

1541

Mr. W. F. Buckland.

[LOCAL BILL.]

ONE-TREE HILL RESERVES.

ANALYSIS.

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A BILL INTITULED

AN ACT to convert certain Reserves at One-Tree Hill into a Public Domain. Title.

5 WHEREAS the reserve known as One-Tree Hill, situate between Auckland and Onehunga, and consisting originally of about one hundred and ~~fifty-four~~ *forty-one acres and thirty perches*, was, from about the year one thousand eight hundred and forty-eight to the year one thousand eight hundred and sixty-four, open as a public ~~run~~ *commonage* under "The Crown Lands Ordinance, 1849," for grazing of stock of the Hundred of Onehunga and the Epsom District, but was taken possession of by the Colonial Government during the Waikato war and enclosed as a paddock for ~~Commissariat~~ *horses military purposes*: And whereas *for a short term* subsequently it again ~~for a short term~~ became a public common, but, on the occasion of the award to Mr. James Busby in settlement of his land claims, this reserve, together with a ~~vast~~ number of other parcels of land throughout the Province of Auckland, was, by a Proclamation of his Honour Superintendent Williamson, made ~~an education~~ *a Provincial Government* reserve, and was subsequently included as an educational reserve in the Schedule of "The Common Schools Act, 1869," of the Auckland Provincial Legislature, and granted under that Act: And whereas it is desirable that *so much of* the said reserve *as has been allocated for an educational endowment, consisting of ninety-nine acres two roods twenty perches, and the twenty-six acres one rood twenty perches given by Dr. Campbell in exchange for an equal portion of the Hill, and also allocated for an educational endowment, and described in the Second Schedule of this Act,* should now be restored to ~~its~~ *the* original purpose of a reserve for the public, and ~~that it~~ should be changed from an education reserve into a recreation reserve, and brought under the operation of "The Public Domains Act, 1881," "The Public Reserves Act, 1881," and "The Public Reserves Act 1881 Amendment Act, 1885,"

~~in order that it may be laid out, planted, and improved under the said Acts and placed under the control of the Board hereinafter mentioned: And whereas a portion of the original One-Tree Hill Reserve, to wit, fifteen acres and twenty perches, has been recently made a recreation reserve, and the management thereof delegated by Order in Council of the eighth day of February, one thousand eight hundred and eighty-six, to a Board consisting of the member for the Manukau, the Mayor of Onehunga, the Chairmen of the One-Tree Hill, Mount Roskill, and Epsom Highway Districts, William Gardner, and Alexander Aitken; and it is desirable that the education reserves at One-Tree Hill, consisting respectively of ninety-nine acres two roods twenty perches, and twenty-six acres one rood twenty perches, should be changed into recreation reserves, and dealt with under "The Public Domains Act, 1881," "The Public Reserves Act, 1881," and "The Public Reserves Act 1881 Amendment Act, 1885," and be managed by the Board of Trustees named above, and it is desirable that the other two lots herein referred to, and described in the First and Second Schedules of this Act, should be brought under the management of the said Board:~~

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

## Short Title.

1 The Short Title of this Act is "The One-Tree Hill Reserves Act, 1886."

*Struck out.*

~~2. It shall be lawful for the Governor upon the passing of this Act, by writing under his hand, to cancel the existing grants of the education reserves at One-Tree Hill, described in the First and Second Schedules to this Act.~~

## Reserve to be managed by One-Tree Hill Domain Board.

~~3. 2. Upon the said cancelling of the grants the land described in the First Schedule shall become a recreation reserve, and Notwithstanding any grant or other appropriation which may have been made of the lands described in the First and Second Schedules of this Act for educational purposes, the said lands are hereby declared to be public reserves set apart for recreation purposes, and shall be subject to the operation of "The Public Domains Act, 1881," "The Public Reserves Act, 1881," and "The Public Reserves Act 1881 Amendment Act, 1885," and be managed by the One-Tree Hill Domain Board, constituted by Order in Council of the eighth day of February, one thousand eight hundred and eighty-six, for the management of the recreation reserve described in the Third Schedule of this Act. Provided nevertheless that in respect to the land described in the Second Schedule hereto shall on ceasing to be an education reserve become a recreation reserve and be managed by the said Board, save and except that it may be by them laid out and from time to time offered for building leases offer the same by public auction on lease for building purposes in lots of not less than a quarter of an acre, for any term not exceeding sixty-six years, the rent and profits to be applied to the improvement of the land described in the First and Third Schedules hereto.~~

*New clause.*

## Act deposited with Land Registrar evidence of title.

3. A copy of this Act shall be deposited with the District Land Registrar at Auckland in his office, and shall be sufficient evidence of the appropriation of the lands herein mentioned to the aforesaid purposes.

5. 4. Nothing in this Act contained shall give the said Board any power to interfere with the rights of the lessee, Dr. John Logan Campbell, in regard to the land described in the *First* Schedule hereto, or with the rights of the lessees, Messrs. Webb and Moore, in regard to the land described in the *Second* Schedule hereto; but all rents payable by such lessees under their leases shall upon the passing of the Act be handed over to the One-Tree Hill Domain Board, to be applied under the provisions of "The Public Domains Act, 1881," "The Public Reserves Act, 1881," "The Public Reserves Act 1881 Amendment Act, 1885," and this Act.
6. 5. It shall not be lawful for the said Board to sell or alienate the fee-simple of any of the reserves described in the Schedules hereto, or any portion of these reserves.

Rights of lessees not to be interfered with.

Reserves inalienable.

## SCHEDULES.

Schedules.

### FIRST SCHEDULE.

#### THE HILL.

ALL that parcel of land in the Provincial District of Auckland, containing by admeasurement 99 acres 2 roods 20 perches, more or less, situate in the Parish of Waitemata, and being Allotment No. 11 of Section 12 of the Suburbs of Auckland. Bounded towards the North-east generally by lines, 383 links, 167 links, 976 links, and 3148 links respectively; towards the South-east by a line Allotment No. 12, 4735 links; and towards the West generally by lines, 1184 links, 1635 links, and 1370 links respectively, to the commencing-point: be all the aforesaid linkages more or less; as the same is delineated on Plan No. 680, deposited in the Survey Office at Auckland.

### SECOND SCHEDULE.

#### LAND GIVEN IN EXCHANGE BY DR. CAMPBELL FOR PORTION OF THE HILL.

ALL that parcel of land in the Provincial District of Auckland, containing by admeasurement 26 acres 1 rood 20 perches, more or less, situate in the Parish of Waitemata, and being a portion of Allotment No. 13 of Section No. 12 of the Suburbs of Auckland. Bounded towards the North-east by a line, 1025 links; towards the South-east by lines, 1547 links and 1256 links respectively; towards the South-west by a public road and a line, 1060 links; and towards the North-west by a public road and Allotment No. 11, 2387 links, to the commencing-point.

### THIRD SCHEDULE.

#### PRESENT RECREATION RESERVE.

ALL that parcel of land containing by admeasurement 15 acres and 30 36 perches, more or less, situate in the Survey District of Otahuhu, Provincial District of Auckland, being Lot No. 54 of Section No. 12 of the Suburbs of Auckland, Waitemata Parish. Bounded towards the North-west by Lot No. 12 of Section No. 12, Suburbs of Auckland, Parish of Waitemata, 1455 links; towards the North-east by Lot No. 55 11 of the said section aforesaid, 1055 links; towards the South-east by a public road, 1465 links; and towards the South-west by a public road, 1173 1170 links: be all the aforesaid linkages more or less.