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*This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES and having this day passed as now printed is transmitted to the LEGISLATIVE COUNCIL for its concurrence.*

*House of Representatives,  
1st September, 1875.*

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

(*Sir G. Grey.*)

## Auckland City Endowments and Reserves.

### ANALYSIS.

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Preamble.	roads. (6.) Dedicate for recreation purposes.
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First Schedule. (1.) Sale. (2.) Exchange.	Schedules.

### A BILL INTITULED

AN ACT to vest in the Mayor, Councillors, and Citizens of the City of Auckland certain Endowments and Reserves in the said City. Title.

WHEREAS the several allotments of land described in the First Schedule to this Act were, on the sixteenth day of March, one thousand eight hundred and fifty-eight, granted by His Excellency the Governor under the powers conferred on him by an Act of the General Assembly of New Zealand, intituled "The Public Reserves Act, 1854," to the Superintendent of the Province of Auckland and his successors, upon trust for the improvement and benefit of the City of Auckland: And whereas the inhabitants of the City of Auckland have since been created a Corporation under the name of "The Mayor, Councillors, and Citizens of the City of Auckland": And whereas it is expedient that the said allotments of land should now be transferred to the said Corporation, with the powers hereinafter mentioned: And whereas it is also expedient that the several allotments of land, being Public Reserves described in the Second Schedule to this Act, should be vested in the said Corporation, for the purposes 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 Auckland City Endowments and Reserves Act, 1875." Short Title.

Land in Schedules vested in Corporation.

2. All the land described in the First and Second Schedules to this Act are hereby vested for an estate in fee simple in "The Mayor, Councillors, and Citizens of the City of Auckland, and their successors, as an endowment for the improvement and benefit of the said city.

Powers of Corporation in respect of lands in First Schedule.

3. The Mayor, Councillors, and Citizens, in respect of the lands described in the said *First* Schedules, 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:—

Sale.

(1.) May sell the said lands or any of them.

Exchange.

(2.) May exchange for other lands in fee simple, and either pay or receive money for equality of exchange.

Mortgage.

(3.) 1.) May raise money by mortgage or debenture with or without power of sale, and subject to and with such powers covenants and stipulations as they may think fit.

Lease.

(4.) 2.) May demise or lease for any term not exceeding ninety-nine years, without fine or foregift, or let from year to year or otherwise, and with or without special conditions.

Lay out roads.

(5.) 3.) May lay out roads through the said lands.

Dedicate for recreation purposes.

(6.) 4.) May dedicate any part or parts of such lands for public or for recreation purposes.

(5.) *Provided that no person shall be liable to see to the application of any money paid by him, or accountable for the mis-application or non-application thereof.*

#### *Erase Clause 4.*

Money received from sales &c. to be invested in other lands.

4. All money received from sales and by way of equality of exchange shall be, as soon as conveniently may be, invested in the purchase of other lands in fee simple, and all lands so purchased shall be subject to the provisions of this Act in like manner as though the same had been included in the said Schedules: Provided that no persons purchasing exchanging mortgaging or leasing shall be liable to see to the application of any money paid by him, or accountable for the misapplication or non-application thereof.

#### *New Clause 4.*

4. The said Mayor, Councillors, and Citizens may from time to time, at their discretion, in respect of the land described in the Second Schedule, exercise all or any of the powers following, but none other:—

(1.) May enclose lay out and plant the same or any part thereof.

(2.) May erect any buildings for ornamental purposes, but not for making a profit therefrom.

Nothing to affect prior lease &c.

5. Nothing in this Act contained shall prejudicially affect any lease, mortgage, or other encumbrance heretofore made and now subsisting in respect of the said lands or any of them, nor shall impair or prejudicially affect the provisions of an Act of the Provincial Council of Auckland intituled "The City of Auckland Loan Empowering Act, 1874," whereby the said Corporation is authorized to borrow the sum of fifty thousand pounds, nor any thing whatever done or authorized to be done under the said Act or under the powers thereby conferred.

Schedules.

## SCHEDULES.

### FIRST SCHEDULE.

1. A portion of Allotment No. 1 of Section No. 3, containing by admeasurement one rood and twelve perches (more or less); being bounded on the North by Fore Street, one hundred and sixty-eight links; on the East by other portions of said Allotment No. 1, two hundred and eight links; on the South by Shortland Street, one hundred and forty-six links; and on the West by Queen Street, two hundred and four links.

2. Section No. 31, containing by admeasurement six acres and ten perches (more or less); being bounded on the North by Wellesley Street, seven hundred and sixteen links; on the East by Queen Street, four hundred and seventy links; on the South-east by Grey Street, five hundred links; on the South by Cook Street, four hundred and ninety-five links; and on the West by Albert Street, nine hundred and twenty-five links.

3. Section No. 35, containing by admeasurement one acre two roods and thirty-two perches (more or less); being bounded on the North-west and North by Mount Street, two hundred and seventy-two links and three hundred and eighty-four links; on the East and South-east by Symonds Street, nineteen links and six hundred and seventeen links; on the South by a line thirty links; and on the South-west by Wakefield Street, four hundred and seventy-one links.

4. Section No. 50, containing by admeasurement seven acres and three roods (more or less); being bounded on the North-west by Picton Street, one thousand five hundred and eighty-eight links; on the East by Hepburn Street, one thousand three hundred and seventy-five links; on the South by Ponsonby Road, one thousand one hundred and sixty links.

5. A portion of Section No. 51, containing by admeasurement thirteen acres two roods and twenty-five perches (more or less); being bounded on the North by Lot No. 11, five hundred and four links; on the West by Lots Nos. 10 and 11, three hundred links; again on the North by Smith-street, in a curve, and on the North-east by a street four hundred and ten links; on the East by a line one hundred and ninety-five links; on the South-east by Hopetoun Street, nine hundred and sixty-two links; on the South by Ponsonby Road, five hundred and ninety links; again on the West by Lots Nos. 18 and 19, three hundred and thirty-one links; again on the South by Lot No. 18 aforesaid, two hundred and fifty links; and again on the West by Hepburn Street, eight hundred and forty-one links.

6. Section No. 52, containing by admeasurement fourteen acres and two roods (more or less); being bounded on the North by Beresford Street, one thousand four hundred and fifty links; on the North-east by Howe Street, six hundred and sixty-five links; on the South-east and South-west by Smith Street, in a curve; and on the West by Hepburn Street, seven hundred and thirty-three links.

7. Section No. 53, containing by admeasurement eight acres (more or less); being bounded on the North-east by Howe Street, four hundred and thirty-three links; on the South-east by Karangahape Road, five hundred and thirty-three links and five hundred and fifty-six links; on the South by Ponsonby Road, eight hundred and thirty links, and on the North-west by Hopetoun Street, one thousand and seventy-eight links and five hundred and sixty links.

#### SECOND SCHEDULE.

1. Lot No. 39 of Section No. 39, containing by admeasurement one rood (more or less); being bounded on the North-west by Sale Street, two hundred and ninety links; on the North-east by Lot No. 21 of same section, one hundred and seventy-five links; and on the South by Cook Street, three hundred and thirty links.

2. Lot No. 36 of Section No. 42, containing by admeasurement thirty-four perches (more or less); being bounded on the North by Cook Street, three hundred and fourteen links; on the South-east by Lot No. 28 of same section, one hundred and ninety-seven links; and on the South-west by Union Street, two hundred and twenty links.

3. Lot No. 14 of Section No. 35, containing by admeasurement twenty-one perches (more or less); being bounded on the North by a street, one hundred and ninety-five links; on the East by Symonds Street, two hundred and thirty links; and on the West by Wakefield Street, in a curve, three hundred and fifty-one links.

#### *Add to Second Schedule.*

4. Lot No. 23 of Section No. 24, containing by admeasurement one rood and fourteen perches (more or less); being bounded on the North-west by Drake Street, three hundred and sixty links; on the North-east by Lot 22 of same section, one hundred and ninety-two links; and on the South-east by Wellesley Street, three hundred and sixty-four links.

5. Lot No. 57 of Section No. 29, containing by admeasurement thirty one perches (more or less); being bounded on the East by Queen Street, two hundred and eighty links; on the South by Lot No. 1 of same section, one hundred and thirty-five links; and on the West by Grey Street, three hundred and twelve links.

6. Lot No. 85 of Section No. 36, containing by admeasurement twenty-four perches (more or less); being bounded on the North-east and East by Wakefield Street, in a curve two hundred and fifty-five links; on the South-west by Edwardes Street, two hundred links; and on the North-west by Lots Nos. 72 and 84 of same section, one hundred and forty-two links. Subject to any right of road, if any exist, over the same.