

# **Tokomaru Freezing-Works Site Act 1909**

Local Act 1909 No 9  
Date of assent 3 December 1909

## **Contents**

	Page
Title	1
Preamble	1
1 Short Title	2
2 Lands vested in Public Trustee	2
3 District Land Registrar for Poverty Bay authorised to issue certificate of title	3
4 Public Trustee shall transfer to company the lands vested in him upon certain shares being allotted to him	3
5 Maori Land Court to determine ownership of lands, and Public Trustee to allot shares	3

---

**An Act to vest a Portion of the Tawhiti No 1A and a Portion of the Tawhiti No 1F Blocks respectively in the Public Trustee, to enable the said Lands to be transferred to the Tokomaru Sheep-farmers' Freezing Company (Limited).**

### **Preamble**

WHEREAS the Tokomaru Sheep-farmers' Freezing Company (Limited), of Tokomaru Bay (hereinafter called the company), is about to commence business at Tokomaru Bay, in the County of Waiapu, and for that purpose is desirous of erecting freezing-works and accessories thereto at Tokomaru Bay aforesaid: And whereas the Native owners of the Tawhiti No 1A and of the Tawhiti No 1F Blocks respectively have agreed to sell to the company the said portion of the said Tawhiti No 1A and portion of the said Tawhiti No 1F Blocks respectively at the price of forty dollars per acre for

fifty-five acres of the said land and of fifty dollars per acre for the balance of the land, such moneys to be paid by fully-paid up shares in the company bearing a preference dividend from the profits at the rate of six dollars per centum per annum as from the date of the sale of the said land to the company: And whereas the said Native owners and the company are desirous of having the said sale completed as rapidly as possible so as to enable the said works to be commenced: And whereas, owing to the large number of Native owners in the aforesaid blocks and to the various statutes dealing with alienation of lands by Natives, a transfer of the said lands from the said Native owners to the company could be obtained only with great delay and expense: And whereas it is desired, in order to save such delay and expense, to vest the lands in the Public Trustee in order that he may transfer the said lands to the company on behalf of the Native owners, in accordance with the agreement hereinbefore referred to:

The references to “forty dollars” and “six dollars” were substituted, as from 10 July 1967, for references to “twenty pounds” and “six pounds” pursuant to section 7(1) and (2) Decimal Currency Act 1964 (164 No 27).

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

**1 Short Title**

This Act may be cited as the Tokomaru Freezing-works Site Act 1909.

**2 Lands vested in Public Trustee**

The portions of the Tawhiti No 1A and of the Tawhiti No 1F Blocks respectively shown in the plan deposited in the Lands Registry Office at Gisborne under Number 1565, and comprising an area of eighty-seven acres two roods twenty-nine perches, are hereby vested in the said Public Trustee for an estate in fee-simple absolutely free from any conditions, restrictions, or limitations imposed either by the statutes affecting lands owned by Natives, or by any Order in Council made in pursuance of any such statutes, or by any document of title affecting the said lands. And for the purposes of this Act the Public Trustee is hereby empowered

to hold the land hereinbefore described in fee-simple free from any conditions, restrictions, or limitations as aforesaid.

**3 District Land Registrar for Poverty Bay authorised to issue certificate of title**

In order to give effect to the provisions of this Act, the District Land Registrar for the Land Registration District of Poverty Bay is hereby authorised and directed, upon written application being made to him by the Public Trustee, with a copy of this Act attached thereto, to issue a certificate of title under the provisions of the Land Transfer Act for the land hereinbefore described, free from any restrictions as aforesaid, in the name of the Public Trustee, and no warrant other than the said application and the copy of this Act shall be necessary for the issue of the said certificate of title as aforesaid.

**4 Public Trustee shall transfer to company the lands vested in him upon certain shares being allotted to him**

The Public Trustee shall, upon having allotted to him shares in the company of a face value equivalent to the value of the said lands, valued upon a basis of forty dollars per acre for fifty-five acres and fifty dollars per acre for the balance of the said lands, transfer to the company the lands hereby vested in him; and the District Land Registrar for the Land Registration District of Poverty Bay is hereby authorised and directed to accept and register such transfer on presentation thereof for registration.

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

**5 Maori Land Court to determine ownership of lands, and Public Trustee to allot shares**

The Maori Land Court shall have jurisdiction to ascertain and determine who were the owners of the said lands immediately prior to the passing of this Act, and in what shares or proportion they were entitled thereto, and as soon as the same shall be so ascertained and determined the Public Trustee shall

transfer the said shares and pay and distribute any income that may have arisen therefrom accordingly.

The reference to the Maori Land Court was substituted, as from 27 November 1947, for a reference to the Native Land Court by section 9(2)(a) Maori Purposes Act 1947 (1947 No 59).