 1950, for a reference to the Forests Act 1921-22 pursuant to section 73(1) Forests Act 1949 (1949 No 19).

**141 Vesting in General Church Trust certain powers over
portion of St Stephen's Cemetery, Parnell, Auckland**

Whereas Allotment 3 of Section 2 of the Suburbs of Auckland, containing two acres two roods fifteen perches, more or less, was by Crown grant dated the eighteenth day of July, eighteen hundred and forty-three, and registered in the Deeds Registry Office, at Auckland, under No 131A, vested in George Augustus, Lord Bishop of New Zealand, and his successors, and is now administered by trustees called the General Church Trust Board and identical with the General Church Trust referred to in the Order in Council hereinafter mentioned: And whereas part of the said allotment, containing three roods thirty-one perches, and referred to in conveyances registered as aforesaid under Nos 35030 and 57256, was on or about the thirtieth day of November, eighteen hundred and forty-four, consecrated and set aside as a site for a chapel called St Stephen's Chapel and a cemetery for the burial of the dead according to the rites and usages of the United Church of England and Ireland (commonly known as the Church of the Province of New Zealand or as the Church of England in New Zealand): And whereas by Order in Council dated the nineteenth day of June, nineteen hundred and twenty-two, and published in the *Gazette* of the twenty-second day of June, nineteen hundred and twenty-two, it is ordered and directed that from and after the first day of January, nineteen hundred and twenty-three, all that area in the North Auckland Land District, being part of Lot 3 of Section 2, Suburbs of Auckland, and known as St Stephen's Cemetery, shall be closed and burials therein discontinued; and, further, that from and after the said first day of January, nineteen hundred and twenty-three, the said cemetery shall be vested in the General Church Trust under the provisions and for the purposes of section seventy-eight of the Cemeteries Act 1908: And whereas such area of land is identical with the area of three roods thirty-one perches consecrated as aforesaid: And whereas the western portion of the said cemetery, hereinafter described, has not been used for burial purposes or as a site for the said chapel, and it is desired

that the General Church Trust aforesaid shall have with respect thereto the powers hereinafter conferred: Be it therefore enacted as follows:—

- (1) From and after the first day of January, nineteen hundred and twenty-three, the General Church Trust Board mentioned and referred to in the aforesaid Order in Council of the nineteenth day of June, nineteen hundred and twenty-two, as the General Church Trust shall be entitled to exercise, with respect to the western portion of the said cemetery, containing five and ninety-three hundredths perches, more or less, and bounded—commencing at the south-western corner of the said cemetery; thence towards the west by the western boundary of the said cemetery, 218 links by deed, but 225.3 links according to recent survey; thence towards the north by part of the northern boundary of the said cemetery, 34.8 links; and thence towards the east by a straight line, being 10 feet west of the line of existing graves, 216.5 links, to the commencing-point—all or any of the powers conferred by the Church of England Trusts Act 1913, upon trustees of granted hereditaments as therein defined.
- (2) Such of the provisions of section seventy-eight of the Cemeteries Act 1908, as are inconsistent with the exercise of such powers as aforesaid or any of them shall not apply to the area described in the last preceding subsection.

142 Authorizing Tuakau Town Board to reappportion certain unexpended loan-moneys

Whereas in the year nineteen hundred and seventeen the Tuakau Town Board was authorized to borrow the sum of twenty-four thousand dollars for carrying out works in connection with roads and footpaths in the town district and for lighting: And whereas of the sum of two thousand dollars of such loan allocated for lighting, a portion only has been expended, and it is deemed inexpedient that the unexpended balance of such sum should be expended on the purpose for which it was allocated: And whereas it is expedient to authorize the said Board to expend such balance as hereinafter provided: Be it therefore enacted as follows:—

The Tuakau Town Board is hereby authorized to expend such balance as aforesaid on such of the other allocations specified in the proposal submitted to the ratepayers of the Tuakau Town District in respect of the said loan of twenty-four thousand dollars as it thinks fit.

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

143 Closing portion of road along Mangawhero Stream, in the Auckland Land District, and authorizing the disposal thereof

Whereas portion of the road along the Mangawhero Stream, hereinafter described, is no longer required for the purpose for which it was intended, and it is desirable to close the same and to dispose of the land comprised therein under the Land for Settlements Act 1908: Be it therefore enacted as follows:—

(1) Notwithstanding anything in section one hundred and thirty of the Public Works Act 1908, the hereinafter-described portion of river-bank road is hereby closed, and the land comprised therein is hereby declared to be settlement land available for disposal under the Land for Settlements Act 1908.

(2) The portion of the road hereby closed is more particularly described as follows:—

All that area in the Auckland Land District, containing by admeasurement three roods sixteen perches, being portion of a road reserve adjoining Tahaia B 2A Block: bounded on the west by road reserve 100 links wide; on the east by Mangawhero Stream; and on the south by the said Tahaia B 2A Block: as the same is more particularly delineated on plan marked L and S 26/14359, deposited in the Head Office, Lands and Survey Department, Wellington, and thereon coloured green.

144 Authorizing sale of part of Whakatane Domain, and application of proceeds thereof for purchase of new school-site, &c

[Repealed]

Section 144 was repealed, as from 6 November 1924, by section 73(1) Reserves and other Lands Disposal and Public Bodies Empowering Act 1924 (1924 No 55). See section 73 of that Act as to the exchange of a portion of Whakatane Domain for private land, and the vesting of certain lands in certain public bodies.

145 Authorizing Taumarunui Borough Council to utilize portions of a river-bank road in connection with construction of electric-power works

Whereas the Taumarunui Borough Council was authorized by Order in Council dated the twenty-first day of February, nineteen hundred and twenty-one, to take and use water from the Wanganui River for the purpose of generating electricity, and to erect electric lines within the Borough of Taumarunui, the Manunui Town District, and portion of the County of Kaitieke: And whereas the intake and race authorized by such Order in Council are partly situated on the road on the left bank of the Wanganui River adjoining Section 2, Block V, Hunua Survey District, Auckland Land District, as indicated on the plan marked PWD 30799, and deposited in the office of the Minister of Public Works, at Wellington: And whereas portion of the pipe-line, the power-house, and the yard in connection with such power-house are situated on portion of the road on the left bank of the Wanganui River near the junction of such road with the road from Piriaka to Taumarunui, as indicated on the aforesaid plan: And whereas the aforesaid intake, race, pipe-line, power-house, and yard will not interfere with the use of the road whereon such works are partly situate: And whereas the Kaitieke County Council, being the local authority having control of such portions of road, has consented, in so far as it has authority so to do, to the Taumarunui Borough Council constructing such works on, along, or across the aforesaid portions of roads, and has also consented to portion of the road reserve being utilized by the Taumarunui Borough Council as a yard in connection with such power-house: And whereas a road along the bank of a river cannot be closed: Be it therefore enacted as follows:—

- (1) The Taumarunui Borough Council is hereby authorized to construct the aforesaid works on the said portions of roads

and to use portion of such road as aforesaid as a yard in connection with the power-house.

- (2) If at any time it shall become necessary for the convenience of public traffic using that portion of the road on the left bank of the Wanganui River adjoining Section 2, Block V, Hunua Survey District, occupied by the aforesaid intake and race, to construct any bridges or culverts over such intake or race, such bridges or culverts shall be constructed by the Taumarunui Borough Council at its own expense, and, failing such construction by the Taumarunui Borough Council, the same may be constructed by the Kaitieke County Council at the cost of the Taumarunui Borough Council.
- (3) Such portions of the river-bank road as may be occupied by the power-house and yard as aforesaid are hereby closed.

146 Changing reservation of certain lands in Taranaki Land District from forest purposes to scenic purposes

- (1) The reservation for forest purposes over the lands hereinafter described is hereby cancelled, and the said lands are hereby reserved for scenic purposes subject to the provisions of the Reserves Act 1977.
- (2) The lands to which this section relates are particularly described as follows:—
 - (a) Firstly, all that land in the Taranaki Land District, being part of Section 1, Block III, Pouatu Survey District, containing approximately one hundred and nineteen acres: bounded on the west and north by other part of said Section 1, 106 chains; on the north-east by Crown lands, 20 chains; on the south by road reserve 23 chains, Section 12 (Crown lands) 87.55 chains, and Mangapapa Stream 10 chains: as the same is delineated on the plan marked L and S 1913/941, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.
 - (b) Secondly, all that land in the Taranaki Land District, being part of Section 1, Block III, Pouatu Survey District, containing approximately thirty-nine acres: bounded on the west, north, and east by road reserve, 65 chains; on the south by Section 2, Block III, Pouatu Survey Dis-

trict, 34.5 chains: as the same is delineated on the plan marked L and S 1913/941, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

- (c) Thirdly, all that area in the Taranaki Land District, containing approximately three hundred and ninety acres, being portion of Section 10, Forest Reserve, Block III, Pouatu Survey District: bounded towards the north by the Mangapapa Road, 1500 links; towards the east and south by Section 11, Block III, Pouatu Survey District, 23049 links; towards the west by Section 4 of Block VII, Pouatu Survey District, 3301.9 links, and other part of Section 10, Forest Reserve, 15000 links: as the same is delineated on the plan marked L and S 1913/941, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

A reference to Reserves and Domains Act 1953 was substituted, as from 1 April 1954, for a reference to the Scenery Preservation Act 1908 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 1977x (1953 No 69).

147 Authorizing renewal of expired timber-cutting license in respect of Sections 1 and 10, Block VIII, Mapara Survey District

Whereas by license dated the fifth day of May, nineteen hundred and nineteen, issued to Robert Gordon Barr, of Eltham, sawmiller, under the hand of the Minister of Lands, the said Robert Gordon Barr was licensed to cut and remove from Sections 1 and 10, Block VIII, Mapara Survey District, in the Taranaki Land District, certain timber standing on such sections: And whereas the said Robert Gordon Barr transferred his rights under the said license to the Hawera Sash and Door Company (Limited): And whereas the said company failed through inadvertence to apply before the expiry of the said license for a renewal thereof, and a portion of the timber covered by the license still remains uncut: And whereas it is desirable that the said license be renewed: Be it therefore enacted as follows:—

The Minister of Lands may renew the said license as from the date of expiry thereof.

**148 Changing purpose of reservation over certain sections
in Pipiriki Township**

Whereas pursuant to subsection two of section twelve of the Maori Townships Act 1895, and section eleven of the Native Townships Act 1910, the lands hereinafter described were reserved for recreation purposes: And whereas it is desirable that the said lands should be added to the Wanganui River Trust Domain and placed under the control of the Wanganui River Trust: Be it therefore enacted as follows:—

- (1) The reservation for recreation purposes over the lands hereinafter described is hereby cancelled, and the said lands are hereby declared to be a public domain for the purposes of Part 2 of the Public Reserves and Domains Act 1908, and shall be deemed to form part of the Wanganui River Trust Domain as constituted pursuant to section nine of the Wanganui River Trust Act 1891.
- (2) The lands to which this section relates are more particularly described as follows:—

All that area in the Wellington Land District, containing by admeasurement seventeen acres three roods twenty-nine perches, more or less, being Sections 1, 2, and 10 of Block IV of the Pipiriki Township: bounded towards the north-east by Sections 11 and 3 of Block IV aforesaid; towards the south by the Paparoa Road; towards the south-west by the said Paparoa Road, and by Section 9 of Block IV aforesaid; towards the north-west to the point of commencement by the Akapuka Road.

**149 Authorizing Domain Board of Taihape Oval Domain to
borrow \$8,000**

[Repealed]

Section 149 was repealed, as from 29 August 1923, by section 64(2) Reserves and other Lands Disposal and Public Bodies Empowering Act 1923 (1923 No 35).

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

150 Changing purpose of reservation over Section 37, Block XVI, Apiti Survey District

Whereas by Warrant dated the seventeenth day of December, eighteen hundred and ninety-eight, and published in the *Gazette* of the twentieth day of December, eighteen hundred and ninety-eight, Section 37, Block XVI, Apiti Survey District, in the Wellington Land District, containing twenty-five acres two roods, was set apart as a ferry reserve: And whereas the land is not required for the purpose for which it was reserved, and it is desired that such purpose be changed to that of a scenic reserve: Be it therefore enacted as follows:—

The reservation for ferry purposes of Section 37, Block XVI, Apiti Survey District, in the Wellington Land District, is hereby cancelled, and the said land is hereby declared to be reserved for scenic purposes and to be subject to the provisions of the Reserves Act 1977.

A reference to Reserves and Domains Act 1953 was substituted, as from 1 April 1954, for a reference to the Scenery Preservation Act 1908 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).

151 Authorizing Palmerston North Borough Council to sell certain lands, and providing for application of proceeds of such sale

Whereas in accordance with section one hundred and seventeen of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1915, the piece of land (therein more particularly described) being part of Section 310, containing four acres one rood thirty-nine perches, was vested in the Mayor, Councillors, and Burgesses of the Borough of Palmerston North (hereinafter called the Corporation) as a borough endowment: And whereas by section fifty-one of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1919, the piece of land (therein more particularly described), being other part of said Section 310, containing four acres one rood, was vested in the Corporation as a reserve for the purpose of gasworks and general municipal purposes, subject to certain rights of the Manawatu and West Coast Agricultural and Pastoral Association in the said section fifty-one mentioned: And

whereas it is desired to authorize the Corporation to sell the said pieces of land as hereinafter mentioned, and apply the proceeds of such sale in manner and for the purposes hereinafter mentioned: Be it therefore enacted as follows:—

- (1) The Corporation may sell the said pieces of land (subject as to lands secondly hereinbefore described to the said rights of the Manawatu and West Coast Agricultural and Pastoral Association) or any part or parts thereof respectively either for cash or on such terms as to payment of the purchase-money by instalments (with interest thereon) as the Corporation may decide.
- (2) Upon payment of the purchase-money and interest (if any) the Corporation may transfer the said pieces of lands to the purchaser or purchasers.
- (3) The proceeds of the sale may be applied by the Corporation in the purchase or acquisition of other lands within or beyond the Borough of Palmerston North for the purposes of gasworks and in the purchase and erection of retorts, gasometers, machinery, plant, appliances, and fittings in connection with such gasworks, and generally in the improvement of the said lands so purchased.

152 Authorizing funds of Nelson and Richmond Baptist Churches held on special trusts to be applied to general church purposes

Whereas a fund of nine hundred and fifteen dollars and forty cents is now held by Thomas Pettit (of Nelson), William Hart and Charles Glidewell (both of Richmond), upon certain religious trusts in connection with the Baptist faith: And whereas the instrument declaring the said trusts has been lost and great uncertainty exists as to the terms thereof: And whereas it is expedient to make provision for the disposal of the said fund: Be it therefore enacted as follows:—

The said fund of nine hundred and fifteen dollars and forty cents and the income thereof now in the hands of the said trustees, or hereafter to be received by them, and the investments representing the same, shall be held by the said Thomas Pettit, William Hart, and Charles Glidewell upon trust to apply the same for the general purposes of the Nelson

Baptist Church and the Richmond Baptist Church in shares proportionate to the respective membership of such two churches at the date of the passing of this Act.

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

153 Conferring certain powers on trustees of late James Gammack

Whereas the lands hereinafter described are vested in the trustees for the time being of the will of James Gammack, late of Springston, in the Provincial District of Canterbury (deceased), but without power of sale or gift being conferred upon such trustees by such will: And whereas it is proposed by the trustees, with the consent of the beneficiaries interested in such lands, to make the following dispositions of the said lands, that is to say: (a) To give Lot 1 to the Corporation of the Springs County as a site for a war memorial; (b) to give Lot 2 to the Education Board of the District of Canterbury for the purpose of a school; (c) to sell Lot 3 and invest the proceeds arising from such sale in trust for the beneficiaries according as they are entitled to the same in the terms of the said will: Be it therefore enacted as follows:—

- (1) The Governor-General may, by Order in Council, authorize the trustees for the time being of the will of the said James Gammack (deceased), subject to such conditions as the Governor-General shall think fit, to give Lot 1 as aforesaid to the Corporation of Springs County for the purpose of a war memorial, and to give to the Education Board of the District of Canterbury Lot 2 as aforesaid for the purpose of a school-site, and to sell Lot 3 as aforesaid and to invest the proceeds of such sale for the benefit of the beneficiaries according as they are entitled to the same under the said will.

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

Lot 1: All that piece or parcel of land situate in the Leeston Survey District, containing by admeasurement twenty-two and three-tenths perches, being portion of Rural Section 3053 on the map of the Chief Surveyor of the Canterbury

Land District, and being bounded as follows: Commencing at a point on the northern side of the road which forms the southern boundary of the said Rural Section 3053, distant 1247.3 links from the south-west corner of that section; thence north-easterly, bearing $24^{\circ} 35' 30''$, for a distance of 103 links; thence south-easterly, bearing $100^{\circ} 31'$, for 50 links; thence south-easterly again, bearing $100^{\circ} 36'$, for a distance of 79.45 links; thence south-westerly, bearing $193^{\circ} 6' 30''$, for a distance of 100.1 links to the northern side of the above-mentioned road; thence north-westerly along the northern side of this road, bearing $100^{\circ} 36'$, for a distance of 75 links; thence north-westerly again, bearing $100^{\circ} 31'$, continuing along the side of the said road for a distance of 75 links to the commencing-point.

Lot 2: All that piece or parcel of land, containing by admeasurement two acres, being part of Rural Section 3053 on the map of the Chief Surveyor of the Canterbury Land District, and bounded as follows: Commencing at a point on the road forming the southernmost boundary of the said Rural Section 3053, 227 links from the south-west corner thereof; thence south-easterly, following the said road, 500 links; thence north-easterly, following a line parallel to the road forming the westernmost boundary of the said rural section, 410 links; thence north-westerly along a line parallel to the above first-mentioned road, 500 links; and thence south-westerly along a line parallel to the road forming the westernmost boundary of the said rural section, 410 links, to the commencing-point: be all the aforesaid dimensions a little more or less:

Lot 3: (a) All that piece or parcel of land situate in the Leeston Survey District, containing by admeasurement one acre and thirty-five perches, more or less, being Lot 14 on a plan deposited in the Land Registry Office, at Christchurch, as No 5565, being part of Rural Section 3043, and being part of the land comprised in certificate of title, Volume 329, folio 138; (b) all that parcel of land, containing by admeasurement three roods twenty-three perches, situated in the District of Ellesmere, being Lots 72 and 100 on deposit plan 105 of the Ellesmere District, being parts of Rural Section 5950, and

being the whole of the land in certificate of title, Volume 25, folio 33, in the Land Register of the District of Canterbury.

154 Authorizing carrying-out of a road-straightening scheme formulated by Christchurch Tramway Board, Christchurch City Council, and Waimairi County Council

Whereas it is expedient and for the safety of the public that a certain corner of the public highway, known as Buxton's Corner, situate on the New Brighton Road at Shirley, near Christchurch, should be straightened by closing certain portions of the said highway and of Cresswell Avenue, and substituting a straighter highway therefor: And whereas the Waimairi County Council, the Christchurch City Council, and the Christchurch Tramway Board have formulated a scheme for the carrying-out of such work, under which certain lands shall be acquired by the Christchurch Tramway Board, which Board shall form, construct, and dedicate a new highway in substitution for those purposed to be closed: And whereas there is no authority under the Public Works Act 1908, or the Tramways Act 1908, for the carrying-out of such scheme: Be it therefore enacted as follows:—

- (1) Notwithstanding anything in the Public Works Act 1908, or the Tramways Act 1908, or any other Act, the Waimairi County Council, the Christchurch City Council, and the Christchurch Tramway Board are hereby authorized to carry out such scheme as aforesaid for the straightening of the New Brighton Road.
- (2) It shall be lawful to close those portions of the New Brighton Road and of Cresswell Avenue as are delineated on the plan marked L and S 13/90/14, deposited at the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured green, and to vest same in the Christchurch Tramway Board.
- (3) The Christchurch Tramway Board may acquire by agreement or in the manner provided by the Public Works Act 1908, those several parcels of land coloured yellow on the said plan.
- (4) The Christchurch Tramway Board may form, construct, and dedicate as a public highway the proposed highway shown on the said plan and thereon bordered red, and sell or otherwise dispose of such portions of the said New Brighton Road and Cresswell Avenue as shall be closed pursuant to the power

conferred as aforesaid and of any lands acquired as aforesaid as shall not be required for the construction and dedication of such highway.

155 Closing portion of road and vesting same in Ellesmere County Corporation

Whereas portion of the road fronting Sections 9267, 9308, and 9294, Block IX, Southbridge Survey District, Canterbury Land District, which is two chains or thereabouts in width, is not required for road purposes: And whereas the Ellesmere County Council and all the adjoining owners have agreed to the closing of part of the said road: And whereas it is desirable to close the said portion and vest the same in the Corporation of the County of Ellesmere: Be it therefore enacted as follows:—

- (1) That portion of road hereinafter described is hereby closed, and the land comprised therein is hereby vested in the Corporation of the County of Ellesmere as an endowment, with power to lease the same on such terms and conditions as the Ellesmere County Council may deem advisable.
- (2) The portion of the road hereby closed is more particularly described as follows:—

All that area in the Canterbury Land District, containing by admeasurement six acres three roods thirty-three perches, more or less, being portion of a road in Block IX, Southbridge Survey District: commencing at a point in continuation of the south-eastern side of Jollie's Road 104.1 links from the original south-western corner of Section 9267; thence in a south-easterly direction parallel to and one chain distant from the original south-western boundaries of Sections 9267, 9308, and 9294 a total distance of 7425.9 links; thence due southward to the boundary of Reserve 3047, 89 links; thence in a north-westerly direction along the north-eastern boundaries of Reserves 3047, 18319, 18213, 9330, a piece of Crown land, and 19164 to a point in line with the south-eastern side of Jollie's Road; thence north-easterly along such line 104 links to the point of commencement: excepting thereout six strips of the existing road, one chain in width, between the said north-eastern boundaries and the one-chain road reserve remaining (for which allowance has been made in the area),

and more particularly located as follows—(a) between a line 60 links on the south-eastern side of the continuation of the south-east boundary of Lot 15 of deposit plan 6253 (being a subdivision of Section 9294) and a line 40 links to the north-westward of the said continuation and parallel thereto; (b) adjoining on the south-eastern side the continuation of the north-western boundary of the land in certificate of title, Volume 103, folio 165; (c) on the north-western side of the last-described strip and distant one chain therefrom and parallel thereto; (d) adjoining on the south-eastern side the continuation of the north-western boundary of Section 18213; (e) adjoining on the south-eastern side the continuation of the north-western boundary of Section 9330; (f) adjoining on the south-eastern side the continuation of the south-eastern boundary of Section 19164: as the same is more particularly delineated on plan L and S 22/3158, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured green.

156 Authorizing Ashburton County Council to dispose of certain land to Ashburton Electric-power Board, and for that purpose closing portion of a street

Whereas the Corporation of the Ashburton Borough is the owner in fee-simple of Reserve 772 (formerly Town Sections 45, 46, and 47), situated in the Borough of Ashburton, as shown on certificate of title, Volume 80, folio 250, in the office of the District Land Registrar, Christchurch: And whereas the Ashburton County Council is desirous of disposing of the said reserve, or part thereof, to the Ashburton Electric-power Board for the purpose of erecting a substation and other buildings thereon: And whereas, for the purpose of providing more suitable boundaries for certain sections upon which the Ashburton Electric-power Board proposes to erect a substation and other buildings, it is expedient to close a certain portion of Terrace Street adjoining Reserve 772: Be it therefore enacted as follows:—

- (1) The Ashburton Borough Council is hereby empowered to dispose of the whole or any part of Reserve 772 to the Ashburton Electric-power Board.

(2) Notwithstanding anything in Section 190 of the Municipal Corporations Act 1920, that portion of Terrace Street hereinafter described is declared to be stopped, and to be land available for disposal by the Ashburton Borough Council to the Ashburton Electric-power Board under subsection one of section one hundred and ninety-one of the Municipal Corporations Act 1920.

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

All that area in the Canterbury Land District, containing by admeasurement three roods twelve perches, and being Reserve 772 (formerly Town Sections 45, 46, and 47), situated in the Borough of Ashburton: bounded towards the north-east by Kermode Street, 300 links; towards the south-east by Town Sections 44 and 48, 500 links; towards the south-west by Dobson Street, 30 links; and towards the north-west by Terrace Street, 568.2 links: as the same is more particularly delineated on plan L and S 13/90/14, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red:

All that area in the Canterbury Land District, containing by admeasurement two roods eight and three-fifths perches, being Reserve 772X, formerly part of Terrace Street, situated in the Borough of Ashburton: bounded towards the north-east by the remaining part of the said street, 103.1 links; towards the south-east by Reserve 772, 568.2 links; towards the south-west by Dobson Street, 113.6 links; and towards the north-west by Reserve 1923, 539.5 links: as the same is more particularly delineated on plan marked L and S 13/90/14, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered yellow.

**157 Authorizing Oamaru Athenæum and Mechanics'
Institute to lease certain land**

[Repealed]

Section 157 was repealed, as from 25 November 1947, by section 38(7) Local Legislation Act 1947 (1947 No 56).

158 Including certain closed roads in Molyneux Commonage Reserve*[Repealed]*

Section 158 was repealed, as from 29 September 1939, by section 22(5) Reserves and other Lands Disposal Act 1939 (1939 No 23).

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

| No | Description of Land. | Purpose for which Land reserved. | Instrument of Reservation. |
|----|--|--|---|
| 1 | Allotment 81A, Whangape Parish, in the Auckland Land District, containing 4 acres 3 roods 35 perches, more or less | Public cemetery | Notice in <i>Gazette</i> , 4th January, 1900. |
| 2 | Allotment 82A, Whangape Parish, in the Auckland Land District, containing 5 acres, more or less | Public cemetery | Notice in <i>Gazette</i> , 20th February, 1896. |
| 3 | Section 2A, Block I, Ohura Survey District, in the Taranaki Land District, containing five acres two roods, more or less | Recreation reserve and domain, subject to provisions of Part 2 of the Public Reserves and Domains Act 1908 | Notice in <i>Gazette</i> , 2nd March, 1911, and Order in Council in <i>Gazette</i> , 2nd April, 1914. |

| No | Description of Land. | Purpose for which Land reserved. | Instrument of Reservation. |
|----|--|----------------------------------|---|
| 4 | Sections 41, 43, 45, 60, 61, Town of Livingstone (Block VII, Ongo Survey District), in the Wellington Land District, containing 9 acres 1 rood 32 perches, more or less | Municipal | Notice in <i>Gazette</i> , 20th December, 1908. |
| 5 | Section 58, Town of Livingstone (Block VII, Ongo Survey District), in the Wellington Land District, containing 3 roods 29 perches, more or less | Public buildings | Notice in <i>Gazette</i> , 20th December, 1908. |
| 6 | All that parcel of land in the Wellington Land District, containing by admeasurement 25 perches, more or less, being Lots 5 and 6, Te Aro Foreshore, City of Wellington: bounded towards the north-east by Allotments 36 and 37 on plan No 394, deposited in the office of the District Land Registrar, at Wellington, 186.72 links; towards the south-east by Taranaki Street, 93.13 links; towards the south-west by Reserve 9 and Section 215, 28.8 links and | Site for police-station | Notice in <i>Gazette</i> , 23rd July, 1914 |

| No | Description of Land. | Purpose for which Land reserved. | Instrument of Reservation. |
|----|--|----------------------------------|--|
| | 161.86 links; towards the north-west by Lots 4 and 3, 79.3 links: be all the aforesaid linkages a little more or less: as the same are delineated on the plan marked L. and S. 55285/34, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red. | | |
| 7 | Section 60, Block II, Steeples Survey District, in the Nelson Land District, containing 4 acres 2 roods 18 perches, more or less | Cattle - landing place | Notice in Nelson Provincial Gazette, 17th February, 1872, page 17. |
| 8 | All that area in the Nelson Land District, containing 20 acres, more or less, and being part of Provisional State Forest NM 46, situated in Block VIII of the Harapaki Survey District: commencing at a point on the edge of the forest where it is intersected by line running due east from Trigonometrical Station Sub C; thence proceeding | Provisional State forest | Notice in Gazette, 8th July, 1920. |

| No | Description of Land. | Purpose for which Land reserved. | Instrument of Reservation. |
|----|---|---|--|
| | due east to a point 2000 links from the said Station Sub C; thence due north to the edge of the forest; and thence in a south-westerly direction along the edge of the forest to the point of commencement: as the same is delineated on the plan marked L and S 4/350, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered green | | |
| 9 | Section No 1A, Block X, Wakamarina Survey District, in the Marlborough Land District, containing an area of 101 acres 1 rood 30 perches | Resting-place for stock | Notice in Marlborough Provincial Gazette, 23rd December, 1863. |
| 10 | All that area in the Canterbury Land District, containing by admeasurement 6 acres 2 roods, more or less, and being part Reserve 394, situated in Block XIV, Bealey Survey District: bounded towards the north-east by the Waimakariri River, | Provincial Government and other public purposes | Notice in Canterbury Provincial Gazette, 17th February, 1866. |

| No | Description of Land. | Purpose for which Land reserved. | Instrument of Reservation. |
|----|--|--|---|
| | and by other part of the said Reserve 394, 1201 links; towards the south by Reserve 3286, 545.5 links; and towards the north-west by Reserve 1264, 1480 links: excepting thereout the Main West Coast Road, one chain in width, intersecting the above-described block: as the same is more particularly delineated on the plan marked L and S 6/3/269, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red. | | |
| 11 | Reserve 155, Block III, Kanieri Survey District, in the Westland Land District, containing 28 acres 3 roods, more or less | Resting - place and commonage for cattle | Notice in <i>Gazette</i> , 8th March, 1877.— |
| 12 | that area in the Wellington Land District, containing by admeasurement 135 acres, more or less, being part of Waharangi No 2 Block, and being part of Section 11, Block XI, Rarete Survey District, bounded as follows: | Preservation of scenery | Proclamation in <i>Gazette</i> , 17th August, 1911, taking these lands under the Public Works Act |

| No | Description of Land. | Purpose for which Land reserved. | Instrument of Reservation. |
|----|---|----------------------------------|--|
| | Towards the north and north-east generally by other part of the said Section 11 and Section 17 of Block XI, Rarete Survey District, 4683.4 links; towards the east by part Section 3 of the said Block XI, 5036.7 links; towards the south and south-west generally by the Wanganui Valley Road, and by other part of the said Section 3, 4064.6 links; and towards the west by other part of the aforesaid Section 11, 3264.4 links: as the same is more particularly delineated on the plan numbered 82/13, deposited in the Wellington District Office of the Department of Lands and Survey, and thereon bordered red | | 1908, and the Scenery Preservation Act 1908. |