

Auckland and Parnell Endowment Lands Act 1895

Local Act 1895 No 3
Date of assent 20 August 1895

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Punakitere Survey District, Hokianga Country

An Act to withdraw from the Operation of “The Land Act, 1885,” certain Endowment Lands of the Borough of the City of Auckland and of the Borough of Parnell respectively.

Preamble.

WHEREAS in virtue of two several agreements made under section two hundred and thirty-seven of “The Land Act, 1885,” certain lands in the Hokianga County set apart as an endowment for the Borough of the City of Auckland, and being Section one, Block V., in the Punakitere Survey District, containing fifteen hundred acres, more or less, and certain other lands in the same county set apart as an endowment for the Borough of Parnell, and being Section two, Block V., in the aforesaid Punakitere Survey District, containing nine hundred and seventy acres, more or less, were respectively declared by the Governor to be subject to the provisions of the aforesaid Act, and were set apart as village homestead special settlements for perpetual leasing under the said Act:

And whereas only the lots enumerated in the Schedule hereto are occupied by lessees, and it is expedient to annul the said agreements:

Be it therefore enacted by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1 Short Title

The Short Title of this Act is “The Auckland and Parnell Endowment Lands Act, 1895.”

2 Endowment lands released from operation of Land Act.

The four several Proclamations, dated respectively the twelfth day of October, and the fourteenth and the sixteenth days of December, one thousand eight hundred and eighty-six, declaring the lands comprised in Section two, Block V., of the Punakitere Survey District, and also the lands comprised in Section one, Block V., of the aforesaid Punakitere Survey District, to be subject respectively to the provisions of “The Land Act, 1885,” and to be open for application as village homestead special settlements for perpetual leasing under the terms and conditions fixed by an Order in Council dated the first day of September, one thousand eight hundred and eighty-six, are hereby revoked, and such of the said lands as are comprised in Section one of the aforesaid Block V., shall, as from and after the first day of January, one thousand eight hundred and ninety-five, be held by the Corporation of the Borough of the City of Auckland, and such of the said lands as are comprised in Section two of the aforesaid Block V., shall, as and from the date last aforesaid, be held by the Corporation of the Borough of Parnell, as if the aforesaid Proclamations respectively had never been made; subject, however, as follows:—

Saving as to existing leases.

- (a.) The several lessees of the lots enumerated in the Schedule hereto shall hold the same upon the terms and conditions upon which they entered into occupation thereof, and shall be deemed to be occupiers of the said lots respectively under the Corporation of the Borough of the City of Auckland, or under the Corporation of the Borough of Parnell, as may be the case, and shall respectively, as from and after, the aforesaid first day of January, pay their respective rents to those respective corporations accordingly; and
- (b.) All powers or authorities exercisable under “The Land Act, 1885,” by the Governor or the Land Board of the Auckland district in respect of any breach of the conditions of occupation of the aforesaid lots, shall be exercisable by the Borough Council of the said City, and by the Borough Council of the Borough of Parnell, as the case may be, in respect of such lots, and the occupiers thereof respectively.

3 Fulfilment of terms of agreement up to 31st December, 1895.

Out of any moneys that may be appropriated by Parliament for the purpose there shall be paid to the Corporations of the aforesaid City and Borough respectively all rents due, up to the thirty-first day of December, one thousand eight hundred and ninety-five, and payable to such Corporations respectively under the agreements mentioned in the recitals hereto, in respect of all the lands described in the said agreements.

Schedule
Punakitere Survey District, Hokianga Country

City of Auckland Endowment.

Name.	Lot.	Section.	Block.	Area.		
				A.	R.	P.
Henry Olson	14	1	V.	45	2	32
Ellis Culshaw Johnson	18	1	V.	50	0	0
Charles Frederick Claason	9	1	V.	9	3	22
Joseph Burgess	32	1	V.	45	2	16
Francis David MacBeth	35	1	V.	27	0	0

Borough of Parnell Endowment.

Name.	Lot.	Section.	Block.	Area.		
				A.	R.	P.
Catherine Ammon	3	2	V.	50	0	0
James Norris	7	2	V.	49	0	0
Joseph Jones	8	2	V.	46	0	0
William Bridge	9	2	V.	46	0	0
Thomas Holt	10	2	V.	45	0	0
Josiah Baker	11	2	V.	45	0	0
Harry Bridge	12	2	V.	44	0	0
William Bridge	17	2	V.	38	0	0
James White	18	2	V.	50	0	0
John Jones	19	2	V.	50	0	0