

## NEW ZEALAND.



QUADRAGESIMO

## VICTORIÆ REGINÆ.

No. LXXIX.

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## ANALYSIS.

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| <p>Title.<br/>Preamble.<br/>1. Short Title.<br/>2. Lands in First and Second Schedules to be endowment for Borough of Napier.<br/>3. All lands heretofore vested in Superintendent of Hawke's Bay to be vested in Mayor, Councillors, and Burgesses of Napier.</p> | <p>4. Powers of the Borough of Napier in respect of lands described in First Schedule.<br/>5. Powers of the Borough of Napier in respect of lands described in Second Schedule.<br/>6. Mortgages not prejudicially affected by this Act.<br/>Schedules.</p> |
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AN ACT to vest in the Mayor, Councillors, and Burgesses of the Borough of Napier certain Lands in the said Borough. Title.  
[30th October, 1876.]

WHEREAS the inhabitants of the Town of Napier have been created a Corporation, under the name of "The Mayor, Councillors, and Burgesses of the Borough of Napier:" And whereas it is expedient that the lands described in the First and Second Schedules hereunder written should be vested in the said Corporation, for the purposes and with the powers hereinafter mentioned: Preamble.

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

1. The Short Title of this Act shall be "The Napier Borough Endowments Act, 1876." Short Title.

2. All the lands described in the First and Second Schedules in this Act are hereby declared to be an endowment for the use benefit and improvement of the Borough of Napier. Lands in First and Second Schedules be endowment for Borough of Napier.

3. Such of the said lands as before the passing of this Act shall have been granted by the Crown, and shall have been vested in the Superintendent of the Province of Hawke's Bay, whether subject to any trusts or for any purposes or not, shall, from and after the passing of this Act, vest for an estate in the fee-simple, without any conveyance, in "The Mayor, Councillors, and Burgesses of the Borough" All lands heretofore vested in Superintendent of Hawke's Bay to be vested in Mayor, Councillors, and Burgesses of Napier.

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of Napier” and their successors, for such purposes as are mentioned in the second section of this Act, and freed and absolutely discharged from any trusts or purposes to which the same were made subject by the grants under which the same are held by the Superintendent; and such of the said lands as shall not before the passing of this Act have been granted by the Crown shall, on the passing of this Act, be granted to “The Mayor, Councillors, and Burgesses of the Borough of Napier,” for the purposes mentioned in the second section of this Act.

Powers of the Borough of Napier in respect of lands described in First Schedule.

4. “The Mayor, Councillors, and Burgesses of the Borough of Napier,” in respect of the lands described in the First Schedule, and any other lands for the time being held by them under the provisions of this Act, may from time to time exercise all or any of the powers following, that is to say,—

- (1.) May raise money by mortgage or debenture without power of sale, and subject to and with such powers covenants and stipulations as they may think fit.
- (2.) May demise or lease for any term not exceeding thirty-five years, without fine or foregift, or let from year to year or otherwise, and with or without any special conditions.
- (3.) May lay out roads through the said lands.
- (4.) May dedicate any part or parts of such lands for public or for recreation purposes.
- (5.) May erect any buildings on the said lands or on any part thereof.

Powers of the Borough of Napier in respect of lands described in Second Schedule.

5. The said Mayor, Councillors, and Burgesses of the Borough of Napier may from time to time, in respect of the land described in the Second Schedule, exercise all or any of the powers following, but none other, that is to say,—

- (1.) May enclose, lay out, and plant the same or any part thereof.
- (2.) May dedicate such land or any part thereof for public or for recreation purposes.

Mortgages not prejudicially affected by this Act.

6. Nothing contained in this Act shall prejudicially affect any lien mortgage or encumbrance heretofore made or now subsisting in respect of the said lands or any of them.

Schedules.

## SCHEDULES.

### FIRST SCHEDULE.

#### RESERVES, BOROUGH OF NAPIER.

RESERVE originally set apart as a site for Town Hall and Court House, containing 5 acres 3 roods, more or less. Bounded towards the North-east by Faraday Street, 500 links; towards the South-east and South by Wellesley Road, 750 links and 925 links respectively; and towards the North-west by Carlyle Street, 1550 links.

Portion of reserve known as the “Market Reserve,” Section No. 603, Town of Napier, containing 2 roods 2 poles, more or less. Bounded on the North-west by Tennyson Street, 205 links; on the North-east by Hastings Street, 250 links; on the South-east by Emerson Street, 205 links; and on the South-west by a public street (unnamed), 250 links.

Part of reserve on which the Supreme Court House and Athenæum are situated, containing 1 rood 23 poles, more or less. Bounded towards the North by a line easterly, 210 links; towards the East by the Beach Road, 286 links; towards the South by Tennyson Street, 93 links; towards the West by Herschel Street, 249 links.

Reserve Section No. 553, Town of Napier, containing 2 roods 20 poles, more or less. Bounded on the East by the Beach Road, 250 links; on the South by Section No. 554, 250 links; on the West by Hastings Street, 250 links; on the North by Section No. 312, 250 links.

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Reserve Section No. 568, Town of Napier, containing 1 rood 19 poles, more or less. Bounded on the East by Hastings Street, 514 links; on the South-west by Munroe Street, 550 links; on the North by Section No. 313, 192 links.

Reserve Section No. 569, Town of Napier, containing 2 roods 12 poles, more or less. Bounded on the North by Section No. 314, 264 links; on the South-west by Wellesley Road, 292 links; on the South by Section No. 570, 220 links; on the North-east by Munroe Street, 200 links.

Reserve Section No. 575, Town of Napier, containing 3 roods 16 poles, more or less. Bounded on the North by Section No. 574, 216 links; on the East by Hastings Street, 811½ links; on the South-west by Wellesley Road, 838 links.

Reserve Section No. 576, Town of Napier, containing 2 roods 26 poles, more or less. Bounded on the North-east by a road, 594 links; on the West by Wellesley Road, 549 links; on the South by Section No. 577, 242 links.

Reserve Section No. 587, Town of Napier, containing 1 rood 8 poles, more or less. Bounded on the North by Hardinge Road, 146 links; on the East by Section No. 478, 213 links; on the South by Waghorn Street, 146 links; on the West by Section No. 479, 207 links.

Section No. 598, Town of Napier, containing 1 rood, more or less. Bounded on the North by Section No. 597, 228 links; on the East by Crown lands, 110 links; on the South by a reserve, Section No. 599, 228 links; on the West by the West Quay, 110 links.

Section No. 600, Town of Napier, containing 1 rood, more or less. Bounded on the North by a reserve, Section No. 599, 228 links; on the East by Crown lands, 110 links; on the South by Section No. 601, 228 links; on the West by the West Quay, 110 links.

Section No. 610, Town of Napier, containing 1 rood 12 poles more or less. Bounded on the North by Lever Street, 331 links; on the East by Colin Street, 100 links; on the South by Section No. 611, 323 links; on the West by a public road, 100 links.

Section No. 613, Town of Napier, containing 1 rood, more or less. Bounded on the North by Section No. 612, 304 links; on the East by Colin Street, 85 links; on the South by Section No. 614, 290 links; on the West by a public road, 86 links.

Section No. 614, Town of Napier, containing 38 poles, more or less. Bounded on the North by Section No. 613, 290 links; on the East by Colin Street, 85 links; on the South by a line westerly, 275 links; on the West by a public road, 86 links.

Section No. 615, Town of Napier, containing 34 poles, more or less. Bounded on the North by a reserve, Section No. 616, 250 links; on the East by a line southerly, 85 links; on the South by a line westerly, 250 links; on the West by Colin Street, 85 links.

Section No. 617, Town of Napier, containing 1 rood, more or less. Bounded on the North by Section No. 618, 250 links; on the East by a line southerly, 100 links; on the South by a reserve, Section No. 616, 250 links; on the West by Colin Street, 100 links.

Section No. 620, Town of Napier, containing 1 rood, more or less. Bounded on the North by a reserve, Section No. 621, 250 links; on the East by a line southerly, 100 links; on the South by Lever Street, 250 links; on the West by Colin Street, 100 links.

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SECOND SCHEDULE.

RESERVE known as "Clive Square," containing 3 acres 32 poles, more or less. Bounded on the North-east by a public road or street, 800 links; on the South-east by Thackeray Street, 400 links; on the South-west by a public road or street, 800 links; and on the North-west by Tennyson Street, 400 links.

Reserve for Botanical Gardens, containing 12 acres, more or less. Bounded towards the North by Goldsmith Road and Chaucer Road; towards the East by the Burial-ground Reserve; towards the South by Spenser Road; towards the West by Lawrence Road and Spenser Road.

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