

*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,*

*21st October 1942.*

*Mr. Cotterill*

WANGANUI CITY COUNCIL VESTING AND  
EMPOWERING AMENDMENT

[LOCAL BILL]

ANALYSIS

Title.	3. Revesting other lands upon original purposes.
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A BILL INTITULED

AN ACT to amend the Wanganui City Council Vesting and Empowering Act, 1924. Title.

WHEREAS by deed of trust dated the eighth day of Preamble.  
5 February, nineteen hundred and eleven, a copy of  
which is deposited in the Land Registry Office at  
Wellington as No. 222, made between David Peat,  
of Wanganui, farmer, of the one part, and the  
Mayor, Councillors, and Burgesses of the Borough of  
10 Wanganui, of the other part, the lands particularly  
described in the First Schedule to the Wanganui City  
Council Vesting and Empowering Act, 1924, were  
declared to be vested in the Mayor, Councillors, and  
Burgesses of the Borough of Wanganui as from the said  
15 eighth day of February, nineteen hundred and eleven,  
upon trust as a place for the recreation and enjoyment  
of the children attending the primary schools of the said  
Borough of Wanganui, in the way of affording them  
recreation, enjoyment, pleasure, and instruction, and  
20 other similar benefits and advantages of that nature,  
as the Mayor, Councillors, and Burgesses of the  
Borough of Wanganui should from time to time con-  
sider best: And whereas by section three of the

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said Act, part of the said lands—namely, the lands particularly described in the Second Schedule to the said Act—were as from the date of the passing of the Act, and are now, vested in the Corporation of the City of Wanganui for an estate in fee-simple for the purposes of public recreation and instruction freed and forever discharged from all or any trusts created or intended to be created by such deed of trust: And whereas by section four of the said Act authority was given for the issue to the Corporation of the City of Wanganui of a title under the Land Transfer Act, 1915, for the lands particularly described in the said Second Schedule, but no such title has been issued: And whereas by section five of the Wanganui City Council Vesting and Empowering Act, 1924, the residue of the lands described in the said First Schedule—namely, the lands described in the Third Schedule to the said Act—were as from the date of the passing of the Act, and are now, vested in the Corporation of the City of Wanganui as a place for the recreation, enjoyment, pleasure, and instruction of the children of the inhabitants for the time being of the City of Wanganui: And whereas by section six of the said Act the lands particularly described in the Fourth Schedule to the said Act were declared to be set aside as from the date of the passing of the said Act to be held by the Corporation of the City of Wanganui as a place for the recreation, enjoyment, pleasure, and instruction of the children of the inhabitants for the time being of the City of Wanganui: And whereas it is desirable that the lands referred to in the said deed of trust be held upon the trusts contained in the deed and that certain of the lands described in the said Fourth Schedule be held by the Corporation for the purposes for which it was held prior to the passing of the said Act:

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. This Act may be cited as the Wanganui City Council Vesting and Empowering Amendment Act, 1942, and shall be read together with and deemed part of the Wanganui City Council Vesting and Empowering Act, 1924 (hereinafter referred to as the principal Act).

Revesting  
certain lands  
upon original  
trusts

2. (1) The lands particularly described in the First Schedule to the principal Act shall, as from the date of the passing of this Act, revest in the Corporation for an estate in fee-simple upon trust as a place for the recreation and enjoyment of the children attending the primary schools of the City of Wanganui, in the way

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of affording them recreation, enjoyment, pleasure, and instruction, and other similar benefits and advantages of that nature, as the Council shall from time to time consider best, and in all respects upon and subject to  
5 the terms and provisions set out in the deed of trust dated the eighth day of February, nineteen hundred and eleven, a copy of which is deposited in the Land Registry Office at Wellington as No. 222, made between  
10 David Peat, of Wanganui, farmer, of the one part, and the Mayor, Councillors, and Burgesses of the Borough of Wanganui, of the other part.

(2) Sections three, four, and five of the principal Act and the Second and Third Schedules to the principal Act are hereby repealed. Repeal.

15 **3.** (1) The land particularly described in the Schedule to this Act shall, as from the date of the passing of this Act, revert in the Corporation for an estate in fee-simple, to be held by the Corporation for the purposes for which it was held prior to the passing  
20 of the principal Act, and freed and forever discharged from the purposes declared by section six of the principal Act.

*Revesting other lands upon original purposes.*

(2) The Fourth Schedule to the principal Act is hereby amended by omitting therefrom all words before  
25 the word "Secondly".

**4.** (1) The provisions of Part XXIV of the Municipal Corporations Act, 1933, shall, save where inconsistent with the principal Act, apply to the lands secondly, thirdly, fourthly, and fifthly particularly  
30 described in the Fourth Schedule to the principal Act.

*Application of Part XXIV of Municipal Corporations Act, 1933.*

(2) This section is in substitution for section seven of the principal Act, and that section is hereby accordingly repealed.

*Repeal.*

**5.** Section four of the Wanganui City Council  
35 Empowering and Enabling Act, 1925 is hereby repealed.

*Repeal of power to grant leases.*

SCHEDULE.

*Schedule.*

ALL that piece of land situate in the City of Wanganui, containing by admeasurement 1 acre 3 roods 10 perches, more or less, being part of Lots Nos. 1, 5, and 6, and the whole of Lots Nos. 2, 3, and 4, on Deposited Plan 1120, being part of Reserve "J," Town of Wanganui, and being part of the land comprised and described in certificate of title, Volume 21, folio 111. Bounded on the north-west by Dublin Street, commencing at a distance of 21.21 links from the junction of Dublin and Pitt Streets, 370 links; on the north by other part of the said Lot No. 5, 100 links; on the north-east by Somme Parade, commencing at a distance of 90 links from the junction of Dublin Street and Somme Parade, 765 links; on the south-east by other part of the said Lot 1, 28 links; on the south-west by Pitt Street, commencing at a distance of 45 links from the junction of Somme Parade and Pitt Street, 676 links; and on the west by other part of the said Lot No. 6, 30 links.