

(Hon. Mr. Fitzherbert.)

# Wellington City Reserves.

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## A BILL INTITULED

AN ACT to provide for the Management of certain Title.  
Parcels of Land in the City of Wellington.

**W**HEREAS by grant from the Crown dated the third day of June Preamble.  
one thousand eight hundred and sixty-one the land firstly described in the First Schedule hereto annexed and hereinafter referred to as the Town Belt was granted to Isaac Earl Featherston then Superintendent of the Province of Wellington in trust for purposes of public utility to the Town of Wellington and its inhabitants And whereas by another grant from the Crown dated the said third day of June one thousand eight hundred and sixty-one the land secondly described in the said First Schedule hereto annexed and hereinafter referred to as

10 the Canal and Basin Reserve was also granted to the said Isaac Earl Featherston Superintendent as aforesaid in trust for purposes of public utility to the town of Wellington and its inhabitants

15 And whereas by an Act of the Superintendent and Provincial Council of the Province of Wellington intituled an Act for the better management of certain parcels of land in the City of Wellington certain provisions were made for the management of the lands granted as aforesaid: And whereas it is expedient that the said recited Act should be repealed and whereas by grant from the Crown dated the twenty-seventh day of October one thousand eight hundred and fifty-

20 two the lands described in the Second Schedule hereunto annexed and hereinafter referred to as the Wesleyan Reserve was granted to James

Watkin Superintendent of Wesleyan Missions for the Province of Wellington and his successors in that office: And whereas the said James Watkin as such grantee acting with the consent of the governing body of the Wesleyan denomination entered into arrangements with the said Isaac Earl Featherston as such Superintendent as aforesaid 5  
for the sale to him of the said land so granted by the said lastly recited deed of grant but such arrangements were never fully carried into effect And whereas doubts have arisen whether the said James Watkin can make a valid title to the said land and it is expedient to remove such doubts And whereas it is expedient to make provision 10  
for the future management of as well of the said lands described in the First Schedule hereunto annexed as of the said Wesleyan Reserve when the same shall have been conveyed to the Superintendent for the time being of the said Province of Wellington as hereinafter provided: 15

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 shall be "The Wellington City Reserves Act 1871." 20

Repeal of Act.

2. The hereinbefore recited Act of the Superintendent and Provincial Council of the Province of Wellington is hereby repealed saving nevertheless to all persons any rights which they may have acquired thereunder.

Land in Second Schedule to be conveyed to the Superintendent.

3. For the purpose of carrying into effect any arrangement for the sale or conveyance of the Wesleyan Reserve to the Superintendent for the time being of the said Province of Wellington the said James Watkin his heirs or assigns shall within six calendar months after the passing of this Act convey to the said Superintendent and his successors the land described in the Second Schedule hereunto annexed and from and after the execution of such conveyance the said land shall be deemed to be absolutely freed and discharged from all trusts theretofore affecting the same. 25  
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Superintendent to convey to Board.

4. The Superintendent for the time being of the said Province of Wellington may with the advice and consent of his Executive Council from time to time convey the whole or any part or parts of the land comprised in the first Schedule hereunto annexed to a Board of Commissioners to be appointed in manner hereinafter mentioned (and hereinafter called the Board) to hold the same to the Board and their successors upon trust for such purposes of public utility to the City of Wellington and its inhabitants and with such powers as shall be declared but no power shall be given to the Board to alienate any part of the said lands otherwise than by lease or for any time or period exceeding twenty one years in possession without any covenant or condition for renewal. 35  
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Constitution of Board.

5. The Board shall consist of two *ex officio* and of three nominated and of four elected Commissioners and at all meetings of the Board three of the Commissioners shall be a quorum.

*Ex officio* members.

6. The *ex officio* Commissioners shall be the Superintendent for the time being of the Province of Wellington and the Mayor for the time being of the Borough of Wellington. 50

Nominated members.

7. The nominated Commissioners shall be such persons as shall from time to time be appointed by the Governor in Council and shall hold office for three years from the date of nomination. 55

Elected members.

8. The elected Commissioners shall be such persons as shall from time to time be elected by the ratepayers of the Borough of Wellington and shall also hold office for three years from the date of election.

Election of elected members.

9. The *ex officio* and nominated members of the Board in the first instance and after the election of the first elected members then the Board shall make all such regulations as may be necessary for the 60

conduct and management of the elections of the members of the Board to be elected as aforesaid and it shall be the duty of the Mayor of the said Borough and he shall have full power at the request of the Board to carry such regulations into effect.

5 10. The Board shall be a body corporate by the name of the Wellington Reserves Commissioners with perpetual succession and a common seal and shall have and possess all such powers as may be necessary for fully giving effect to the trusts and powers declared and contained in any Deed of conveyance to be made them as aforesaid.

Board to be a corporation.

10 11. The Superintendent for the time being of the said Province of Wellington may with the advice and consent of his Executive Council convey to the Governors of the Botanic Gardens created under the provisions of "The Botanic Gardens Act 1869," all or any part of the land described in the Second Schedule hereunto annexed to hold the same unto the said Board of Governors upon trust for such purposes of public utility to the City of Wellington and its inhabitants and with such powers as shall in and by the deed or deeds of conveyance thereof be expressed and declared.

Superintendent to convey to Botanic Garden Governors part of land in second Schedule.

15 12. The said Superintendent may with the advice and consent aforesaid appropriate any part of the said land described in the said second Schedule hereunto annexed to the purposes of a Lunatic Asylum for the Province of Wellington and of grounds to be annexed thereto and may convey the same to Trustees for the purposes of such Asylum in such manner and subject to such conditions as to the said Superintendent with the advice and consent aforesaid shall seem meet.

Superintendent may set apart land for Lunatic Asylum.

SCHEDULES.

FIRST SCHEDULE.

*Town Belt.*

ALL that parcel of land in the Province of Wellington in our Colony of New Zealand situate at and adjoining the Town of Wellington containing by admeasurement one less thousand two hundred and thirty-four acres two roods and eighteen perches more or bounded towards the North by section No 1 Harbour District by section No 28 Karori District two thousand five hundred and seventy-five links by section No 20 Ohiro District one thousand eight hundred and fifty links and by section No 3 Evans's Bay District one thousand one hundred and fifty links towards the east by sections No 1 2 3 4 5 and 6 Evans's Bay District twenty four thousand five hundred and fifty links towards the south by sections No 2 and 5 Town District four thousand links and five thousand links respectively by section No 12 Ohiro District nine hundred and fifty links and one thousand seven hundred and fifty links by section No 11 Ohiro District two thousand three hundred and fifty links and by section No 28 Karori District two thousand two hundred and fifty links towards the West by a public road nine hundred and fifty links by sections No 20 18 15 12 11 10 and the Ohiro road nineteen thousand five hundred and twenty links by sections No 28 29 and 30 Karori District eleven thousand three hundred and fifty links by sections No 1 2 and 3 Kaiwarrawarra District five thousand one hundred links and part of Lambton Harbour excepting always out of the said boundaries the City of Wellington as the same was originally laid out by the New Zealand Company as delineated in a plan appended to the grant thereof.

*Canal and Basin Reserve.*

ALL that parcel of land in the Province of Wellington situate in the Town of Wellington containing by admeasurement fifteen acres more or less bounded towards the North by high water mark about one hundred and thirty-one links and by Sussex Square one thousand one hundred links towards the East by Kent Terrace four thousand and forty links and Sussex Square eight hundred and ninety links and towards the West by Sussex Square eight hundred and ninety links and by Cambridge Terrace four thousand and forty links as the same is delineated on the plan appended to the grant thereof.

SECOND SCHEDULE.

*Wesleyan Reserve.*

ALL that piece or parcel of land situate and being in the town of Wellington in the Province of Wellington and bounded on the North-west South-west and South in an irregular line by the Karori Road two hundred and forty links and two hundred and sixty-six links by the Botanic Gardens three hundred and thirty-nine links and two thousand eight hundred and sixty-five links and by No. 28 Karori District one thousand nine hundred and three links one thousand one hundred and fifteen links and two hundred and eighty-five links towards the East South-east North-east and North by a branch of the Kumutoto stream and an irregular line forming the boundary of the Town Belt six hundred links five hundred and thirty-nine links three hundred and thirty-five links and one hundred and seventy-four links and by the Wesleyan Road one thousand and eighty-eight links and one thousand one hundred and thirteen links the contents being seventy-three acres one rood and twenty-two perches or thereabouts.