

# **Auckland Military Reserves Act 1871**

Public Act 1871 No 28  
Date of assent 14 November 1871

## **Contents**

	Page
Title	1
Preamble.	
1 Short Title.	2
2 Land in First Schedule subject to Public Domains Act.	2
3 Land in Second Schedule vested in Superintendent of Auckland.	2
4 Land in Third Schedule vested in Auckland Harbour Board.	2
5 Governor may grant Crown Lands to Harbour Board.	2
6 Harbour Board may lease land but not sell.	2
7 Governor may select land for railway line and terminus.	3
8 Barrack wall not to be destroyed.	3
9 Commencement of Act.	3
<b>FIRST SCHEDULE</b>	<b>4</b>
<b>SECOND SCHEDULE</b>	<b>5</b>
<b>THIRD SCHEDULE</b>	<b>6</b>

**An Act to dispose of the Military Reserves and other Crown Land situate in the City and Suburbs of Auckland.**

### **Preamble.**

WHEREAS certain Waste Lands of the Crown in the City and Suburbs of Auckland were formerly set apart as reserves for the use of the Imperial Government for military purposes and a portion thereof was conveyed by Crown grant to the Secretary of State for War And whereas the said reserves are no longer required for the purposes

for which they were set apart and have been given up by the Imperial Government And whereas it is expedient that the Military Reserves described in the Schedules to this Act should be dealt with in manner hereinafter mentioned And whereas there are certain other Crown Lands in the City and Suburbs of Auckland which it is expedient that the Governor should have power to grant for an endowment of the Harbour of Auckland:

**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 shall be “The Auckland Military Reserves Act 1871.”

**2 Land in First Schedule subject to Public Domains Act.**

All the land mentioned or described in the First Schedule to this Act is hereby declared to be Crown land subject to the provisions of “The Public Domains Act 1860” and “The Public Domains Act Amendment Act 1865.”

**3 Land in Second Schedule vested in Superintendent of Auckland.**

All the land mentioned or described in the Second Schedule to this Act is hereby vested absolutely in the Superintendent of the Province of Auckland his successors and assigns to be used and occupied and let leased and sold in such manner as shall from time to time be provided by Acts to be passed by the Superintendent of the Province of Auckland with the advice and consent of the Provincial Council thereof.

**4 Land in Third Schedule vested in Auckland Harbour Board.**

All the land mentioned or described in the Third Schedule to this Act is hereby vested in the “Auckland Harbour Board” their successors and assigns as an endowment for the Harbour of Auckland.

**5 Governor may grant Crown Lands to Harbour Board.**

It shall be lawful for the Governor to grant or convey to the said Auckland Harbour Board their successors and assigns any Crown Lands situate in the City and Suburbs and bounded on any side by the Harbour of Auckland and also any land in the said harbour below high watermark as an endowment for the Harbour of Auckland and every such grant and conveyance shall be valid and effectual against all persons whomsoever.

**6 Harbour Board may lease land but not sell.**

All other lands which by this Act or otherwise now are or hereafter may be vested in the Auckland Harbour Board and their successors as an endowment for the Harbour of Auckland and not required for harbour and defence purposes may be demised and leased by the said Board and their successors for any term

or number of years for such reasonable rents as can be obtained for the same without taking any fine or premium for the making of any lease and it shall not be lawful for the said Board except as herein provided to dispose of any of the said lands by way of sale lease or otherwise.

**7 Governor may select land for railway line and terminus.**

It shall be lawful for the Governor to cause to be selected pieces of land as a line and terminus for the Auckland and Waikato Railway and for defence purposes on any land now held or hereby conveyed as a Harbour endowment and the lands so selected shall be conveyed for a nominal consideration to Her Majesty the Queen her heirs and successors for the purposes of such railway and terminus.

**8 Barrack wall not to be destroyed.**

Nothing herein contained shall authorize the destruction of the wall surrounding the land referred to in the First Schedule to this Act unless with the express permission of the Governor in Council.

**9 Commencement of Act.**

This Act shall come into operation on a day to be fixed by the Governor by Proclamation in the *New Zealand Gazette* and until that day shall have no force or effect whatever.

**SCHEDULES****FIRST SCHEDULE**

All that piece or parcel of land situate in the City of Auckland known as the Albert Barracks containing by admeasurement twenty-three acres fourteen perches more or less bounded on all sides by the military wall and also all those other four small pieces or parcels of land adjoining thereto coloured pink on the plan deposited in the office of the Secretary of Crown Lands.

Schedules.

**SECOND SCHEDULE**

All that piece or parcel of land situate on the East side of Symonds Street in the Suburbs of Auckland coloured blue on the plan deposited in the office of the Secretary of Crown Lands. Except such portion thereof as is described in Schedule "A" to "The Auckland Reserves Act 1858" and such portions as have been set apart for public roads and as a reserve for the site of a Grammar School.

And all that other piece or parcel of land situate between the Albert Barracks and the military road leading thereto and Victoria Quadrant in the City of Auckland and coloured blue on the plan deposited in the office of the Secretary of Crown Lands.

And also all that other piece or parcel of land situate on the South and West side of the Albert Barracks in the City of Auckland and coloured blue on the plan deposited in the office of the Secretary of Crown Lands.

**THIRD SCHEDULE**

All that piece or parcel of land situate in the City of Auckland and known as the Britomart Barracks bounded on the East by the sea on the West by the Breakwater Road and on the South and South-west by Customhouse Street and Jermyn Street and on the South-east by allotment number twenty of section number eight of the City of Auckland.