Reserves and other Lands Disposal and Public Bodies Empowering Act 1925

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An Act to provide for the Exchange, Sale, Reservation, and other Disposition of certain Reserves, Crown Lands, Endowments, and other Lands, to validate certain Transactions, and to confer certain Powers on certain Public Bodies.

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

1 Short Title

This Act may be cited as the Reserves and other Lands Disposal and Public Bodies Empowering Act 1925.

Part 1
Reserves and other lands disposal.

Cancellation of reservation over certain lands.

2 Reservation over lands described in Schedule cancelled, and lands declared to be Crown lands

The reservation over the several parcels of land described in Schedule 1 to this Act for the several purposes specified in that

Schedule is hereby cancelled, and the said lands are hereby declared to be Crown lands available for disposal under the Land Act 1924.

North Auckland Land District.

3 Reviving occupation-with-right-of-purchase license over Section 10, Block VIII, Whangape Survey District

Whereas the Land Board of the North Auckland Land District, by resolution dated the fourteenth day of December, nineteen hundred and twenty-one, forfeited the interest of Riperata Hunia, wife of Hime Okena, of Whangape, farmer, in occupation license with right of purchase, registered in Volume 218, folio 176, Auckland Land Registry Office, over Section 10, Block VIII, Whangape Survey District, in the said land district, for failure to comply with the conditions of the said license: And whereas notice of such forfeiture was duly published in the *Gazette* of the eleventh day of January, nineteen hundred and twenty-three: And whereas it is deemed expedient to revoke the said forfeiture and to revive the said license: Be it therefore enacted as follows:—

(1) The said notice of forfeiture is hereby revoked.

(2) The said occupation license with right of purchase is hereby revived, and shall be deemed to have continued to operate as if the said forfeiture had not taken place.

(3) The District Land Registrar for the Land Registration District of Auckland, on being requested so to do by the Commissioner of Crown Lands for the North Auckland Land District, is hereby empowered and directed to make such entries in the Register as may be necessary to give effect to the provisions of this section.

4 Authorizing expenditure on Mount Roskill Domain of certain funds of Hillsborough Square Domain Board

Notwithstanding anything in section thirty-seven of the Public Reserves and Domains Act 1908, the amount of the accumulated funds in respect of the Hillsborough Square Domain which at the thirty-first day of December, nineteen hundred and twenty-four, stood to the credit of the Mount Roskill Road Board in its capacity as the Hillsborough Square Domain

Board may be expended by the said Road Board in its capacity as the Mount Roskill Domain Board on the management, administration, and improvement of the Mount Roskill Domain.

5 Reviving lease in perpetuity over Allotment SW 99, Awhitu Parish, and occupation-with-right-of-purchase license over Allotment SE 33, Awhitu Parish

Whereas the Land Board of the North Auckland Land District, by resolution dated the fourth day of June, nineteen hundred and twenty, forfeited the interest of Alexander Campbell in a lease in perpetuity registered in Volume 108, folio 133, Auckland Land Registry Office, over Allotment SW 99, Awhitu Parish, and in occupation license with right of purchase, registered in Volume 222, folio 44, Auckland Land Registry Office, over Allotment SE 33, Awhitu Parish, in the said land district, for failure to comply with the conditions of the said lease and of the said license, and notices of such forfeiture were duly published in the *Gazette* of the tenth day of January, nineteen hundred and twenty-four: And whereas it is deemed expedient to revoke the said forfeitures and to revive the said lease and the said license: Be it therefore enacted as follows:—

(1) The said notices of forfeiture are hereby revoked.

(2) The said lease in perpetuity and the said occupation license with right of purchase are hereby revived, and shall be deemed to have continued to operate as if the said lease and the said license had not been forfeited.

(3) The District Land Registrar for the Land Registration District of Auckland, on being requested so to do by the Commissioner of Crown Lands for the North Auckland Land District, is hereby empowered and directed to make such entries in the Register as may be necessary to give effect to the provisions of this section.

6 Authorizing Governor-General to proclaim as a road certain land in Sections 25 and 26, Block X, Waipoua Survey District, set apart as a provisional State forest

Whereas by Warrant published in the *Gazette* of the twenty-fifth day of November, nineteen hundred and twenty, Sections 12, 25, and 26, Block X, Waipoua Survey District, containing seven hundred and fifty-two acres, were set apart as a provisional State forest: And

whereas the hereinafter-described portions of the said land are required for the purposes of a road: Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary in the Forests Act 1949, the Governor-General may, by Proclamation, proclaim as a road the land hereinafter described.

(2) The land so authorized to be proclaimed as a road is particularly described as follows:—

- All that area of land, comprising one rood twenty-one perches, being portion of Section 25, Block X, Waipoua Survey District, North Auckland Land District.
- Also all that area of land, comprising eight perches, being portion of Section 26, Block X, Waipoua Survey District, North Auckland Land District.

As the same are more particularly delineated on the plan marked L and S 16/1247, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured red.

A reference to the Forests Act 1949 in subsection (1) was substituted, as from 1 January 1950, for a reference to the Forests Act 1921-22 (1921 No 43) pursuant to section 73(1) Forests Act 1949 (1949 No 19).

7 Empowering General Trust Board of Diocese of Auckland to sell certain land to the Crown

Whereas by Crown grant dated the twenty-eighth day of June, eighteen hundred and fifty-nine, and registered in Volume 9A, folio 119, Auckland Land Registry Office, the land hereinafter described was granted to George Augustus, Bishop of New Zealand, and his successors, for ever upon trust, as a site for a church and burial-ground, and as an endowment for a school for the benefit of the aboriginal inhabitants of the Colony of New Zealand: And whereas it is desired that the General Trust Board of the Diocese of Auckland should be empowered to sell the said land to His Majesty: Be it therefore enacted as follows:—

(1) Notwithstanding anything contained in the aforesaid deed of grant, in the Religious Charitable and Educational Trusts Act Amendment Act 1865, or in the Church of England Trusts Act 1913 [*Repealed*], it shall be lawful for the General Trust Board of the Diocese of Auckland, with the consent of the Standing Committee of the General Synod, to sell to His Majesty, at

such price as it may think fit, the land described in subsection five hereof.

(2) The said Board is hereby authorized to execute such instruments as may be necessary to give effect to such sale, and thereupon the said land shall be deemed to be freed from the trusts hereinbefore mentioned.

(3) The proceeds of such sale shall be applied by the said Board to the purchase of other freehold hereditaments in New Zealand, or to effecting permanent improvements to any other hereditaments held on the same trusts as hereinbefore mentioned, or may be invested in any securities for the time being permitted by lawful authority for the investment of trust funds.

(4) All hereditaments purchased under the power given by the preceding subsection shall be held on the trusts hereinbefore mentioned.

(5) The land to which subsection one hereof relates is particularly described as follows:—

All that area, situated at Orakei, in the Parish of Waitemata, North Auckland Land District, being the whole of the land included in the hereinbefore-mentioned grant, containing an area of four acres and thirty-six perches, more or less, and shown as Lots 1, 2, and 3 on plan No 1330P, deposited in the office of the Chief Surveyor, North Auckland Land District.

8 Section 43 of Reserves and other Lands Disposal and Public Bodies Empowering Act 1924, extended

The authority conferred by section forty-three of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1924 to apply the proceeds of the sale of portion of the Pahurehure Domain towards the purchase of the land described in subsection four of the said section forty-three shall extend to authorize the application of the said proceeds towards the purchase of any portion of the said land.

9 Setting apart as recreation reserves parts of a primary-education endowment in Parish of Takapuna

Whereas by notice published in the *Gazette* of the sixteenth day of December, eighteen hundred and seventy-eight, Allotment 180,

Parish of Takapuna, was set apart as an endowment for primary education: And whereas it is desired to set apart as recreation reserves those portions of the said land hereinafter described: Be it therefore enacted as follows:—

(1) The reservation as an endowment for primary education over the lands described in subsection two hereof is hereby cancelled, and the said lands are hereby declared to be reserved for recreation purposes and to be subject to the Reserves Act 1977.

(2) The lands to which subsection one hereof relates are particularly described as follows:—

All that land in the North Auckland Land District, containing by admeasurement twenty-five and one-tenth perches, being portion of Allotment 180, Parish of Takapuna: bounded towards the north by the mean high-water mark of the sea; towards the east by Lot 7 of Allotment 180 aforesaid, 320 links; towards the south by a proposed public road, 50 links; and towards the north by Lot 6 of Allotment 180, 325.75 links.

Also all that land in the North Auckland Land District, containing by admeasurement twenty-five and eight-tenths perches: bounded towards the north by a proposed public road, 50 links; towards the east by Lot 23 of Allotment 180, 316.58 links; towards the south by a proposed public road, 51.56 links; and towards the west by Lot 22 of the same allotment, 329.17 links.

Be all the aforesaid linkages a little more or less; as the same are delineated on plan marked L and S 25/463, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

A reference to the Public Reserves, Domains, and National Parks Act 1928 in subsection (1) was substituted, as from 1 April 1929, for a reference to the Public Reserves and Domains Act 1908 pursuant to section 103 Public Reserves, Domains, and National Parks Act 1928 (1928 No 36). That reference was in turn substituted, as from 1 April 1954, by a reference to the Reserves and Domains Act 1953 pursuant to section 107(1) Reserves and Domains Act 1953 (1953 No 69). That reference was in turn substituted, as from 1 April 1978, by a reference to the Reserves Act 1977 pursuant to section 125(1) Reserves Act 1977 (1977 No 66).

10 Authorizing Governor-General to vest certain land in Auckland Grammar School Board

Whereas Lots 1 to 7 of Allotment 38, Parish of Titirangi, containing in all approximately five acres three roods twenty perches, is vested in His Majesty the King and used for the purpose of a Probation Home for boys: And whereas the said land and the buildings erected thereon are now no longer required for such purpose: And whereas it is expedient that the said land and buildings should be vested in the Auckland Grammar School Board for the purposes of the Auckland Grammar Schools: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in the Public Works Act 1908, or any other Act, the Governor-General, on payment by the said Board of such amount (if any) as may be agreed on between the Minister of Education and the said Board, may, by Warrant under his hand, empower and direct the District Land Registrar for the Land Registration District of Auckland to issue to the said Board a certificate of title in respect of the said land.

11 Authorizing expenditure of certain funds of Otahuhu Domain Board for certain purposes in connection with land vested in Otahuhu Borough Corporation

(1) Notwithstanding anything to the contrary in section thirty-seven of the Public Reserves and Domains Act 1908, the Otahuhu Borough Council may from time to time expend out of the funds accrued and that may hereafter accrue to its credit in its capacity as the Otahuhu Domain Board in respect of that portion of the Otahuhu Domain hereinafter described such sum or sums as the Minister of Lands approves towards the management, administration, and improvement of Lot 16 of small lots near the Village of Otahuhu, Block VI, Otahuhu Survey District, containing an area of three acres one rood, and being land acquired by the said Council for recreation purposes.

(2) The portion of the Otahuhu Domain hereinbefore referred to is more particularly described as follows:—

All that area in the North Auckland Land District, containing by admeasurement five acres, more or less, being Section 19,

Suburbs of Otahuhu: as the same is delineated on the plan marked L and S 1/569, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

12 Making special provision with respect to acquisition by the Crown of Lots 1 and 2 of Allotment 8, Parish of Waitakerei, and as to vesting and control of those lands

Whereas the Crown has agreed to acquire from the Kauri Timber Company (Limited) certain lands in the North Auckland Land District, containing one thousand one hundred and seventy acres one rood twenty perches, more or less, being part of Allotment 8 of the Parish of Waitakerei, and being the whole of the land shown on a plan deposited in the office of the Chief Surveyor for the North Auckland Land District at Auckland under No 23501: And whereas the Auckland City Council has agreed to contribute one-half of the purchase-money for the said lands: And whereas it has further been agreed between the Crown and the Auckland City Council that that portion of the said land which is described in subsection five hereof should be reserved by the Crown for scenic purposes under the provisions of the Scenery Preservation Act 1908, and the control thereof vested in the Auckland City Council; and that that portion of the said land which is described in subsection six hereof should be vested by the Crown in the Auckland City Council as a recreation reserve: Be it therefore enacted as follows:—

(1) It shall be lawful for the Auckland City Council to pay and contribute out of its General Account the sum of twenty-eight thousand dollars towards the purchase-money for the said land and such proportion of the costs of the acquisition and vesting thereof as has been agreed on between the Crown and the Auckland City Council.

(2) On such land becoming vested in His Majesty the Governor-General shall declare the land described in subsection five hereof to be a reserve for scenic purposes under the provisions of the Scenery Preservation Act 1908, and shall vest the control thereof in the Auckland City Council.

(3) The Governor-General may, by Warrant under his hand, authorize and direct the issue of a certificate of title in favour of the Corporation of the City of Auckland for the land described

in subsection six hereof, to be held by the said Corporation as a recreation reserve under the provisions of the Municipal Corporations Act 1920.

(4) No stamp duty or gift duty shall be payable in respect of the hereinbefore-recited agreement or any instrument necessary for the purpose of giving effect thereto, or for the vesting of the land described in subsection six hereof in the Corporation of the City of Auckland.

(5) The land to which subsection two hereof relates is more particularly described as follows:—

All that area in the North Auckland Land District, containing by admeasurement six hundred and fifty-two acres two roods, more or less, being Lot 2 of Allotment 8, Parish of Waitakerei: as the same is more particularly delineated on a plan deposited in the office of the Chief Surveyor of the North Auckland Land District, at Auckland, and numbered 23501.

(6) The land to which subsection three hereof relates is more particularly described as follows:—

All that area in the North Auckland Land District, containing by admeasurement five hundred and seventeen acres three roods twenty perches, more or less, being Lot 1 of Allotment 8, Parish of Waitakerei: as the same is more particularly delineated on a plan deposited in the office of the Chief Surveyor of the North Auckland Land District, at Auckland, and numbered 23501.

The words "twenty-eight thousand dollars" were substituted, as from 10 July 1967, for the words "fourteen thousand pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

13 Exchanging part of Government House grounds at Auckland for land vested in the Council of the University of Auckland

Whereas the land described in subsection three hereof is part of the land set apart for the purposes of a Government House at Auckland: And whereas by the Auckland University College Site Act 1919, the land described in subsection four hereof is part of an area vested in the Council of the University of Auckland in trust as a site for a University: And whereas it is desirable that the land described in sub-

section three hereof should be exchanged for the land described in subsection four hereof: Be it therefore enacted as follows:—

(1) The setting-apart for the purposes of a Government House of the land described in subsection three hereof is hereby cancelled, and the said land is hereby vested in the Council of the University of Auckland in trust as portion of a site for a University and subject to the provisions of the Auckland University College Site Act 1919.

(2) The vesting in the Council of the University of Auckland of the lands described in subsection four hereof in trust as portion of a site for a University is hereby revoked, and the said lands are hereby set apart for the purposes of a Government House.

(3) The land to which subsection one hereof relates is particularly described as follows:—

All that area in the North Auckland Land District, containing by admeasurement ten and eleven-hundredths perches, more or less, being Allotment 4 of Section 6, City of Auckland: commencing at a point distant from Symonds Street 184.15 links on a bearing of 328° 13′ 20″: bounded towards the south-west by Allotment 2 of Section 6, City of Auckland, bearing 328° 13′ 20″, 287.56 links; towards the north-east generally by Allotment 1 of Section 6, City of Auckland, bearing 134° 46′ 30″, 188.98 links, and bearing 171° 10′ 30″, 112.68 links, to the point of commencement: be all the aforesaid bearings and linkages more or less: as the same is delineated on the plan marked L and S 6/6/228, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged green.

(4) The land to which subsection two hereof relates is particularly described as follows:—

All that area in the North Auckland Land District, containing by admeasurement two and sixteen-hundredths perches, more or less, being part of Allotment 2, Section 6, City of Auckland: commencing at a point in Symonds Street: bounded towards the north-east by Allotment 1 of Section 6, City of Auckland, bearing 328° 13′ 20″, 184.15 links; towards the south-west generally by the other part of Allotment 2 of Section 6, City of

Auckland, bearing 171° 10′ 30″, 37.52 links, and bearing 142° 38′ 10″, 150.33 links, to the point of commencement

Also all that area in the North Auckland Land District, containing by admeasurement eight and four-hundredths perches, more or less, being part of Allotment 2, Section 6, City of Auckland: commencing at a point distant from Symonds Street 471.71 links on a bearing of 328° 13′ 20″: bounded towards the north-east generally by Allotment 1 of Section 6, City of Auckland, bearing 328° 13′ 20″, 150.15 links; bearing 310° 34′ 56″, 104.47 links; bearing 306° 24′ 20″, 38.13 links: towards the south-west generally by the other part of Allotment 2 of Section 6, City of Auckland, bearing 142° 45′, 156.69 links, and bearing 134° 46′ 30″, 132.77 links, to the point of commencement.

Be all the aforesaid bearings and linkages more or less: as the same are delineated on the plan marked L and S 6/6/228, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

The words "Council of the University of Auckland" were substituted, as from 16 October 1957, for the words "Auckland University College Council" pursuant to section 5(2) University of Auckland Amendment Act 1957 (1957 No 25).

The word "University" was substituted, as from 16 October 1957, for the words "University College" pursuant to section 4(3) University of Auckland Amendment Act 1957 (1957 No 25).

14 Closing roads in Town of Pakington and validating certain dealings with land comprised therein

Whereas in or about the year nineteen hundred and thirteen it was considered expedient to reclassify the lands comprising the Town of Pakington situated in the Parish of Waiuku East: And whereas though no steps were taken at the time to close a number of roads previously laid off in the said town the land comprised in such roads has been included in sections in connection with which dealings have taken place: And whereas it is expedient that these roads should be closed: Be it therefore enacted as follows:—

(1) The roads as shown in green colour on the plan marked 23519, deposited in the office of the Chief Surveyor, North Auckland Land District, Auckland, and also shown on a copy of the same deposited in the Head Office, Department of Lands and Sur-

vey, at Wellington, and marked L and S 16/1309, are hereby closed, and shall be deemed to have been so closed as from the twenty-sixth day of January, nineteen hundred and fifteen.

(2) The lands comprised within the roads so closed are hereby declared to be and to have been as from the date aforesaid Crown lands available for disposal under the Land Act 1924, or the Land Act 1908, as the case may be, and all dealings with such lands heretofore carried out shall have effect accordingly.

15 Providing for payment of compensation in respect of surrender of lease of education reserve, being Lot 3, Allotment 13, of Section 12, Suburbs of Auckland

Whereas for the purpose of subdividing certain education reserves into allotments suitable for disposal and of providing road access to such allotments it is expedient that the interests in lease of education reserve, Lot 3 of Allotment 13 of Section 12, Suburbs of Auckland, containing an area of two acres two roods twelve perches, should be acquired: And whereas the owner of the said lease and the mortgagees interested in the said lease are prepared to surrender their interests therein: And whereas section four of the Education Reserves Amendment Act 1914 [*Repealed*], provides that the power contained in section three of the Education Reserves Amendment Act 1913 [*Repealed*], to determine the lease of an education reserve for subdivision purposes shall not extend to land which does not exceed fifty acres in area: And whereas in consequence of that provision payment of compensation in respect of such surrender as aforesaid cannot be made pursuant to section three of the Education Reserves Amendment Act 1924: Be it therefore enacted as follows:—

It shall be lawful to pay out of the Ordinary Revenue Account of the Consolidated Fund, without further appropriation than this section, the amount of compensation that the Minister of Education may agree to pay in respect of the surrender of the lease of Lot 3 of Allotment 13 of Section 12, Suburbs of Auckland, and in respect of the surrender of mortgages affecting such lease. Subsections two to five of section three of the Education Reserves Amendment Act 1924 [*Repealed*], shall, with

the necessary modifications, apply with respect to such payment as if it were a payment made pursuant to that section.

16 Authorizing changing of purposes of reservation over certain lands and the vesting of other lands in Corporation of City of Auckland

Whereas by a notice published in the *Gazette* of the thirtieth day of June, eighteen hundred and eighty-one, the land described in subsection three hereof was permanently reserved as a site for a public hall: And whereas the said land is not required for that purpose, and it is desired, with the consent of the Auckland City Council, to reserve it as a site for a public school: And whereas it is desired to secure as a site for a public school the adjoining education reserve described in subsection seven hereof: And whereas, in consideration of the consent being given as aforesaid and of the consent already given by the Auckland City Council to the taking without compensation of land at Mount Eden as a site for training college, it is desired to vest in the Corporation of the City of Auckland the education reserves described in subsections four, five, and six hereof: Be it therefore enacted as follows:—

(1) Subject to agreement being reached between the Minister of Education and the Auckland City Council with respect to the cancellation of the reservation over the area referred to in paragraph (a) of this subsection the Governor-General may—

(a) Cancel the reservation as a site for a public hall over the land described in subsection three hereof and declare the said land to be permanently reserved as a site for a public school:

(b) Cancel the reservation as an endowment for education purposes over the land described in subsection four hereof and vest the said land in the Corporation of the City of Auckland in trust for the purposes of public recreation:

(c) Cancel the reservation as an endowment for education purposes over the land described in subsection five hereof and vest the said land in the Corporation of the City of Auckland as a public road:

(d) Cancel the reservation as an endowment for education purposes over the land described in subsection

six hereof and vest the said land in the Corporation of the City of Auckland in trust as a catchment area for water-supply purposes.

(2) In consideration of the surrender to the Land Board of the lease of the land described in subsection seven hereof it shall be lawful to pay out of the Ordinary Revenue Account of the Consolidated Fund, without further appropriation than this section, the sum of one thousand one hundred dollars as compensation in respect of such surrender. Subsections two to five of section three of the Education Reserves Amendment Act 1924 [*Repealed*], shall, with the necessary modifications, apply with respect to such payment as if it were a payment made pursuant to subsection one of that section.

(3) The land to which paragraph (a) of subsection one hereof relates is particularly described as follows:—

All that area in the North Auckland Land District, containing by admeasurement one acre two roods one perch, more or less, being Allotment 20A of Section 12, Suburbs of Auckland.

(4) The land to which paragraph (b) of subsection one hereof relates is particularly described as follows:—

All that area in the North Auckland Land District, containing by admeasurement one acre, more or less, and being Allotment 30 of Section 4, Suburbs of Auckland.

(5) The land to which paragraph (c) of subsection one hereof relates is particularly described as follows:—

All that area in the North Auckland Land District, containing by admeasurement one rood four and eight-tenths perches, more or less, being Lot 18 of Allotment 83 of Section 16, Suburbs of Auckland.

(6) The land to which paragraph (d) of subsection one hereof relates is particularly described as follows:—

All that area in the North Auckland Land District, containing by admeasurement two hundred and forty-six acres, more or less, being Allotment 63, Parish of Karangahape.

(7) The land to which subsection two hereof relates is particularly described as follows:—

All that area in the North Auckland Land District, containing by admeasurement one acre three roods two perches, more or

less, being Allotment 22A of Section 12, Suburbs of Auckland.

The words "one thousand one hundred dollars" in subsection (2) were substituted, as from 10 July 1967, for the words "five hundred and fifty pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

17 Authorizing Onehunga Borough Council to lease certain lands for quarrying purposes

[Repealed]

Section 17 was repealed, as from 15 March 1938, by section 27(6) Reserves and other Lands Disposal Act 1937 (1937 No 39).

Auckland Land District.

18 Section 102 of Reserves and other Lands Disposal and Public Bodies Empowering Act 1922, amended

(1) Subsection two of section one hundred and two of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1922, is hereby amended by repealing paragraph (b) thereof as amended by paragraph (b) of section 58 of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1924, and substituting the following paragraph:—

"

"(b) The expenses of the Crown and of the Hamilton Domain Board in connection with the assessments or payment of compensation in connection with the taking, under the Public Works Act 1908, of the land described in subsection three hereof, or with any proceedings in a Court of Compensation in respect thereof, may be paid, without any further appropriation than this section, out of the Land for Settlements Account, into which account are payable the moneys derived from lands disposed of pursuant to the preceding paragraph."

(2) Paragraph (b) of section fifty-eight of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1924, is hereby consequentially repealed.

19 Authorizing renewal of a certain timber-floating license in respect of the Waikato River

Whereas on the twenty-sixth day of April, nineteen hundred and six, a timber-floating license was granted under the Tim-

ber-floating Act 1884 [*Repealed*], to Frank Coulthard, of Mercer, to use the course of the Waikato River and the tributaries thereof north of the Atiamuri Bridge to the sea for the term of three years from the twenty-sixth day of April, nineteen hundred and six: And whereas the said license was eventually transferred to the Roose Shipping Company (Limited), a duly incorporated company having its registered office at Mercer: And whereas the said license was renewed from year to year until the twenty-sixth day of April, nineteen hundred and twenty-five: And whereas the aforesaid license has lapsed through the failure of the licensee to apply for a further renewal thereof within the time prescribed in that behalf by the Timber-floating Act 1908 [*Repealed*]: And whereas it is deemed expedient to authorize a further renewal of the said license: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in the Timber-floating Act 1908 [*Repealed*], the Commissioner of Crown Lands for the Auckland Land District is hereby empowered, subject to the approval of the Auckland Land Board, to grant a renewal of the aforesaid timber-floating license for a further period of twelve months from the twenty-sixth day of April, nineteen hundred and twenty-five, subject to such conditions as he may think fit.

20 Authorizing revaluation of certain land in Mangateparu Settlement

An application by the lessee of Section 8, Mangateparu Settlement, in the Auckland Land District, for a revaluation of the land comprised in his lease may, notwithstanding anything to the contrary in subsection six of section two hundred and sixteen of the Land Act 1924, be received at any time not later than the thirty-first day of December, nineteen hundred and twenty-five, and dealt with under that section as if it had been received within the period fixed in that behalf by the said subsection six.

21 Authorizing Governor-General to proclaim as a road portion of Kaingaroa No 1 (State forest reserve)

Whereas the land hereinafter described forms portion of an area which by Proclamation published in the *Gazette* of the first day of December, nineteen hundred and eleven, was permanently set apart as a State forest: And whereas it is desired to utilize the said land for road purposes: Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary in the Forests Act 1921-22, the Governor-General may proclaim as a road the land hereinafter described.

(2) The land to which this section relates is particularly described as follows:—

All that area in the Auckland Land District, portion of Kaingaroa No 1 (State forest reserve), containing by admeasurement twenty-nine acres two roods thirty-seven perches, more or less, situated in Blocks IX and XIII, Kaingaroa Survey District, being a strip, one chain wide, commencing on the Galatea Road and running in a southerly direction generally parallel to and one chain to the east of the western boundary of Kaingaroa No 1 to the northern boundary of Kaingaroa No 1A: as the same is shown coloured green, marked "XY," on the plan numbered 29/5/6, deposited in the Head Office of the State Forest Service, at Wellington.

22 Making special provision as to recouping Swamp Land Drainage Account in respect of moneys expended thereout to improve certain national-endowment land

[Repealed]

This section was repealed, as from 31 December 1926, by section 4(6) Swamp Drainage Amendment Act 1926 (1926 No 58).

Gisborne Land District.

23 Setting apart as a public domain a railway quarry reserve in Block X, Waimata Survey District

Whereas by a Proclamation published in the *Gazette* of the twenty-third day of December, nineteen hundred and eight, pursuant to section twenty-one of the Public Works Act 1908, the land hereinafter described was set apart as a railway quarry reserve: And whereas

it is desired to set apart the said land as a public domain subject to reservation to the Department of Railways of the right to quarry on the said land and to remove stone therefrom: Be it therefore enacted as follows:—

(1) The reservation for the purposes of a railway quarry reserve over the land hereinafter described is hereby cancelled, and, subject to the next succeeding subsection, the said land is hereby declared to be a public domain subject to Part 2 of the Public Reserves and Domains Act 1908.

(2) The right of the Department of Railways to quarry and remove stone at any time from such portion of the said land as may be defined in that behalf by the Minister of Lands and the right of ingress, egress, and regress in the exercise of such right are hereby reserved.

(3) The land to which this section relates is particularly described as follows:—

All that area in the Gisborne Land District, containing by admeasurement twenty-five acres two roods, more or less, being portion of Waihirere No 1 Block, situated in Block X, Waimata Survey District.

24 Setting apart as a public domain a quarry reserve vested in Corporation of Borough of Gisborne

Whereas the land hereinafter described is vested in the Corporation of the Borough of Gisborne for the purpose of a quarry: And whereas it is desired to vest the said land in His Majesty as a public domain subject to reservation to the Gisborne Borough Council of the right to quarry on the said land and to remove stone therefrom: Be it therefore enacted as follows:—

(1) The reservation for the purpose of a quarry over the land hereinafter described and the vesting of the said land in the Corporation of the Borough of Gisborne for the purpose aforesaid are hereby cancelled, and, subject to the next succeeding subsection, the said land is hereby vested in His Majesty as a public domain subject to Part 2 of the Public Reserves and Domains Act 1908.

(2) The right of the Gisborne Borough Council to quarry and remove stone at any time from such portion of the said land as

may be defined in that behalf by the Minister of Lands and the right of ingress, egress, and regress in the exercise of such right are hereby reserved.

(3) The District Land Registrar for the Gisborne Land Registration District is hereby empowered and directed to make such endorsements or memorials on the certificate of title in respect of the aforesaid land as may be necessary to give full effect to this section.

(4) The land to which this section relates is particularly described as follows:—

All that area in the Gisborne Land District, containing by admeasurement thirty acres one rood twenty-two perches, more or less, being portions of Waihirere, Waihirere No 2, and Waihirere No 3 Blocks, situated in Block X, Waimata Survey District, and being all the land comprised in certificate of title, Volume 46, folio 37, in the Register-book of the District Land Registrar at Gisborne.

25 Authorizing sale of Block III, Waiau Survey District, and payment of proceeds to Maori Land Settlement Account *[Repealed]*

The word "Maori" was substituted, as from 27 November 1947, for the word "Native" pursuant to section 2(2) Maori Purposes Act 1947 (1947 No 59).

Section 25 was repealed, as from 20 October 1978, by section 8(3)(a) Reserves and Other Lands Disposal Act 1978 (1978 No 77).

26 Authorizing vesting in Corporation of Opotiki County of Allotment 191B in the Parish of Waiotahi

Whereas the land hereinafter described was by Warrant published in the *Gazette* of the twenty-ninth day of January, nineteen hundred and three, permanently reserved for the purpose of a landing-place: And whereas it is desirable that the said land should be vested in the Corporation of the County of Opotiki in the event of the powers of a Harbour Board in respect of the Ohiwa Harbour being conferred on the Opotiki County Council: Be it therefore enacted as follows:—

(1) On the issue of an Order in Council conferring on the Opotiki County Council the powers of a Harbour Board with respect to the Ohiwa Harbour the Governor-General may, by Order in Council, vest the land hereinafter described in the Corporation

of the County of Opotiki in trust, without power of sale, for the purpose of a landing-place.

(2) If at any time a Harbour Board is constituted to control the Ohiwa Harbour the Governor-General may, by Order in Council, cancel the vesting of the said land in the Corporation of the County of Opotiki and vest the same in trust for the purpose of a landing-place in such Harbour Board.

(3) The land to which this section relates is particularly described as follows:—

All that area in the Gisborne Land District, containing by admeasurement nineteen acres one rood, more or less, and being Allotment 191B in the Parish of Waiotahi, situated in Block XI, Whakatane Survey District, in the Gisborne Land District.

Hawke's Bay Land District.

27 Authorizing issue to Corporation of Hawke's Bay County of certificate of title in respect of certain land in Puketapu Crown Grant District

Whereas in the year nineteen hundred and eight the Hawke's Bay County Council purchased out of moneys standing to the credit of its General Account the land hereinafter described as a site for a stock-paddock: And whereas the said land is no longer required for the said purpose, and the said Council desires to sell it: And whereas the said land was, on the purchase thereof as aforesaid, conveyed to His Majesty the King instead of to the Corporation of the County of Hawke's Bay: And whereas it is desirable to authorize the issue to the said Corporation of a certificate of title in respect of the said land: Be it therefore enacted as follows:—

(1) The District Land Registrar for the Land Registration District of Hawke's Bay is hereby empowered and directed, subject to a Warrant in that behalf under the hand of the Governor-General, to issue to the Corporation of the County of Hawke's Bay a certificate of title in respect of the said land.

(2) The land to which this section relates is particularly described as follows:—

All that land in the Hawke's Bay Land District, containing by admeasurement one acre, more or less, being that portion of Block 41 on the plan of the Puketapu Crown Grant District,

shown as Lot 5 on the plan deposited in the Deeds Register Office at Napier as No 368, and being the land comprised in Index Volume 62, folio 317, in the said office.

28 Authorizing exchange of certain lands between the Crown and Wairoa Borough Council

Whereas by a notice published in the *Gazette* of the fifteenth day of January, eighteen hundred and eighty-five, the land described in subsection two hereof was reserved for the benefit of the Town of Clyde as an endowment in aid of the funds of the Clyde Town Board, and is now vested in the Corporation of the Borough of Wairoa: And whereas by a notice in the *Gazette* of the seventeenth day of February, nineteen hundred and ten, the land described in subsection three hereof was permanently reserved as a police reserve: And whereas it is desired to carry out an exchange of the said parcels of land in the manner hereinafter provided: Be it therefore enacted as follows:—

(1) The Governor-General, on payment by the Wairoa Borough Council of the sum of three hundred and fifteen dollars to the Receiver of Land Revenue for the Land District of Hawke's Bay, may, by Proclamation,—

(a) Revoke the reservation over the land described in subsection two hereof and the vesting of the said land in the Corporation of the Borough of Wairoa as an endowment, and may in like manner declare the said land to be permanently reserved for police purposes:

(b) Revoke the reservation over the land described in subsection three hereof, and declare the said land to be vested in the Corporation of the Borough of Wairoa in trust for recreation purposes.

(2) The land to which paragraph (a) of subsection one hereof relates is particularly described as follows:—

All that area in the Hawke's Bay Land District, containing by admeasurement three acres one rood, more or less, being Section 28, Town of Clyde.

(3) The land to which paragraph (b) of subsection one hereof relates is particularly described as follows:—

All that area in the Hawke's Bay Land District, containing by admeasurement two acres one rood two perches, more or less, being Suburban Section 830, Township of Clyde.

The words "three hundred and fifteen dollars" were substituted, as from 10 July 1967, for the words "one hundred and fifty-seven pounds ten shillings" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

Taranaki Land District.

29 Authorizing renewal of timber-cutting license granted to Matiere Sawmills Company

Whereas by license dated the twenty-third day of January, nineteen hundred and twenty-three, the Matiere Sawmills Company was licensed to cut and remove from Lot 2 of Part Section 1, Block XVI, Aria Survey District, in the Taranaki Land District, certain timber standing thereon: And whereas the said Matiere Sawmills Company failed to apply before the expiry of the said license for an extension of time for the removal of such milling-timber covered by the said license as still remains uncut: And whereas it is desirable that the said license be renewed: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in the Land Act 1924, or the Forest Regulations thereunder, the Minister of Lands may renew the said license as from the date of expiry thereof for such term and subject to such conditions as he may think fit.

30 Schedule 1 to Egmont National Park Act 1924, amended

[Repealed]

Section 30 was repealed, as from 1 April 1953, by section 65(1) National Parks Act 1952 (1952 No 54).

31 Reviving leases in perpetuity over Sections 5 and 10, Block I, Pouatu Survey District

Whereas the Land Board of the Taranaki Land District, by resolution dated the twenty-sixth day of November, nineteen hundred and twenty-four, forfeited the interest of Siegeamundt Schultz in the leases in perpetuity registered in Volume 49, folio 72, and in Volume 77, folio 113, Taranaki Land Registry, over Section 5, Block I, Pouatu Survey District, and over Section 10, Block I, Pouatu Sur-

vey District, in the said land district, for failure to comply with the conditions of the said leases: And whereas notices of such forfeiture were duly published in the *Gazette* of the twenty-third day of January, nineteen hundred and twenty-five: And whereas it is deemed expedient to revoke the said forfeitures and to revive the said leases: Be it therefore enacted as follows:—

(1) The said notices of forfeiture are hereby revoked.

(2) The said leases in perpetuity are hereby revived, and shall be deemed to have continued to operate as if the said forfeiture had not taken place.

(3) The District Land Registrar for the Land Registration District of Taranaki, on being requested so to do by the Commissioner of Crown Lands for the Taranaki Land District, is hereby empowered and directed to make such entries in the Register as may be necessary to give effect to the provisions of this section.

Wellington Land District.

32 Authorizing setting apart as a cemetery of part of Eketahuna Domain

Whereas the land hereinafter described is permanently reserved for recreation purposes, and is subject to the provisions of Part 2 of the Public Reserves and Domains Act 1908, as part of the domain under the control of the Eketahuna Borough Council, acting as the Eketahuna Domain Board: And whereas it is desirable that the said land should be set apart as a site for a cemetery in place of Section 32, Block IX, Mangaone Survey District, which is so set apart, but which is unsuitable for such purpose: Be it therefore enacted as follows:—

(1) The Governor-General may, by Order in Council, cancel the reservation over the said portion of the domain hereinafter described, revoke the vesting of the control thereof in the Eketahuna Borough Council, and, notwithstanding anything to the contrary in the Cemeteries Act 1908, or in any other Act, declare such land to be permanently reserved as a site for a public cemetery, and may vest the same in Trustees for such purpose.

(2) The land to which this section relates is particularly described as follows:—

All that area in the Wellington Land District, containing ten acres one rood four perches, more or less, being Suburban Section No 183, Town of Parkville.

33 Reviving lease in perpetuity over Section 27, Block II, Mount Cerberus Survey District

Whereas the Land Board of the Wellington Land District, by resolution dated the twenty-fourth day of June, nineteen hundred and twenty-four, forfeited the interest of Mary Holdem in a lease in perpetuity registered in Volume 26A, folio 96, Wellington Land Registry Office, over Section 27, Block II, Mount Cerberus Survey District, in the said land district, for failure to comply with the conditions of the said lease: And whereas notice of such forfeiture was duly published in the *Gazette* of the thirty-first day of July, nineteen hundred and twenty-four: And whereas it is deemed advisable to revoke the said forfeiture and to revive the said lease: Be it therefore enacted as follows:—

(1) The said notice of forfeiture is hereby revoked.

(2) The said lease in perpetuity is hereby revived, and shall be deemed to have continued to operate as if the said forfeiture had not taken place.

(3) The District Land Registrar for the Land Registration District of Wellington, on being requested so to do by the Commissioner of Crown Lands for the Wellington Land District, is hereby empowered and directed to make such entries in the Register as may be necessary to give effect to the provisions of this section.

34 Schedule 1 to Reserves and other Lands Disposal and Public Bodies Empowering Act 1924, amended

Whereas by a notice in the *Gazette* of the twenty-third day of August, eighteen hundred and eighty-eight, Section 96, Block V, Kopuaranga Survey District, in the Wellington Land District, containing an area of forty-two acres and thirty-eight perches, was permanently reserved for recreation purposes: And whereas consequent on the wrongful assumption that portion of the aforesaid land was contained in what has been described as Section 96A, Block V, Kopuaranga Survey District, certain errors appear in the items numbered 9 and 10 in Schedule 1 to the Reserves and other Lands Disposal and Public

Bodies Empowering Act 1924: And whereas it is desired to rectify such errors: Be it therefore enacted as follows:—

(1) Schedule 1 to the Reserves and other Lands Disposal and Public Bodies Empowering Act 1924, is hereby amended as from the date of the passing thereof by omitting from the item numbered 9 in that Schedule the reference to the area of the land described therein, and substituting the following reference: "42 acres and 38 perches, more or less."

(2) The cancellation of the reservation over the area described in the item numbered 10 in the said Schedule 1 is hereby rescinded, and shall be deemed never to have had any effect.

(3) The said Schedule 1 is hereby consequentially amended by repealing the item numbered 10.

35 Vesting in the Crown assets of the Mangaone Public Hall Company (Limited)

Whereas the Mangaone Public Hall Company (Limited) is the registered proprietor of all that parcel of land, containing one rood, situate in the Provincial District of Wellington, and being part of Subdivision H, Manchester Block, and part of Section 10 on the subdivisional plan deposited in the District Land Registry Office at Wellington under No 181, and being all the land comprised and described in certificate of title, Register-book, Volume 56, folio 129, Wellington Registry, upon which land is erected a hall known as the Mangaone Public Hall: And whereas the said company is also possessed of certain personal property attached to or used in connection with such hall: And whereas it is impossible to effectively control the affairs of the said company owing to the majority of the shareholders being now deceased or having left the district, and it is desirable to transfer the control of the said hall to the Crown: Be it therefore enacted as follows:—

(1) The land hereinbefore referred to is hereby vested in His Majesty the King and permanently reserved as a site for a public hall, subject to the provisions of Part 1 of the Public Reserves and Domains Act 1908.

(2) The District Land Registrar for the Wellington Land Registration District is hereby empowered and directed to make such endorsements upon the aforesaid certificate of title and to take

such other action as may be necessary to give effect to the foregoing provisions of this section.

(3) All other property of the said company of whatever nature shall as from the passing of this Act become the property of His Majesty the King, and shall be delivered to such person as the Minister of Lands appoints to take possession thereof.

(4) The Registrar of Companies is hereby empowered and directed to strike the said company off the Register of Companies, and it shall not be necessary for the said company to comply with any of the provisions of the Companies Act 1908, with regard to the dissolution or winding up of companies.

36 Validating agreement and lease of railway land at Kakahi Railway-station

Whereas the Tongariro Timber Company (Limited) (hereinafter called the said company) has under and in pursuance of the provisions of section thirty-seven of the Maori Land Laws Amendment Act 1908 [*Repealed*], certain rights under agreements with the Aotea District Maori Land Board with respect to the lands described in such agreements and the timber thereon, and is under obligations to the said Board (*inter alia*) to construct within a certain period a railway (hereinafter called the private railway) from Kakahi Railway-station on the North Island Main Trunk Railway: And whereas by Order in Council published in the *Gazette* of the twenty-seventh day of August, nineteen hundred and twenty-five, the period within which the said company is bound to complete the construction of the private railway is extended for a total period of seven years from the first day of January, nineteen hundred and twenty-five: And whereas by memorandum of agreement (hereinafter referred to as the said agreement) bearing date the first day of September, nineteen hundred and twenty-five, the Minister of Railways did thereby grant to the said company the right of connecting the private railway with the Government railway at Kakahi Railway-station aforesaid: And whereas by deed of lease (hereinafter referred to as the said lease) bearing date the first day of September, nineteen hundred and twenty-five, His Majesty the King, acting through the Minister of Railways, did thereby lease

to the said company a portion of the railway land at Kakahi Railway-station aforesaid: And whereas it is desirable that the said agreement and the said lease should be validated: Be it therefore enacted as follows:—

The Minister of Railways is hereby empowered, and shall be deemed always to have been empowered, to enter into the said agreement and, for and on behalf of His Majesty the King, to grant the said lease, and the said agreement and the said lease shall have effect according to the tenor thereof.

37 Authorizing Governor-General to proclaim as a road lands forming part of a State forest in Akatarawa Survey District

Whereas the lands hereinafter described form parts of a State forest: And whereas it is desired to utilize the said lands for road purposes: Be it therefore enacted as follows:—

(1) Notwithstanding anything in the Forests Act 1921-22, the Governor-General may, by Proclamation, proclaim as a road the lands hereinafter described.

(2) The lands to which the last preceding subsection applies are particularly described as follows:—

All those areas in the Wellington Land District, containing by admeasurement four acres and twenty-seven perches, being portions of Sections 402, 403, 404, 405, 406, 407, 409, 410, and 412, Block II, Akatarawa Survey District; as shown on plan marked L and S 1910/325, and deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon coloured blue.

38 Providing for the closing of the old Ngei Road line intersecting Hapopo Block and for the disposal of the land comprised therein

Whereas on the twenty-fourth day of February, eighteen hundred and eighty-five, a plan of a subdivision of certain land in the Rangitira Block (now known as the Hapopo Block) was deposited in the Land Registry Office at Wellington as No 286: And whereas there was shown on the said plan a road-line of the width of fifty links as forming the southern and south-eastern boundaries of the said land: And

whereas there were also shown on the said plan two road reserves on and to the north of the said road-line: And whereas it was intended that the owners of the land lying to the south and south-east of the said road-line should dedicate as a road a strip of land of equal length and width so as to make one road of a width of one hundred links, but such dedication was not made, and the said road-line shown on the said deposited plan is an impracticable route and has never been formed or used: And whereas the Rangitikei County Council has agreed with the owners of the lands lying to the north and north-west of the said road-line for the vesting in such owners respectively, other than William Barnard Rhodes and William Richard Holmes, of parts of the said road-line bounding their respective properties, and for vesting in one of such owners one of the said road reserves on condition that the said owners should vest in the Corporation of the County of Rangitikei (hereinafter called the Corporation) certain lands required by the said Council for tree-planting purposes, and that the said owners respectively should grant to the Corporation rights of way from such lands to public roads: And whereas in the case of the said William Barnard Rhodes and William Richard Holmes the said Council desires to retain the said road-line between the points marked "D" to "E" on the plan hereinafter mentioned (which part of road-line is uncoloured on the said plan), and also to retain the road reserve (also uncoloured on the said plan), the said part of road-line, and the said road reserve, containing together four acres two roods twenty-two perches: And whereas the said road-line and the said road reserve and the lands to be vested in the Corporation, and the said part of the road-line and the said road reserve to be retained by the Corporation as aforesaid, and the lands over which the Corporation is to have the said rights of way, are shown on a plan deposited in the Head Office of the Department of Lands and Survey at Wellington and numbered L and S 16/1122 (hereinafter referred to as the said plan): And whereas the lands to be given and received are as nearly as may be of equal value respectively: And whereas it is expedient that legislative effect be give to the aforesaid proposals: Be it therefore enacted as follows:—

(1) The Governor-General may, by Proclamation, close the said road or road-line and cancel the reservation over the said two road reserves, and thereupon the area comprised therein shall

not henceforth be deemed to form any part of any public highway.

(2) Upon the issue of such Proclamation the said lands shall vest in fee-simple in the owners named in Part 1 of Schedule 2 to this Act and in the Corporation to the extent mentioned in that Part; and in respect of each owner and of the Corporation such vesting in every of the said cases shall be free of all claims by the owner or owners of the said road-line and road reserves, and free also of all rights of way or other rights over the said road-line and road reserves on the part of purchasers of, or any persons interested in, any lands shown on the said deposited plan No 286.

(3) Upon the issue of the Proclamation aforesaid the lands specified in Part 2 of the said Schedule 2 to this Act and shown on the said plan shall become and be vested in the Corporation in fee-simple, together with rights of way for all purposes over the lands shown as modes of access on the said plan, such rights of way to be appurtenant to the lands to which they afford access as shown on the said plan.

(4) Any lands vested in the Corporation by virtue of this section shall be held by it for tree-planting purposes, and the lands so vested in each of the said owners respectively shall in each case be held by him upon, for, and subject to the same trusts, purposes, encumbrances, and tenancies (if any) as immediately before the coming into operation of this Act affected the lands to be given by him to the Corporation and the lands over which rights of way are to be given by him to the Corporation, as the case may be.

(5) On the vesting of such lands in the Corporation the Council shall erect sufficient fences within the meaning of the Fencing Act 1908, on the north-east and south-east boundaries of the said land hatched yellow, and on the northerly and easterly boundaries of the land hatched blue, and on the north-west boundary (measuring seven hundred and seventy-two links and three-tenths of a link) of the said land hatched red, on the said plan.

(6) No stamp duties shall be payable in respect of any vesting made by this section.

(7) The said Council and all or any of the said owners may execute and do any deeds and things necessary to more fully carry into effect the provisions of this section according to the true intent thereof.

(8) The District Land Registrar for the Wellington Land Registration District, or the Registrar of Deeds for the Wellington Deeds Registration District, as the case may be, shall make all such entries in his Register as shall be necessary to duly record the vestings of lands and rights of way made by this section and the effect generally of this section as regards the title to or the instruments of title in respect of any hereditaments affected thereby.

39 Cancelling reservation over portion of Waverley war-memorial site and vesting same in Crown as a post and telegraph site

Whereas part Section 144, Township of Waverley, containing an area of twenty-two and four-tenths perches, is vested in the Waverley Town Board in trust for a site for a war memorial: And whereas, in consideration of the addition to the said site of a certain portion of the said Section 144 which is at present duly set apart for a site for a telegraph-station and post-office, the Town Board has agreed that that portion of the war-memorial site hereinafter described shall become a reserve for a site for a telegraph-station and post-office: Be it therefore enacted as follows:—

(1) The vesting in the Waverley Town Board as a site for a war memorial of the land described in subsection two hereof and the reservation over the said land for that purpose are hereby cancelled, and the said land is hereby declared to be a reserve set apart as a site for a telegraph-station and post-office.

(2) The land to which the last preceding subsection relates is more particularly described as follows:—

All that area in the Wellington Land District, containing by admeasurement three and ninety-seven hundredths perches, more or less, being part of Section 144, Township of Waverley, and bounded as follows: commencing at a point on the eastern boundary of Section 143, Township of Waverley, 125 links distant from the south-eastern corner of the said section; thence by right lines towards the south, east, and north by other

part of Section 144, for distances of 92 links, 27 links, and 92 links respectively; and towards the west by the aforesaid Section 143, for a distance of 27 links, to the point of commencement: be all the aforesaid linkages a little more or less: as the same is delineated on the plan marked 247/44, deposited in the Wellington District Office, Department of Lands and Survey, and thereon coloured green.

40 Adding portion of a State forest to Tongariro National Park

[Repealed]

Section 40 was repealed, as from 1 April 1953, by section 65(1) National Parks Act 1952 (1952 No 54).

41 Authorizing Ashhurst Domain Board to contribute towards cost of erecting a cottage on a cemetery reserve

Notwithstanding anything to the contrary in section thirty-seven of the Public Reserves and Domains Act 1908, the Ashhurst Domain Board may pay to the Trustees of the Ashhurst Public Cemetery out of the funds accrued or hereafter accruing to the credit of the Ashhurst Domain a sum not exceeding three hundred dollars as a contribution towards the erection of a cottage on the Ashhurst Public Cemetery Reserve.

The words "three hundred dollars" were substituted, as from 10 July 1967, for the words "one hundred and fifty pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

42 Authorizing expenditure on Levin Park Domain of portion of revenue of Levin Domain

Notwithstanding anything in section thirty-seven of the Public Reserves and Domains Act 1908, it shall be lawful for the Levin Borough Council in its capacity as the Levin Park Domain Board to expend on the management, administration, and improvement of the Levin Park Domain such portions of the revenue received by it in its capacity as the Levin Domain Board in respect of the Levin Domain as the Minister of Lands may from time to time approve.

Marlborough Land District.

43 Cancelling existing reservation over Section 119 (Wairau West), Block IX, Cloudy Bay Survey District, and authorizing vesting of portions thereof in Corporation of Marlborough County and Wairau River Board respectively for certain purposes

Whereas by notice in the *Gazette* of the nineteenth day of December, eighteen hundred and ninety-five, Section 119 (Wairau West), Block IX, Cloudy Bay Survey District, was permanently set apart as a ferry reserve: And whereas it is desired to cancel such reservation over the said land and to make provision whereby portions of the same, together with other lands, may be vested in the Corporation of the County of Marlborough and in the Wairau River Board as hereinafter provided: Be it therefore enacted as follows:—

(1) The reservation for the purpose of a ferry reserve over the aforesaid Section 119 is hereby cancelled.

(2)

(a) On payment by the Marlborough County Council of such price (if any) as may be agreed upon between the Minister of Lands and the said Council the Governor-General may, by Order in Council, vest in the Corporation of the said county, for stone-crushing and storage purposes and for afforestation purposes, the lands described in subsection five hereof, subject to such terms and conditions as may be prescribed or imposed in such Order.

(b) On the making of such Order in Council the said Council may remove to the land thereby vested in the said Corporation the cottage standing on Section 1 of 119, Block IX, Cloudy Bay Survey District.

(3) On payment by the Wairau River Board of such price (if any) as may be agreed upon between the Minister of Lands and the said Board the Governor-General may, by Order in Council, vest in the said Board, for river protection purposes and afforestation purposes, the lands described in subsection six hereof, subject to such terms and conditions as may be prescribed or imposed in such Order.

(4) If at any time the said Council or the said River Board fails to comply to the satisfaction of the Minister of Lands with any of the terms or conditions so prescribed or imposed, the Governor-General may, by Order in Council, revoke the vesting in the said Corporation or in the said River Board, as the case may be, of any lands vested pursuant to this section, and thereupon the said lands shall revert to His Majesty as Crown land available for disposal under the Land Act 1908.

(5) The lands to which subsection two hereof relates are particularly described as follows:—

Firstly, all that area in the Marlborough Land District, containing by admeasurement twenty-four acres one rood, being Section 3 of 119, Wairau West, Block IX, Cloudy Bay Survey District, and bounded as follows: towards the north by a public road, 2257.6 links; towards the east by Section 116, Wairau West, 1307.5 links; towards the south by Section 4 of 119, Wairau West; and towards the west by a public road, 850.1 links: be all the aforesaid measurements more or less.

Secondly, all that area in the said district, containing by admeasurement thirty-three acres, more or less, being Section 3, Block IX, Cloudy Bay Survey District, and bounded as follows: towards the north-west by a public road along the present south bank of the Wairau River; towards the south-east by the public road along the original south bank of the Wairau River; and towards the south-west by the main road from Blenheim to Nelson: as the same are delineated on the plan marked L and S 6/9/28, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered green.

(6) The lands to which subsection three hereof relates are particularly described as follows:—

Firstly, all that area in the Marlborough Land District, containing by admeasurement forty-seven acres, more or less, being Section 1 of 119, Wairau West, Block IX, Cloudy Bay Survey District, and bounded as follows: towards the north by a public road along the original south bank of the Wairau River; towards the east by the main road, Blenheim to Nelson, 1580.9 links; towards the south partly by a public road, 1370 links, and partly by Section 4 of 119, Wairau West; and towards the

west and north-west partly by a public road along the original south bank of the Wairau River, and partly by Section 5 of 119: be all the aforesaid measurements more or less.

Secondly, all that area in the said district, containing by admeasurement seven acres three roods, more or less, being Section 2 of 119, Wairau West, Block IX, Cloudy Bay Survey District, and bounded as follows: towards the north and east by public roads, 1300 links and 872.2 links respectively; and towards the south and west by Section 4 of 119, Wairau West: be all the aforesaid measurements more or less.

Thirdly, all that area in the said survey district, containing by admeasurement fifteen acres two roods, more or less, being Section 4, Block IX, Cloudy Bay Survey District, and bounded as follows: towards the north-east by a public road, 1800 links; towards the south by a public road along the original south bank of the Wairau River; and towards the west and north-west by a public road along the present bank of the Wairau River.

As the same are delineated on the plan marked L and S 6/9/28, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

44 Cancelling reservation for recreation purposes over certain foreshore land vested in Picton Borough Corporation

Whereas in pursuance of the provisions of section one hundred and twenty-two of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1915, Sections 1156, 1170, and 1171 of the Town of Picton, containing nine acres two roods fifteen perches, more or less (hereinafter referred to as the reserve), were vested in the Corporation of the Picton Borough (hereinafter referred to as the Corporation) to be held and used exclusively as a recreation reserve subject to the provisions of the Public Reserves and Domains Act 1908: And whereas in pursuance of section eighty-six of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1922, part of the said reserve was released from the trusts and uses as a recreation reserve and vested in the Corporation in trust for the construction and erection thereon of hot salt-water baths and municipal buildings: And whereas the balance of

the said reserve now comprises an area of eight acres three roods thirty-eight perches, more or less, in respect of which a certificate of title has been issued by the District Land Registrar at Blenheim, and is entered in Register-book, Volume 26, folio 4, Marlborough Registry (hereinafter referred to as the said land): And whereas the said land is not required for the purpose of a recreation reserve: Be it therefore enacted as follows:—

The reservation for the purpose of a recreation reserve over the said land is hereby cancelled, and the said land shall be and the same is hereby vested in the Corporation in fee-simple freed and discharged from the trusts and uses affecting the same.

45 Validating titles to certain lands in Marlborough Mining District

Whereas by a Proclamation published in the *Gazette* of the twenty-eighth day of June, eighteen hundred and eighty-eight, the Wairau and Pelorus and Queen Charlotte Sound Mining Districts were abolished, and in lieu thereof that portion of New Zealand particularly described in the Schedule to that Proclamation was constituted a mining district under the name of the Marlborough Mining Districts: And whereas further Proclamations defining the said mining district were published successively in the *Gazette* of the twenty-second day of November, eighteen hundred and eighty-eight, the twenty-seventh day of January, eighteen hundred and ninety-eight, and the ninth day of May, nineteen hundred and one: And whereas the Marlborough Land Board has granted rights, titles, and interests in, on, and over lands within the said mining districts, concerning which doubts have arisen as to whether in every case the said Land Board has disposed of the said lands without first referring the proposed disposition thereof to the Warden and receiving his report thereon in accordance with the provision in that behalf contained in section thirty-seven of the Mining Act 1908: And whereas it is deemed expedient to validate all the said grants, titles, or interests which may have been made, granted, or created irregularly as aforesaid: Be it therefore enacted as follows:—

All grants, rights, titles, or interests made, created, or issued by the Marlborough Land Board as aforesaid since the ninth day of July, eighteen hundred and eighty-eight, within the said Marlborough Mining Districts without receiving the report thereon of the Warden, where necessary, in accordance with the provisions of section thirty-seven of the Mining Act 1908, or the corresponding provisions of any former Mining Act, and all transactions connected therewith, are hereby declared to have been as validly made, created, issued, or transacted as if the report of the Warden had in every such case been first received.

46 Vesting certain land and wharves in the Picton Borough Corporation

(1) The land hereinafter described (together with the wharves thereon) is hereby vested in the Corporation of the Borough of Picton freed and discharged from all existing reservations over the same, but subject to the provisions of subsections two and three of this section.

(2) The Governor-General may from time to time, by Order in Council,—

(a) Limit and define the powers and duties of the Picton Borough Council with respect to the control and management of any such wharf; and

(b) Prescribe what dues and rates may be taken by the Council for the use of such wharf; and

(c) Prescribe the class or classes of vessels that may lawfully be permitted by the Council to use such wharf;

and may in like manner amend or revoke any such Order.

(3) If at any time the Council fails to comply to the satisfaction of the Minister of Railways with any of the provisions of any such Order in Council the Governor-General may, by Order in Council, revoke the vesting in the said Corporation of the said land and wharves, and thereupon the said land and wharves shall revert to His Majesty.

(4) The land to which this section relates is particularly described as follows:—

All that parcel of land in the Marlborough Land District, containing by admeasurement five acres and eleven perches, more

or less, being portion of Railway Reserve at Picton, and being more particularly delineated on plan marked WR 36415, deposited in the office of the Minister of Railways, at Wellington, and thereon bordered red.

(5) This section is hereby declared to be a special Act within the meaning of section 144 of the Harbours Act 1923.

Westland Land District.

47 Authorizing remission of royalty on lime produced under a lease of certain land in Block II, Totara Survey District

The Minister of Lands, on the recommendation of the Land Board of the Westland Land District, and on being satisfied that it would be reasonable and equitable so to do, may remit wholly or in part any amount owing by the West Coast Farmers' Lime-producing Company (Limited) as on the thirtieth day of June, nineteen hundred and twenty-five, in respect of royalty on lime payable in terms of the said company's lease No 1729 granted under the Land Act 1908, over one hundred and eight acres in Block II, Totara Survey District.

48 Providing for the issue to the Minister of Mines of licenses in respect of certain water-races, etc, at Kumara, and for the cancellation of existing privileges

Whereas the mining privileges or rights (hereinafter referred to as privileges) specified in Schedule 3 to this Act are held by or on behalf of His Majesty the King: And whereas it is desirable that licenses in respect thereof should be granted to the Minister of Mines: Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary in the Mining Act 1908, or in any other Act, the Minister of Mines may make application to the Warden of the Westland Mining District for, and the Warden shall, upon receipt of such application and without requiring the Minister to observe any of the requirements of the Mining Act 1908, relating to applications for mining privileges, grant to the Minister, a license under that Act for each of the privileges specified in Schedule 3 to this Act.

(2) Every such license shall supersede the corresponding privilege specified in Schedule 3 hereto, and shall confer the same pri-

ority of rights and be subject to the same encumbrances, liens, and interests (if any) as the corresponding privilege conferred and was subject to. All such priorities, encumbrances, liens, and interests shall be specified in or endorsed on such license, and be registered, and such specification or endorsement shall be final and conclusive for all purposes:

Provided that in addition to the purpose of the corresponding privilege the license shall, where such privilege is in respect of water, confer a right to use for electric or other power purposes the water the subject-matter of the license.

(3) All references to any privilege as aforesaid in any document issued prior to the grant of a license under this section shall be deemed to be references to such license and the mining privilege conferred thereby.

(4) On the grant of any license under this section the corresponding privilege specified in Schedule 3 hereto shall be deemed to be cancelled, and the Warden shall cause an entry to that effect to be made in the appropriate register, if any.

(5) A notice of the grant of a license under this section and the cancellation of the corresponding privilege specified in Schedule 3 hereto shall be published in the *Gazette* by the Minister of Mines.

49 Dissolving Greymouth High School Board, and vesting assets, etc, in Greymouth Technical School Board

Whereas the Greymouth High School Board was constituted under the provisions of the Greymouth High School Act 1883 [*Repealed*], with power to establish a secondary school in the district: And whereas no such secondary school has been established: And whereas a technical high school has been established in Greymouth to provide for the post-primary educational requirements of the district: And whereas it is expedient to abolish the High School Board and to vest its property, rights, and liabilities in the Technical School Board: And whereas owing to several separate statutory requirements being in force doubts have arisen as to whether the revenues from reserves and endowments for secondary education in the Westland Provincial District have been distributed in exactly the correct proportions, and it is desirable to validate past payments:

And whereas it is desirable to make certain provision for the application of future revenues: Be it therefore enacted as follows:—

(1) The Governor-General may, by Order in Council, dissolve the Greymouth High School Board as from a date set out in the Order, and the property, rights, and liabilities of the Board so dissolved shall thereupon vest in and become the property, rights, and liabilities of the Greymouth Technical School Board.

(2) The property so vested in the Greymouth Technical School Board may be utilized by the Board for such lawful purposes in connection with the school under its control and the administration thereof as the Minister of Education may approve.

(3) From the date of the dissolution of the Greymouth High School Board as aforesaid the Greymouth Technical High School shall for the purposes of the application of revenues from education reserves and endowments pursuant to section four of the Education Reserves Amendment Act 1924 [*Repealed*], be deemed to be a secondary school, and the Greymouth Technical School Board shall be deemed to be the governing body thereof. In its application of any moneys received pursuant to this subsection the Board shall be subject to the same requirements and conditions, with the necessary modifications, as the governing body of a secondary school would be.

(4) All payments heretofore made to the Greymouth High School Board and to the Hokitika High School Board from revenues accruing from reserves and endowments in the Westland Provincial District and purporting to be made pursuant to the provisions of the Greymouth High School Act 1883 [*Repealed*], the Hokitika High School Act 1883 *see now the Westland High School Act 1883*, and the Education Lands Act 1949, shall be deemed to have been validly made pursuant to those Acts.

The Education Reserves Act 1908 (1908 No 53) was repealed, as from 1 January 1929, by section 41 Education Reserves Act 1928 (1928 No 33). That Act was in turn repealed, as from 1 January 1950, by section 21 Education Lands Act 1949 (1949 No 24).

Canterbury Land District.

50 Vesting in Canterbury Education Board as a site for a public school part of Lot 8 of subdivision of Lyttelton Prison Reserve

Whereas by section one hundred and ten of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1919, the Governor-General is authorized and empowered to sell or otherwise dispose of the lands described therein, subject to the net proceeds arising from the sale or other disposition of the said lands, and of the buildings or other improvements thereon, being paid into the Public Works Fund and utilized for the purpose of erecting prison buildings or for acquiring sites for prison purposes: And whereas it is desirable that the portion of the said lands hereinafter described should be vested in the Education Board of the District of Canterbury as an addition to the Lyttelton Public School grounds: Be it therefore enacted as follows:—

(1) Notwithstanding anything contained in the above-mentioned enactment, the land hereinafter described is hereby vested in the Education Board of the District of Canterbury as a site for a public school.

(2) The land to which the last preceding subsection relates is particularly described as follows:—

All that area in the Canterbury Land District, containing by admeasurement two roods twenty and one-tenth perches, more or less, being part of Lot 8 of the subdivision of Lyttelton Prison Reserve, formerly Town Section 172, and parts of Town Sections 171, 174, 175, and 175A, situated in the Borough of Lyttelton, and bounded as follows: towards the north-west by Oxford Street, 131.55 links; towards the north-east by Lot 6 of the said subdivision, 255.25 links; again towards the north-west by Lots 6, 5, and 4, 127.10 and 6.2 links; and again towards the north-east, 96.8 links; towards the east by St David Street, 108.7 and 184.86 links; towards the south by Reserve 4110, 383.13 links: be all the aforesaid linkages more or less: as the same is more particularly delineated on the plan marked L and S 6/7/40, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

51 Reappointing members of Christchurch Domain Board *[Repealed]*

Section 51 was repealed, as from 16 September 1946, by section 4 Christchurch Domains Act 1946 (1946 No 1(L)).

52 Cancelling Reservation over Reserve 3493, Block III, Waipara Survey District, and declaring the land therein to be settlement land

Whereas by notice in the *Gazette* of the fifth day of July, nineteen hundred, the land hereinafter described (being settlement land) was permanently reserved as a public-school site: And whereas on the wrongful assumption that the aforesaid reserve had by process of exchange again become settlement land portions thereof have been sold: And whereas the said land is not required for the purpose for which it was reserved, and it is desired to cancel the existing reservation over the same and to validate the sales hereinbefore referred to: Be it therefore enacted as follows:—

(1) The reservation for the purposes of a school-site over the land hereinafter described is hereby cancelled, and shall be deemed to have been so cancelled on the first day of January, nineteen hundred and five, and the said land shall for all purposes be deemed to have become on that date settlement land subject to the provisions of the Land for Settlements Consolidation Act 1900, and all grants, titles, or interests made, granted, or created in respect of the said land since that date are hereby validated.

(2) The land to which this section relates is particularly described as follows:—

All that area in the Canterbury Land District, containing by admeasurement five acres, more or less, being Reserve 3493, Block III, Waipara Survey District.

53 Redefining boundaries of Ashley Gorge Domain

Whereas by notice in the *Gazette* of the eighth day of October, eighteen hundred and ninety-six, Section 3094, Block IV, Oxford Survey District, containing eleven acres, was permanently reserved as a public recreation-ground: And whereas by an Order in Council published in the *Gazette* of the twenty-ninth day of the said month and year the said reserve was

brought under the operation of and declared to be subject to the provisions of the Public Domains Act 1881: And whereas by a notice in the *Gazette* of the nineteenth day of May, eighteen hundred and ninety-eight, Section 3231 as therein described as having an area of sixty-three acres was permanently reserved as a public recreation-ground: And whereas by Order in Council published in the *Gazette* of the fifteenth day of September, eighteen hundred and ninety-eight, the said Section 3231 was brought under the operation of and declared to be subject to the provisions of the Reserves Act 1977: And whereas the lands comprised in the aforementioned Sections 3094 and 3231 are now known as the Ashley Gorge Domain, the control of which is vested in the Ashley Gorge Domain Board: And whereas consequent on surveys of the lands comprised in the domain and on adjustment of boundaries to conform to natural features it has been found that the area contained in the domain is much in excess of that set out in the notices aforesaid, and it is desirable to redefine the boundaries of the domain: Be it therefore enacted as follows:—

The Ashley Gorge Domain hereinbefore referred to is hereby declared to comprise—

(a) All that parcel of land in the Canterbury Land District, containing by admeasurement eleven acres, more or less, being Reserve No 3094, situated in Block IV, Oxford Survey District, and bounded as follows: towards the north by a road reserve along the south bank of the River Ashley; towards the south-east by the Ashley Gorge Road, 318 links; and towards the south generally by Rural Sections 32764 and 36590; and

(b) All that area, containing by admeasurement four hundred and thirty-two acres, more or less, being Reserve No 3231, situated in Blocks XVI, Upper Ashley, XIII Mount Thomas, IV Oxford, and I Mairaki Survey Districts, and bounded as follows: towards the north-west generally by Rural Sections 36946 and 23738; towards the north-east generally by a road; towards the south by Rural Section 26498, a road, and the river-bank reserve along the north side of the River Ashley.

As the same are more particularly delineated on the plan marked L and S 1/496, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

54 Vesting portion of Hagley Park in Christchurch City Corporation as a site for a public art gallery

[Repealed]

Section 54 was repealed, as from 19 September 2003, by section 10 Christchurch City Council (Robert McDougall Gallery) Land Act 2003 (2003 No 4 (L)).

55 Section 66 of Reserves and other Lands Disposal and Public Bodies Empowering Act 1920, amended

Section sixty-six of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1920, is hereby amended by omitting the words "one thousand four hundred dollars" in subsection two thereof, and substituting therefor the words "one thousand six hundred dollars."

The references to "one thousand four hundred dollars", and "one thousand six hundred dollars" were substituted, as from 10 July 1967, for references to "seven hundred pounds", and "eight hundred pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

Otago Land District.

56 Authorizing revaluation of land comprised in lease over Section 35A, Conical Hills Settlement

Whereas by section one hundred and eighty-six of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1924, the forfeiture of the renewable lease registered in Volume 167, folio 36, Otago Land Registry, over Section 35A, Conical Hills Settlement, was rescinded, and the said renewable lease was revived, and is deemed to continue to operate as if it had not been forfeited: And whereas it is now desired to give facilities for a reduction of the capital value of the said land and for the remission of arrears of rent in respect of the said land: Be it therefore enacted as follows:—

(1) The owner of the aforesaid renewable lease may apply for a revaluation of the land comprised in the lease, and in such case the provisions of subsections one, two, three, five, seven,

and eight of section two hundred and sixteen of the Land Act 1924, shall, with the necessary modifications, apply as if the application were an application for a revaluation of land under that section.

(2) If on a revaluation of land under this section the value as then determined, exclusive of the value of improvements effected by the lessee, is less than the capital value of the land on which the rent is based, the rent payable under the lease shall, as from the first day of July, nineteen hundred and twenty-five, be proportionately reduced.

(3) On the recommendation of the Land Board of the Otago Land District the Minister of Lands may, without further appropriation than this section, remit wholly or in part any arrears of rent due in respect of the aforesaid lease on the thirtieth day of June, nineteen hundred and twenty-five.

57 Empowering Otago Land Board to sell certain lands to Dunedin City Council

(1) Notwithstanding anything to the contrary in the Land Act 1924, the Land Board of the Otago Land District may from time to time, with the approval of the Minister of Lands, sell to the Dunedin City Council (hereinafter called the Council) any area or areas of Crown land within the survey districts of Waipori and Tuapeka East which the Council may from time to time desire to purchase for water storage, afforestation, or purposes incidental thereto.

(2) The price to be paid for any land purchased by the Council under this section shall be fixed by the Minister of Lands, and such price shall be paid to the Receiver of Land Revenue within one month from the date the Land Board shall notify the Council in writing that the same has become payable.

(3) The Council shall also pay all charges for surveys and Crown-grant fees in respect of the land so purchased, in addition to the price determined pursuant to the last preceding subsection.

(4) Nothing in Part 13 of the Land Act 1924, shall apply to any land so sold to the Council.

58 Vesting in Oamaru Borough Corporation Reserve C, Town of Oamaru

Whereas pursuant to section three of the Oamaru Town Reserves Management Ordinance 1872, the management of the land hereinafter described is vested in the Corporation of the Borough of Oamaru in trust for the purposes of health and public recreation: And whereas it is desirable that the said land should be vested in the said Corporation in trust for the aforesaid purposes: Be it therefore enacted as follows:—

(1) The land hereinafter described is hereby vested in the Corporation of the Borough of Oamaru in trust for the purposes of health and public recreation.

(2) The land to which this section relates is particularly described as follows: All that area in the Land District of Otago, containing by admeasurement nineteen acres and three perches, being Reserve C, Town of Oamaru.

59 Releasing Cromwell Development Company (Limited) from certain restrictions contained in section 6 of the Water-supply Amendment Act 1913, on disposal of certain lands

Whereas the Cromwell Development Company (Limited), of Dunedin, purchased certain lands from His Majesty the King under section six of the Water-supply Amendment Act 1913 [*Repealed*] (hereinafter referred to as the said Act): And whereas the company duly caused the said lands (and certain other lands) to be surveyed and subdivided into two subdivisions known as the Sarita Subdivision and the Elspeth Subdivision: And whereas it has been found that such surveys and subdivisions are unsuitable for the purposes for which the said lands may be used, and it is desired accordingly to release the said company from the restrictions as to the disposal of the said lands imposed by section six of the said Act: Be it therefore enacted as follows:—

(1) The said Cromwell Development Company (Limited) may from time to time resurvey and resubdivide the lands purchased under the said Act which are comprised in the said Sarita and Elspeth Subdivisions, and shall cause such lands to be offered for sale or for lease (with a purchasing clause) by auction or tender or contract upon the terms already approved

in respect thereof by the Governor-General in Council, or any modification of such terms hereafter approved by the Governor-General in Council:

Provided that the area of any allotment offered for sale or lease hereunder shall not exceed such area as the Minister of Lands, on the recommendation of the Land Board of the Otago Land District, may approve.

(2) No person shall be entitled to acquire any land purchased by the said company under the said Act and comprised in the said Sarita Subdivision or in the said Elspeth Subdivision in excess of the area limited by and computed in accordance with the provisions of section one hundred and seven of the Land Act 1924, or any statutory modification or re-enactment thereof.

(3) The provisions of subparagraphs (iv) and (v) of paragraph (a) of the said section six of the said Act shall not hereafter apply to any lands comprised in the said Sarita and Elspeth Subdivisions.

(4) The said Sarita Subdivision to which this section applies is all that parcel of land situated in the Cromwell Survey District, being a subdivision of part of Blocks I and II of the said district, and being all the land comprised in and delineated on the plan of Sarita deposited in the office of the Chief Surveyor of the Otago Land District at Dunedin, and being part of the land comprised in certificate of title, Provisional Register-book, in the Land Registry Office at Dunedin, Volume 17, folio 8.

(5) The said Elspeth Subdivision to which this section applies is all that parcel of land situated in the Cromwell Survey District, being all the freehold allotments comprised in and delineated on the plan of Elspeth deposited in the Land Registry Office at Dunedin as No 2970, and being all the land comprised in certificate of title, Register-book, in the Land Registry Office, Volume 58, folio 191, and part of the land comprised in certificate of title, Register-books, Volume 178, folio 263, and Volume 191, folio 237.

Southland Land District.

60 Authorizing revaluation of certain land in Beaumont Settlement

(1) An application by the lessee of any land hereinafter described for a revaluation of the land comprised in his lease may, notwithstanding anything to the contrary in subsection six of section two hundred and sixteen of the Land Act 1924, be received at any time after the commencement of the term thereof and dealt with under that section as if it had been received within the period fixed in that behalf by the said subsection six.

(2) The provisions of section fifty-six of the Land for Settlements Act 1908, may be applied to any such lessee notwithstanding that he is over twelve months in arrear with his rent; and the Minister, notwithstanding the limitation as to amount contained in paragraph (a) of that section, may, on the recommendation of the Land Board, remit the whole of the lessee's arrears of rent, or such portion thereof as he deems reasonable.

(3) The lands to which this section relates are the following lands in the Wairaki Survey District, in the Southland Land District:—

BEAUMONT SETTLEMENT.

Section.	Block.	Area.		
		A	R	P
1	XXIII	445	1	31
2	XXIII	351	2	8
3	XXIII	352	0	13
4	XXIII	362	1	27
6	XXIX	359	3	37
7	XXIX	417	3	22
8	XXIX	391	3	35
9	XXIX	304	3	20

BEAUMONT SETTLEMENT.				
10	XXIII	334	3	15
11	XXIII	372	3	11
12	XXIX	222	0	14

Part 2
Public bodies empowering.

Affecting two or more classes of public bodies.

61 Authorizing local authorities in Marlborough Provincial District to contribute to funds of Marlborough Progress League

It shall be lawful for any local authority the district of which is within or partly within the Provincial District of Marlborough to contribute out of its general fund or account such a sum in any year as the local authority may think fit as a subscription to the funds of the Marlborough Progress League.

62 Effecting exchange of certain lands between Hamilton Borough Council and Waikato Hospital Board

Whereas Allotment 310 of the Town of Hamilton East is vested in the Waikato Hospital Board as an endowment in aid of the Board's funds: And whereas Lots 1, 2, and 3 of Allotment 117 of the Town of Hamilton East are vested in the Corporation of the Borough of Hamilton for the purposes of a gravel-pit, but are no longer suitable for such purposes: And whereas the Hamilton Borough Council has recently purchased other lands in the vicinity of the said Allotment 117 for the purposes of a gravel-pit: And whereas the Waikato Hospital Board and the Hamilton Borough Council desire that the said Allotment 310 be exchanged for the said Lots 1, 2, and 3 of Allotment 117, and that such lands shall hereafter be vested in the manner and for the purposes hereinafter mentioned: Be it therefore enacted as follows:—

(1) The vesting in the Corporation of the Borough of Hamilton of the land described in subsection two hereof is hereby cancelled, and the said land is hereby vested in the Waikato Hos-

pital Board for an estate in fee-simple as an endowment in aid of the Board's funds, subject to a lease granted to Olaf Mortensen and registered in the Auckland Land Registry Office as No 9136.

(2) The land referred to in subsection one hereof is particularly described as follows:—

All that piece of land in the Auckland Land District, containing one acre and nineteen and six-tenths perches, more or less, being Lots 1, 2, and 3 of a subdivision into lots of Allotment 117 of the Town of Hamilton East: as the same is delineated on the plan deposited in the Auckland Land Registry Office as No 10890.

(3) The vesting in the Waikato Hospital Board of the land described in subsection four hereof is hereby cancelled, and the said land is hereby vested in the Mayor, Councillors, and Burgesses of the Borough of Hamilton for an estate in fee-simple as an endowment in aid of the borough funds.

(4) The land referred to in subsection three hereof is particularly described as follows:—

All that piece of land in the Borough of Hamilton, containing one acre one rood twenty-eight perches, being Allotment 310 of the Town of Hamilton East.

(5) The District Land Registrar for the Land Registration District of Auckland is hereby empowered and directed to issue such certificates of title or to make such endorsements on existing certificates of title as may be necessary to give full effect to the foregoing provisions of this section.

63 Validating procedure in respect of loans to be raised by local authorities for purposes of main highways

Whereas by the Main Highways Act 1922, provision is made for the declaration of main highways, in respect of which the powers of construction and reconstruction are by that Act transferred from the several local authorities concerned and are vested in the Main Highways Board: And whereas by section thirty-three of the Finance Act 1924, local authorities are empowered to raise special loans under the Local Bodies Loans Act 1913, for the purpose of providing, in whole or in

part, their contributions towards the cost of construction or reconstruction of any main highway: And whereas by section nine of the Main Highways Act 1922, the Main Highways Board may delegate its powers in respect of any main highway or portion of a main highway to the local authority in whose district it is situated: And whereas certain local authorities have taken proceedings to raise special loans in respect of the cost of the construction or reconstruction of main highways: And whereas doubts have arisen as to the effectiveness of the delegation by the Main Highways Board of its powers in respect of certain main highways, and also as to the validity of the proceedings taken in such cases for special loans in respect thereof: And whereas it is desired to validate all proceedings heretofore taken by local authorities to raise loans in respect of the cost of construction or reconstruction of main highways: Be it therefore enacted as follows:—

No proceedings heretofore taken by any local authority to raise a loan under the Local Bodies Loans Act 1913, in respect of the cost of construction or reconstruction of a main highway (whether the loan proposal was expressed to be for the purpose of providing the cost of such construction or reconstruction, or for the purpose of providing the local authority's contribution towards such cost) shall be questioned on the ground that the local authority was not authorized to borrow moneys for or in respect of the purposes expressed in the proposal.

64 Validating leases granted by the Ngaruawahia Town Board, and constituting the Ngaruawahia Borough Council a leasing authority under the Public Bodies Leases Act 1908

Whereas by deed of conveyance No 107604, registered in the Deeds Register Office at Auckland, the Ngaruawahia Town Board was seised of an estate in fee-simple in those pieces of land situate in the Town of Ngaruawahia, being allotments numbered 583, 609, 610, 611, 653, 654, and 655, containing together one acre, more or less: And whereas the Ngaruawahia Town Board granted leases over parts of the above-described land, purporting to do so under the powers conferred on leasing authorities by the Public Bodies Leases Act 1908 (hereinafter referred to as the said Act): And whereas the said

Board appears never to have been constituted a leasing authority within the meaning of the said Act, and doubts have arisen as to the validity of such leases, and it is desired to validate the same: And whereas the Town District of Ngaruawahia has been constituted a borough, and the Ngaruawahia Borough Council is the successor of the Town Board: Be it therefore enacted as follows:—

(1) All leases granted by the Ngaruawahia Town Board over the aforesaid land since the first day of January, nineteen hundred and nine, and purporting to be granted by the said Board in pursuance of its powers as a leasing authority under the said Act are hereby validated and declared to have been lawfully granted, and the Board shall be deemed to have been a leasing authority under the said Act as from that date.

(2) The Ngaruawahia Borough Council is hereby declared to be a leasing authority within the meaning of the said Act, and shall for all purposes be deemed to have been such a leasing authority as from the eleventh day of September, nineteen hundred and twenty.

County Councils.

65 Authorizing payment by Masterton County Council out of loan-moneys for construction of water-races

Whereas in the year nineteen hundred and eight the Masterton County Council borrowed the sum of five thousand dollars for the purpose of constructing water-races for the supply of water to the Opaki Water-race District: And whereas the said sum was greater than was then required for the said purpose, and a balance of nine hundred and eighty-six dollars remained unexpended: And whereas in consequence of damage by flood it became necessary to construct new water-races for the supply of water to the said district: And whereas the Masterton County Council has expended part of the said balance upon the construction of such new water-races, and further expenditure for the same purpose may be deemed expedient: Be it therefore enacted as follows:—

(1) All payments heretofore made by the Masterton County Council out of the said balance for the construction of new water-races for the supply of water to the Opaki Water-race District are hereby validated.

(2) The said Council may, notwithstanding anything to the contrary in the Local Bodies Loans Act 1913, or any other Act, expend so much of the remaining part of such balance as the said Council may deem expedient on the construction of new water-races for the supply of water to the Opaki Water-race District.

The words "five thousand dollars" and "nine hundred and eighty-six dollars" were substituted, as from 10 July 1967, for the words "two thousand five hundred pounds" and "four hundred and ninety-three pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

66 Authorizing the Raglan County Council to raise a special loan for erection of a public hall at Onewhero

The Raglan County Council is hereby empowered to purchase or otherwise acquire any land within the Onewhero Riding of the County of Raglan, and to erect thereon, or on any land the control of which may be vested in it for the purpose, a public hall for the use of the inhabitants of that riding, and for such purposes to raise a special loan under the Local Bodies Loans Act 1913, as if for a public work.

67 Authorizing Tauranga County Council to expend balance of loan-moneys on Waitekohe Bridge

Whereas the Tauranga County Council in the year nineteen hundred and twenty raised a loan of ten thousand dollars from the State Advances Office under the provisions of section twenty-four of the Local Bodies Loans Act 1913, for the reconstruction of the Hairini and Waitekohe Bridges in that county: And whereas the said works have been completed, and a balance of four hundred and ninety-two dollars and eighteen and one-third cents of the said loan remains unexpended: And whereas the Waitekohe Bridge was damaged by flood in the month of April, nineteen hundred and twenty-four, and it is now desired by the Tauranga County Council to spend such unexpended balance in repairing and strengthening the Waitekohe Bridge, instead of paying the same into the sinking fund in accordance with section seven of the Local Bodies Loans Act 1913: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in the Local Bodies Loans Act 1913, or in any other Act, the Tauranga County

Council is hereby empowered to spend the said sum of four hundred and ninety-two dollars and eighteen and one-third cents, being the unexpended balance of the said loan, in repairing and strengthening the said Waitekohe Bridge.

The words "ten thousand dollars" and "four hundred and ninety-two dollars and eighteen and one-third cents" were substituted, as from 10 July 1967, for the words "five thousand pounds" and "two hundred and forty-six pounds one shilling and tenpence" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

68 Authorizing Mackenzie County Council to raise a loan to purchase plant for Fairlie Fire Brigade

Whereas on the twenty-first day of January, nineteen hundred and twenty-five, the Mackenzie County Council, purporting to act under and in accordance with the provisions of the Local Bodies Loans Act 1913, caused to be taken a poll of the ratepayers of the Fairlie Township Special-rating District in the County of Mackenzie upon a proposal to raise under that Act a special loan of eight hundred and twenty dollars upon the security of a special rate of one-thirtieth of a cent in the dollar on the capital value of all rateable property in the said special-rating district for the purpose of the purchase of plant for the Fairlie Fire Brigade: And whereas the said proposal was carried, but doubts have arisen as to the powers of the said Mackenzie County Council to raise money by way of special loan for the said purpose: And whereas it is desirable to validate the steps taken by the said Mackenzie County Council as if it had had power to raise the said loan for the purchase of the said plant: Be it therefore enacted as follows:—

The Mackenzie County Council shall be deemed to have and always to have had power to raise the said loan for the purchase of plant for the Fairlie Fire Brigade, and all the steps taken by the Council in connection therewith and the poll hereinbefore mentioned are hereby validated, and the Council may proceed with the raising of the loan accordingly.

The words "eight hundred and twenty dollars" and "one-thirtieth of a cent in the dollar" were substituted, as from 10 July 1967, for the words "four hundred and ten pounds" and "two-twenty-fifths of a penny in the pound" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

69 Authorizing Rangiora County Council to recoup General Account from loan for electrical reticulation

Whereas the Rangiora County Council was authorized by a poll of ratepayers of the county taken on the twentieth day of December, nineteen hundred and twenty-one, pursuant to the Local Bodies Loans Act 1913, to borrow by way of special loan under that Act the sum of thirty thousand dollars for the purpose of carrying out and paying for the work of electrical reticulation, erecting mains, and providing all material and things necessary or incidental to supplying the Rangiora County with electric power from Lake Coleridge: And whereas a portion of such special loan has been raised: And whereas in anticipation of the loan being authorized the said Council expended out of its General Account certain moneys for the said purpose: And whereas the said moneys have been refunded to the General Account out of the moneys so borrowed: And whereas there is no authority at law for making such refund, and it is desirable to validate the same: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in the Local Bodies Loans Act 1913, or in any other Act, the refunding of the moneys as aforesaid to its General Account, not exceeding the sum of three thousand dollars, by the Rangiora County Council is hereby validated and declared to have been lawfully made.

The words "thirty thousand dollars" and "three thousand dollars" were substituted, as from 10 July 1967, for the words "fifteen thousand pounds" and "fifteen hundred pounds" respectively pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

70 Authorizing Raglan County Council to sell certain land

Whereas on the twenty-eighth day of July, nineteen hundred and twenty-three, acting pursuant to power conferred on it by section ninety-three of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1920, the Raglan County Council in its capacity as the Harbour Board for Whaingaroa Harbour sold the lands referred to in that section: And whereas at the same time a small piece of land, being the land hereinafter described, was, on the assumption that its sale was authorized by the said section ninety-three, sold to one Neil Reid: And whereas such sale was not so authorized, and it is expedient to validate the same: Be it therefore enacted as follows:—

(1) The Raglan County Council is hereby authorized and shall be deemed to have been authorized as at the twenty-ninth day of July, nineteen hundred and twenty-three, to sell and dispose of the land described in subsection two hereof and to convey and assure the same to the said Neil Reid.

(2) The land to which this section relates is particularly described as follows:—

All that triangular piece of land, containing three and fifteen-hundredths perches, more or less, being part Lot 8 of Section 2 of the subdivision known as Raglan East and the residue of the land comprised and described in deed of conveyance registered in the Deeds Register Office at Auckland under No 218016 not taken for the purpose of a public road by Proclamation under section eleven of the Land Act 1908, registered in the said office under No 4059: bounded on the north by the said proclaimed road, 76.40 links; on the south-east by a road known as Rose Street, 63.20 links; and on the south-west by part Lot 9 of said subdivision, 42.32 links.

(3) The proceeds of such sale shall be paid to the credit of the Whaingaroa Harbour Wharf Construction Account.

71 Excluding certain land from Peerswick Channelling Loan Area

Whereas the Waimairi County Council, pursuant to the provisions of the Local Bodies Loans Act 1913, was duly authorized to raise a special loan of seven thousand eight hundred dollars secured by a special rate of one and fifty-nine ninety-sixths of a cent over a special-rating area comprising Rural Section 56, Block X, Christchurch Survey District (hereinafter called the Peerswick Channelling Loan Area), for the purpose of channelling certain roads and streets therein: And whereas the said Council has raised six thousand dollars of the said sum from the State Advances Superintendent: And whereas it is found expedient not to proceed with the channelling of the roads or streets in the area hereinafter described within the Peerswick Channelling Loan Area, and it is desirable to exclude that area from the said Peerswick Channelling Loan Area: And whereas the State Advances Superintendent has agreed to the said exclusion: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in the Local Bodies Loans Act 1913, or any other Act, the area of land bounded by a line running along the middle of Yaldhurst Road on the west, Peer Street on the south, Godley Street on the east, and Wakefield Street on the north within the County of Waimairi is hereby excluded from the Peerswick Channelling Loan Area, and the lands comprised in the area so excluded are hereby declared to be free from any liability in respect of the said special rate, which shall for all purposes be deemed to have been made only in respect of the lands remaining within the Peerswick Channelling Loan Area as now constituted.

The words "seven thousand eight hundred dollars", "six thousand dollars", and "one and fifty-nine ninety-sixths of a cent" were substituted, as from 10 July 1967, for the words "three thousand nine hundred pounds", "three thousand pounds", and "one penny and fifteen-sixteenths of a penny" respectively pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

72 Adjusting riding accounts of the Waimate County Council

Whereas on the thirty-first day of March, nineteen hundred and twenty-five, the balances in the various riding accounts of the Waimate County Council were as follows: Upper Pareora Riding Account, credit five thousand six hundred and seven dollars and twenty-two and one-half cents; Otaio Riding Account, credit four thousand and thirty dollars and thirteen and one-third cents; North Waihao Riding Account, credit three thousand and seventy-two dollars and forty-six and two-thirds cents: Hakataramea Riding Account, credit nine hundred and fifty-eight dollars and seventeen and one-half cents; Deep Creek Riding Account, debit nine thousand nine hundred and seventy-seven dollars and twenty-nine and one-sixth cents; Lower Pareora Riding Account, debit one thousand three hundred and sixty-four dollars and eighty-seven and one-half cents; Makikihi Riding Account, debit one hundred and nineteen dollars and eighty-three and one-third cents: And whereas the amounts shown as debit balances have been carried forward for many years, and questions have arisen as to what proportion of such amounts should be properly regarded as general county expenditure: And whereas it is desirable to make the adjustments in the said riding accounts hereinafter appearing: Be it therefore enacted as follows:—

(1) The Waimate County Council is hereby authorized to make such transfers and adjustments between the various riding accounts as shall make the balance in each account as follows: Upper Pareora Riding Account, credit two thousand eight hundred and twenty-four dollars and ninety-seven and one-half cents; Otaio Riding Account, credit two thousand and thirty dollars and seventy-five cents; North Waihao Riding Account, credit one thousand five hundred and forty-eight dollars and thirty-eight and one-third cents; Hakataramea Riding Account, credit four hundred and eighty-two dollars and eighty-eight and one-third cents; Deep Creek Riding Account, debit one three thousand nine hundred and thirty-eight dollars and sixty-four and one-sixth cents; Lower Pareora Riding Account, debit six hundred and eighty-two dollars and forty-three and one-third cents; Makikihi Riding Account, debit fifty-nine dollars and ninety-one and two-thirds cents.

(2) The balance in each account as set out in the last preceding subsection shall be deemed to be the balance of the account as at the first day of April, nineteen hundred and twenty-five.

(3) For the purpose of extinguishing the debit balance appearing in the accounts of the ridings of Deep Creek, Lower Pareora, and Makikihi the Waimate County Council shall in each year, commencing with the year beginning on the first day of April, nineteen hundred and twenty-five, until the said debit is extinguished, apply from the amount apportioned to each of the said ridings in terms of section one hundred and thirty-one of the Counties Act 1920, a sum equal to one-tenth of the debit balance in the account of that riding as at the said first day of April, nineteen hundred and twenty-five, and the amount available for expenditure in works in that riding shall be reduced accordingly.

The words "five thousand six hundred and seven dollars and twenty-two and one-half cents", "four thousand and thirty dollars and thirteen and one-third cents", "three thousand and seventy-two dollars and forty-six and two-thirds cents", "nine hundred and fifty-eight dollars and seventeen and one-half cents", "nine thousand nine hundred and seventy-seven dollars and twenty-nine and one-sixth cents", "one thousand three hundred and sixty-four dollars and eighty-seven and one-half cents", "one hundred and nineteen dollars and eighty-three and one-third cents", "two thousand eight hundred and twenty-four dollars and ninety-seven and one-half cents", "two thousand and thirty dollars and seventy-five cents", "one thousand five hundred and forty-eight dollars and thirty-eight and one-third cents", "four hundred and

eighty-two dollars and eighty-eight and one-third cents", "three thousand nine hundred and thirty eight dollars and sixty four and one-sixth cents", "six hundred and eighty two dollars and forty three and one-third cents" and "fifty-nine dollars and ninety-one and two-thirds cents" were substituted, as from 10 July 1967, for the words "two thousand eight hundred and three pounds twelve shillings and threepence", "two thousand and fifteen pounds one shilling and fourpence", "one thousand five hundred and thirty-six pounds four shillings and eightpence", "four hundred and seventy-nine pounds one shilling and ninepence", and "four thousand nine hundred and eighty-eight pounds twelve shillings and elevenpence", "six hundred and eighty-two pounds eight shillings and ninepence", "fifty-nine pounds eighteen shillings and fourpence", "one thousand four hundred and twelve pounds nine shillings and ninepence", "one thousand and fifteen pounds seven shillings and sixpence", "seven hundred and seventy-four pounds three shillings and tenpence", "two hundred and forty-one pounds eight shillings and tenpence", "one thousand nine hundred and sixty-nine pounds six shillings and fivepence", "three hundred and forty-one pounds four shillings and fourpence" and "twenty-nine pounds nineteen shillings and twopence" respectively, pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

73 Empowering Whakatane County Council to limit general rate levied in Galatea district

Whereas certain land in the Whakatane County, being portions of the Tarawera and Rangitaiki Ridings situated to the south of the confiscation boundary-line and known as the Galatea district, has no vehicular road access to any other portion of the said county: And whereas the said Galatea district does not benefit by money spent by the Whakatane County Council on roads in the said county, which are outside the said district: And whereas the amount collected by way of rates in the said Galatea district is greatly in excess of the amount expended therein: And whereas it is desirable to authorize the said Whakatane County Council to levy in the said Galatea district a rate less than that levied in the other parts of the ridings in which the said Galatea district is situated: Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary in the Counties Act 1920, or any other Act, it shall be and be deemed to have been lawful for the Whakatane County Council to limit the general rate in the said Galatea district for the year ending on the thirty-first day of March, nineteen hundred and twenty-six, to five-sixths of a cent in the dollar on the unimproved value over all rateable property in the said Galatea district, notwithstanding that a rate of a greater amount than the said five-sixths of a cent is levied over other portions of the ridings in which the said Galatea district is situated.

(2) The said Council shall, by resolution, particularly define the boundaries of the said district for the purposes of this section.

The words "five-sixths of a cent in the dollar" in subsection (1) were substituted, as from 10 July 1967, for the words "twopence in the pound" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

74 Authorizing Manukau County Council to make a special rate to pay off East Tamaki Hall Loan and to recoup Papatoetoe Riding Account

Whereas by section three of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1917, the East Tamaki Road Board was authorized to pay interest at the rate of six per centum per annum on the purchase-money for the time being unpaid in respect of the purchase of part of Lot 9 of the subdivision of Allotment 51 and others of East Tamaki Farms in the Auckland Land District, such purchase-money and interest being secured on such property by mortgage registered in the Auckland Deeds Register Office as No 237791: And whereas the East Tamaki Road District (hereinafter referred to as the said road district) was merged in the Manukau County on the sixteenth day of June, nineteen hundred and twenty-one, and at that date the sum of eight hundred and thirty dollars and eighty-five cents was due and owing under the said mortgage as appearing in the balance-sheet of the said East Tamaki Road Board and now referred to as the East Tamaki Hall Loan: And whereas the said road district on being merged in the said county became part of the Papatoetoe Riding thereof, and it is inequitable that the principal and interest payable under the said mortgage should be paid out of the moneys apportioned to the said Papatoetoe Riding, and it is expedient to make provision as hereinafter appears for the payment of such moneys: Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary in any Act, the Manukau County Council may, by resolution, make and levy a special rate over all rateable property within the area formerly comprising the said road district of such amount as will annually produce a sufficient sum to make the payments hereinafter mentioned.

(2) Such special rate shall be an annually recurring rate, and may be levied from year to year without further proceeding by the

said Council until the moneys due and owing under the said mortgage are fully paid off.

(3) The Council shall pay out of the proceeds of such special rate all interest, principal, and other charges properly payable by it in respect of the said East Tamaki Hall Loan.

(4) The Council may out of the proceeds of such special rate repay to the Papatoetoe Riding Account all moneys properly paid out of the said account in respect of the said East Tamaki Hall Loan since the date on which the said road district was merged in the said Manukau County.

75 Validating proceedings of Hutt County Council in respect of proposal to raise a special loan of $90,000

Whereas on the nineteenth day of December, nineteen hundred and twenty-four, the Hutt County Council submitted to a poll of the ratepayers of the Hutt County a proposal to raise a special loan of ninety thousand dollars, under the Local Bodies Loans Act 1913, for the following purposes, namely: (1) To provide the Council's contribution under the Main Highways Act 1922, towards the construction or reconstruction of the main highways in the County of Hutt; (2) to provide the Council's contribution under the Wellington City and Suburban Highways Construction and Hutt Road Amendment Act 1924 [*Repealed*], towards the widening of the Day's Bay Road, being a main road in the County of Hutt; (3) to provide the necessary plant and machinery for carrying out the said works: And whereas the proposals submitted as aforesaid were duly carried, and a special loan was raised by the Hutt County Council accordingly: And whereas, having regard to the terms of the Acts referred to in the aforesaid proposals, doubts have arisen as to the authority of the said Council to borrow moneys for the purposes as expressed in the said proposals, and it is desired accordingly to validate the raising of the loan and all proceedings incident thereto: Be it therefore enacted as follows:—

All proceedings taken by the Hutt County Council in respect of the hereinbefore-recited proposals shall be deemed to have been validly taken, and the loan to which such proceedings related shall be deemed to have been duly authorized and raised,

and the special rate made and levied for the purpose of securing such special loan shall be deemed to have been validly made and levied.

The words "ninety thousand dollars" were substituted, as from 10 July 1967, for the words "forty-five thousand pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

76 Authorizing Hokianga County Council to purchase certain cattle-dips

(1) The Hokianga County Council may, with the prior consent of the Minister of Agriculture, and upon such terms as he may determine, purchase any existing cattle-dips in its district, and the land on which any such dips are constructed, and may make by-laws regulating the use thereof and prescribing such fees and charges for such use as it may think fit.

(2) For the purpose of purchasing any such dips the Council is hereby empowered to raise a special loan under the provisions of the Local Bodies Loans Act 1913, by special order, and without taking the steps described in sections eight to twelve thereof.

77 Authorizing Bay of Islands County Council to purchase certain cattle-dips

(1) The Bay of Islands County Council may, with the prior consent of the Minister of Agriculture, and upon such terms as he may determine, purchase any existing cattle-dips in its district, and the land on which any such dips are constructed, and may make by-laws regulating the use thereof and prescribing such fees and charges for such use as it may think fit.

(2) For the purpose of purchasing any such dips the Council is hereby empowered to raise a special loan under the provisions of the Local Bodies Loans Act 1913, by special order, and without taking the steps described in sections eight to twelve thereof.

City and Borough Councils.

78 Validating expenditure by certain City and Borough Councils in sending delegates to the Municipal Conference, 1924

Notwithstanding any limitation imposed by section one hundred and five of the Municipal Corporations Act 1920, the Christchurch City Council, the Dunedin City Council, and the Invercargill Borough Council shall each be deemed to have been empowered to pay the full amount of the actual reasonable travelling-expenses incurred by its representatives in attending the Conference of the Municipal Association of New Zealand held at Auckland on the twenty-third and twenty-fourth days of October, nineteen hundred and twenty-four, and the meetings of the executive committee of that association held during the financial year ended on the thirty-first day of March, nineteen hundred and twenty-five.

79 Authorizing the Picton Borough Council to raise a loan to recoup its General Account in respect of certain expenditure on drainage-works

Whereas the Picton Borough Council raised three special loans for drainage purposes for that part of its borough known as **The No 2 Special Drainage Area**—namely, a loan of twenty thousand dollars, being all that could be raised of a loan of twenty-four thousand dollars authorized by a poll of the ratepayers of the said No 2 Special Drainage District taken on the twenty-fourth day of June, nineteen hundred and twenty, a loan of eleven thousand dollars authorized by a poll of the said ratepayers taken on the twenty-first day of December, nineteen hundred and twenty-one, and a loan of nine thousand dollars authorized by a poll of the said ratepayers taken on the tenth day of May, nineteen hundred and twenty-two, the said three loans amounting in all to the sum of forty thousand dollars: And whereas the said sum has been found to be insufficient to complete the works in respect of which it was borrowed: And whereas the said Council has power, pursuant to section eighteen of the Local Bodies Loans Act 1913, to borrow in respect of the last-mentioned of such loans a further sum of nine hundred dollars, but that sum

being insufficient for the purpose of completing the works, the Council, instead of exercising such power, expended out of its General Account for such purpose the sum of three thousand one hundred dollars: And whereas it is expedient to authorize the said Council to borrow by way of special loan under the Local Bodies Loans Act 1956, a sum sufficient to recoup its General Account in respect of such expenditure: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in the Local Bodies Loans Act 1913, the Picton Borough Council may, by way of special loan under that Act, borrow, on the security of a special rate over the lands comprised in the No 2 Special Drainage Area aforesaid, a sum not exceeding three thousand one hundred dollars, and pay the same into its General Account for the purposes of that account.

The words "twenty thousand dollars", "twenty-four thousand dollars", "eleven thousand dollars", "nine thousand dollars", "forty thousand dollars", "nine hundred dollars" and "three thousand one hundred dollars" were substituted, as from 10 July 1967, for the words "ten thousand pounds", "twelve thousand pounds", "five thousand five hundred pounds", "four thousand five hundred pounds", "twenty thousand pounds", "four hundred and fifty pounds" and "one thousand five hundred and fifty pounds" respectively, pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

80 Validating sale by Waimate Borough Council of part of borough reserve

(1) The sale by the Waimate Borough Council to Richard Thomas Hall White, of Waimate, painter, for the sum of four thousand and sixty dollars, of the land comprised in Reserve 1269 (in red), vested in the Corporation of the Borough of Waimate under the Public Reserves and Domains Act 1908, and containing one rood thirty-nine perches, is hereby validated and declared to have been lawfully made.

(2) The District Land Registrar for the Land Registration District of Canterbury, on presentation to him of a memorandum of transfer of the said land from the said Corporation to the said Richard Thomas Hall White, shall register the same, and the said land shall thereupon vest in the said Richard Thomas Hall White for an estate in fee-simple freed and discharged from the existing reservation over it under the said Reserves Act 1977.

(3) All moneys received by the said Council from the sale of the said land shall be applied in the purchase of other land to be held by the said Corporation as a reserve for the same purposes as affected the said land.

The words "four thousand and sixty dollars" were substituted, as from 10 July 1967, for the words "two hundred and thirty pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

The Public Reserves and Domains Act 1908 was repealed, as from 1 April 1929, by section 103 Public Reserves, Domains, and National Parks Act 1928 (1928 No 36). That Act was in turn repealed, as from 1 April 1954, by section 107(1) Reserves and Domains Act 1953 (1953 No 69). That Act was in turn repealed, as from 1 April 1978, by section 125(1) Reserves Act 1977 (1977 No 66).

81 Validating expenditure by Napier Borough Council to celebrate the jubilee of Napier

The expenditure by the Napier Borough Council during the year nineteen hundred and twenty-four of the sum of eight hundred and six dollars and thirty-seven and a half-cents in respect of the celebration of the jubilee of the Borough of Napier and the publication of a Jubilee Year-book is hereby validated.

The words "eight hundred and six dollars and thirty-seven and a half-cents" were substituted, as from 10 July 1967, for the words "four hundred and three pounds three shillings and ninepence" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

82 Validating conditions in Stratford Borough electric-line license

Whereas under the provisions of section two of the Public Works Amendment Act 1911 [*Repealed*], a license relating to the use of electric lines was issued to the Stratford Borough Council, and was published in the *Gazette* of the twenty-first day of May, nineteen hundred and twenty-five: And whereas in terms of the license a change from the Council's present system of supplying electrical energy at a pressure of one hundred volts and at a periodicity of forty cycles per second is necessary, and conditions have been inserted in the license governing the change-over and allocating between the licensee and consumers the cost of adjusting, altering, or replacing installations consequent thereon: And whereas doubts have arisen as to the validity of the said conditions, and it is desirable to validate the insertion thereof in the license and to make them binding on the parties concerned: Be it therefore enacted as follows:—

(1) The conditions governing the change-over hereinbefore referred to, and the allocation between the licensee and consumers of the cost of adjusting, altering, or replacing installations consequent on such change-over, as set out in clause thirteen of the conditions in the schedule to the said license shall be valid and binding on the licensee and every consumer.

(2) The reference of any dispute to the Board of Appeal as provided by the said clause thirteen shall be deemed to be a submission to arbitration under the provisions of the Arbitration Act 1996, or any statutory modification thereof, and the Board of Appeal shall have all the powers vested in arbitrators appointed under the provisions of that Act. In the event of the members of the Board of Appeal not being unanimous in their decision on any matter referred to them, the decision of a majority of the members thereof shall be the decision of the Board of Appeal.

The reference to the Arbitration Act 1996, in subsection (2), was substituted, as from 1 July 1997, by a reference to the Arbitration Act 1996 pursuant to section 18 Arbitration Act 1996 (1996 No 99).

83 Validating conditions in Napier Borough electric-line license

Whereas under the provisions of section two of the Public Works Amendment Act 1911 [*Repealed*], a license relating to the use of electric lines was issued to the Napier Borough Council, and was published in the *Gazette* of the ninth day of July, nineteen hundred and twenty-five: And whereas in terms of the license a change from the Council's present system of supplying electrical energy is necessary, and conditions have been inserted in the license governing the change-over and allocating between the licensee and consumers the cost of adjusting, altering, or replacing installations consequent thereon: And whereas it is desirable to validate the insertion thereof in the license and to make them binding on the parties concerned: Be it therefore enacted as follows:—

The conditions governing the change-over hereinbefore referred to, and the allocation between the licensee and consumers of the cost of adjusting, altering, or replacing installations consequent on such change-over, and for the reference

to a Board of Appeal of disputes arising between the licensee and a consumer, as set out in clause three of the conditions in the schedule to the said license shall be valid and binding on the licensee and every consumer.

84 Validating certain unauthorized expenditure by Masterton Borough Council

The expenditure by the Masterton Borough Council during the financial year ended on the thirty-first day of March, nineteen hundred and twenty-four, of the sum of two hundred and fifty-four dollars and fifty-six cents in excess of the limit of unauthorized expenditure allowed the said Council by section one hundred and twenty-one of the Public Revenues Act 1910, is hereby validated and declared to have been lawfully made.

The words "two hundred and fifty-four dollars and fifty-six cents" were substituted, as from 10 July 1967, for the words "one hundred and twenty-seven pounds five shillings and sevenpence" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

85 Wellington City Council empowered to extend the time for giving notices under renewal leases in respect of valuations or renewals

In any case where any lessee under any lease granted by the Wellington City Council has failed, or shall hereafter fail, to give any notice that is a condition precedent to the making of any valuation, or to any right of renewal of lease, the said Council may by resolution extend the time for giving such notice, subject in every case to all such terms and conditions as the said Council shall in its absolute discretion think fit to impose.

86 Changing purposes of two reserves vested in Invercargill Borough Corporation

Whereas that piece of land containing thirty-two and four-tenths perches, and being Lot 4, Block V, on the plan of the Township of Enwood deposited in the Land Registry Office at Invercargill, is vested in the Corporation of the Borough of Invercargill in trust to be held and used as a site for an athenæum and reading-room, but is not required for such purposes: And whereas that piece of land containing two roods two perches,

and being Section 10, Block VI, Town of North Invercargill, is vested in the said Corporation in trust as a site for municipal buildings, but is not required for such purpose: And whereas it is desired to change the purposes for which the said lands are held to that of endowments for the benefit of the Borough of Invercargill: Be it therefore enacted as follows:—

The respective reservations over the said pieces of land are hereby cancelled, and the said lands are hereby declared to be vested in the Corporation of the Borough of Invercargill as endowments for the benefit of the Borough of Invercargill freed and discharged from all trusts now affecting them.

87 Authorizing Lower Hutt Borough Council to sell a certain area of land acquired for recreation purposes and to exchange for a defence reserve a further area acquired for similar purposes

Whereas the Corporation of the Borough of Lower Hutt is the owner of all that piece or parcel of land, consisting of seven acres three roods six and one-tenth perches, being part Sections 35 and 38, Hutt District, and all the land in certificate of title, Volume 175, folio 65, Wellington Land Registry: And whereas the Lower Hutt Borough Council has subdivided the said land into allotments—namely, Lot 1, consisting of two acres two roods; Lot 2, consisting of four acres one rood; and Lot 3, consisting of one acre—as shown upon a plan deposited in the Head Office of the Department of Lands and Survey, at Wellington, and numbered A1925: And whereas the Council is desirous of disposing of the said Lot 1 by way of sale and of retaining the said Lot 2 for the use and enjoyment of the public as a pleasure-ground, and of disposing of Lot 3 by way of exchange with land now vested in His Majesty the King, consisting of three roods twenty-four and seven-tenths perches, more or less, being part of Section 20, Hutt District, and all the land comprised in certificate of title, Volume 149, folio 190, Wellington Land Registry: Be it therefore enacted as follows:—

(1) It shall be lawful for the Council to sell, either for cash or upon terms, the said Lot 1, and to apply the proceeds therefrom in or towards the repayment of any loan-moneys raised in connection with the acquisition of the said lands, and, if there be

any surplus, to apply the same in the improvement of the said Lot 2 as a pleasure-ground.

(2) The said Council shall hold and retain Lot 2 for the use and enjoyment of the public as a pleasure-ground.

(3) The said Council is hereby empowered to exchange the said Lot 3 for the land comprised in certificate of title, Volume 149, folio 190, Wellington Land Registry, being a reserve for defence purposes vested in His Majesty the King, and the Minister of Defence, on behalf of His Majesty, is hereby empowered to make such exchange, with or without equality of exchange.

(4) Upon an agreement being come to pursuant to the last preceding subsection the said Council shall transfer the said Lot 3 to His Majesty, and the land comprised therein shall thereupon be deemed to be permanently reserved for defence purposes; and the Governor-General shall, on such transfer being effected, by Warrant under his hand, cancel the existing reservation over the land comprised in certificate of title, Volume 149, folio 190, Wellington Land Registry, and declare the same to be vested in the Corporation of the Borough of Lower Hutt in trust for a children's playground.

(5) The District Land Registrar for the Land Registration District of Wellington is hereby empowered to issue such certificates of title or to make such endorsements on existing certificates of title as may be necessary to give full effect to the foregoing provisions of this section.

Subsection (4) was amended, as from 11 September 1926, by section 15 Local Legislation Act 1926 (1926 No 61) by substituting the words "a children's playground" for the words "recreation purposes".

88 Validating expenditure of loan-moneys raised by Wellington City Council for electrical purposes

The loan-moneys authorized by a poll of ratepayers of the City of Wellington taken by the Wellington City Council on the fifteenth day of September, nineteen hundred and twenty, to be expended for the purposes of a new electric-power station at Evans Bay, in the City of Wellington, shall be and as from the date of the raising of the loan be deemed to have been applicable not only for the purposes of a new electric-power station, but also for the purposes of providing converting plant at

Evans Bay and Jervois Quay in the said city, new substations for lighting supply and underground mains at Evans Bay, and high-tension mains and switch-gear to connect with Government supply transformers, and of paying the cost of shifting existing plant to Evans Bay.

89 Mount Eden Borough Council authorized to fix water charges according to quantity used

Notwithstanding anything in the Municipal Corporations Act 1920, it shall be lawful for the Mount Eden Borough Council to make and levy water rates or charges in respect both of the ordinary as well as of any extraordinary supply according to the quantity of water consumed by any person receiving the same as measured by meter, at such rates or charges as may from time to time be fixed by any by-law of the Council in that behalf or as may be agreed on with any such person, and all water rates or charges so payable shall be deemed to be separate rates, and may be recovered accordingly.

The Municipal Corporations Act 1920 was repealed, as from 20 December 1933, by section 393(1) Municipal Corporations Act 1933 (1933 No 30). That Act was in turn repealed, as from 1 April 1955, by section 413 Municipal Corporations Act 1954 (1954 No 76). That Act was in turn repealed, as from 1 April 1980, by section 9(1) Local Government Amendment Act 1979 (1979 No 59).

90 Authorizing Otaki Borough Council to pay interest on certain overdue accounts

Whereas the Otaki Borough Council incurred certain liabilities under a contract for the supply of necessary plant and material for the installation and completion of its waterworks scheme to an amount not exceeding in the aggregate the sum of twenty-six thousand six hundred and forty-five dollars and twenty-one and two-thirds cents: And whereas it is expedient to empower the said Council to pay interest as hereinafter provided on the several amounts comprised within the aforesaid sum from the date each such amount became payable until it was actually paid: Be it therefore enacted as follows:—

The Otaki Borough Council is hereby empowered out of its District Fund Account to pay one thousand and fifteen dollars and one and two-thirds cents as interest on the several amounts

comprised within the aforesaid sum of twenty-six thousand six hundred and forty-five dollars and twenty-one and two-thirds cents for the periods elapsing between the due and the actual dates of payment of the said amounts.

The words "twenty-six thousand six hundred and forty-five dollars and twenty-one and two-thirds cents" and "one thousand and fifteen dollars and one and two-thirds cents" were substituted, as from 10 July 1967, for the words "thirteen thousand three hundred and twenty-two pounds twelve shillings and twopence" and "five hundred and seven pounds ten shillings and twopence" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

91 Validating sale of certain area of land by Levin Borough Council

Whereas the Corporation of the Borough of Levin being registered as proprietors of an estate in fee-simple in the land hereinafter described, the Levin Borough Council, for valuable consideration, disposed of the said land to the Wellington Diocesan Board of Trustees: And whereas the said land was vested in the Corporation and is subject to the provisions of the Public Reserves and Domains Act 1908: And whereas in pursuance of the said transaction the said Council by memorandum of transfer dated the ninth day of December, nineteen hundred and twenty-four, transferred to the Board all its estate and interest in the said land: And whereas the proceeds of the disposal of the said land were employed by the Levin Borough Council in the purchase of certain other lands as and for a public reserve: And whereas upon presentation for registration of such transfer at the Land Registry Office at Wellington the District Land Registrar declined to register such transfer, upon the grounds that under the provisions of the Reserves Act 1977, the Council had no power to alienate the said land except by way of lease: And whereas it has been established that the inhabitants of Levin and its vicinity will not be in any way prejudicially affected by the transfer of the said land to the Board, and it is desirable that the disposal of the said land be validated: Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary in the Reserves Act 1977, or any other Act, the disposal by the Levin Borough Council to the Wellington Diocesan Board of Trustees of the land hereinafter described is hereby validated and declared to have been lawfully made.

(2) The District Land Registrar for the Land Registration District of Wellington is hereby empowered and directed, on presentation to him of the aforesaid memorandum of transfer, to make such endorsements on the certificate of title in respect of the said land, or to cancel such certificate and issue such further certificate of title, as may be necessary to give effect to the provisions of this section.

(3) The land to which this section relates is more particularly described as follows:—

All that piece of land, situate in the Wellington Land District, containing one rood thirty-four perches, more or less, being Section 2 of Block XV on the plan of the Township of Levin, and being part of the land comprised in certificate of title, Volume 190, folio 41, Wellington Registry.

92 Authorizing Taihape Borough Council to pay interest on certain overdue accounts

Whereas the Taihape Borough Council incurred certain liabilities under a contract for the supply at different times of necessary plant and material for the installation and completion of its waterworks scheme to an amount not exceeding in the aggregate the sum of forty thousand five hundred and forty-one dollars and five-sixths of a cent: And whereas it is expedient to empower the said Council to pay interest as hereinafter provided on the several amounts comprised within the aforesaid sum from the date each such amount became payable until it was actually paid: Be it therefore enacted as follows:—

The Taihape Borough Council is hereby empowered to pay out of the credit balance in its Water Gravitation Loan Account, so far as the same will suffice, and otherwise from its District Fund Account the sum of nine hundred and eighty-five dollars and sixteen and two-thirds cents as interest on the several amounts comprised within the aforesaid sum of forty thousand five hundred and forty dollars and five-sixths of a cent for the periods elapsing between the due and the actual dates of payment of the said amounts.

The words "forty thousand five hundred and forty-one dollars and five-sixths of a cent" and "nine hundred and eighty-five dollars and sixteen and two-thirds cents" were substituted, as from 10 July 1967, for the words "twenty thou-

sand two hundred and seventy pounds ten shillings and one penny" and "four hundred and ninety-two pounds eleven shillings and eightpence" respectively, pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

93 Empowering Dunedin City Council to lease Allotments 18 and 18A, Township of St Andrew's

Whereas by deed of conveyance dated the sixteenth day of October, eighteen hundred and seventy-six, registered No 41411 in the Deeds Register Office at Dunedin, and made between George Septimus Brodrick, Alfred Francis Oswin, and William Shand of the one part and the Caversham Road Board of the other part, the land described in subsection two hereof was conveyed and assured unto the said Board, its successors and assigns, to hold the same with the appurtenances thereunto belonging unto and to the use of the said Board, its successors and assigns, for ever in trust for public purposes in the Caversham district, and so that any duly organized Volunteer corps in the said district might use the same for the purposes of a drill-shed without let or hindrance from the said Board, its successors or assigns: And whereas the said land is now vested in the Corporation of the City of Dunedin subject to the said trusts: And whereas it is desirable that the aforesaid trusts should be revoked, and that the said land should be held by the said Corporation free from the said trusts: Be it therefore enacted as follows:—

(1) The trusts constituted by the aforesaid deed of conveyance are hereby revoked as from the passing of this Act, and the said land shall be held by the said Corporation freed and discharged from such trusts.

(2) The land to which this section relates is particularly described as follows:—

All that parcel of land in the Provincial District of Otago, situated in the Town District, being part of section numbered 17, Block VI, on the map of the said district, and numbered as Allotments 18 and 18A on a plan of subdivision of, *inter alia*, the said Section 17, called the Township of St Andrew's, signed by one John Anderson, and deposited in the office of the Registrar of Deeds at Dunedin - bounded towards the north-west by Allotments 17 and 17A, 59.4 feet; towards the north-east by Allotment 16, 99 feet; towards the south-east by Maria Street, 59.4 feet; and towards the south-west by College Street, 99

feet—and being all the land comprised in the said deed of conveyance.

94 Authorizing Christchurch City Council to make a payment to widow of the late James Ward

Whereas one James Ward, lately residing in Hawford Street, in the City of Christchurch, was accidentally killed on the second day of July, nineteen hundred and twenty-five, by coming into contact with overhead electric wires belonging to the Christchurch Municipal Electricity Department, the said wires having been brought to earth by the fall of a tree during a violent storm: And whereas the said James Ward left him surviving his widow, Isabella Ward, and three infant children, who by reason of his death were left unprovided-for: And whereas the City Council of Christchurch has by resolution stated its desire and intention to set aside out of the District Fund and pay to Trustees to be nominated by the Council a sum of two thousand dollars to be held by such Trustees upon such trusts for the benefit of the said Isabella Ward and the said infant children of the said James Ward as the said Trustees shall, with the approval of the said Council, by deed declare: And whereas it is doubtful whether there is any statutory authority for payment as aforesaid of the said sum out of the District Fund of the City of Christchurch: Be it therefore enacted as follows:—

The Christchurch City Council shall for all purposes be deemed to have been and to be empowered to pay out of the District Fund the said sum of two thousand dollars to Trustees to be nominated by the Council upon such trusts for the benefit of the said Isabella Ward and the three infant children of the said James Ward as the said Trustees, with the approval of the said City Council, shall by deed declare.

The words "two thousand dollars" were substituted, as from 10 July 1967, for the words "one thousand pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

95 Validating contribution by Mount Eden Borough Council to Auckland Provincial War Memorial Fund

The payment by the Mount Eden Borough Council of the sum of six hundred dollars out of its General Account during the

financial year ended on the thirty-first day of March, nineteen hundred and twenty-five, as a contribution to the Auckland Provincial War Memorial Fund is hereby validated and declared to have been lawfully made.

The words "six hundred dollars" were substituted, as from 10 July 1967, for the words "three hundred pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

96 Empowering Petone Borough Council to exchange certain lands for land vested in the Crown

Whereas by Proclamation dated the thirty-first day of October, eighteen hundred and ninety-six, and published in the *Gazette* of the fifth day of November, eighteen hundred and ninety-six, the land firstly described in subsection two hereof was taken for the purposes of drainage-works and thereby became vested in the Corporation of the Borough of Petone: And whereas the Petone Borough Council acquired from the Wellington Gas Company (Limited), *inter alia*, the land secondly described in subsection two hereof in consideration of certain advantages to accrue to the balance of the said company's land from the construction by the Petone Borough Council of protective works on the land so acquired: And whereas the said lands are no longer required for the purposes for which they were taken or acquired: And whereas in connection with the Hutt Valley Railway deviation scheme negotiations for an exchange of the said lands for lands vested in the Crown have been entered into between His Majesty the King and the Petone Borough Council: And whereas it is expedient that the said Council should be empowered to transfer the said lands to His Majesty the King as part of the aforesaid exchange: Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary contained in the Public Works Act 1908, or in any other Act, the Petone Borough Council may transfer to His Majesty the King the areas hereinafter described in exchange for an area of land vested in His Majesty which is deemed to be more suitable to the needs of the borough.

(2) The lands which may be so transferred to His Majesty are more particularly described as follows:—

Firstly, all that area in the Wellington Land District, containing by admeasurement two roods fifteen perches, more or less, be-

ing part of Section 5, Hutt Registration District, situated in the Borough of Petone, and bounded as follows: commencing at a point on the southern side of White's Line distant 299.7 links from the junction of the said White's Line and the Main Hutt Road, and proceeding in an easterly direction for a distance of 72.4 links along the aforesaid southern side of White's Line; thence towards the south-east by a line bearing 161° 19′ for a distance of 927.4 links to the western boundary of Section 6, Hutt Registration District; thence towards the south-west along the said boundary of Section 6 for a distance of 89.5 links; thence towards the north-west by a line bearing 341° 19′ for a distance of 1033 links to White's Line, the place of commencement: be all the aforesaid linkages a little more or less: and

Secondly, all that area in the Wellington Land District, containing by admeasurement twenty-seven and two-tenths perches, more or less, being part of Lot 2 on deposited plan 890, and being part of Section 6, Hutt Registration District, situated in the Borough of Petone, and bounded as follows: commencing at a point on the western boundary of the said Section 6, 786.1 links distant from the southern side of White's Line, and proceeding in a south-easterly direction on a line bearing 161° 19′ for a distance of 318.9 links; thence towards the south-west by a line bearing 262° 19′ for a distance of 61.7 links; thence towards the north-west by a line bearing 341° 19′ for a distance of 241.2 links to the eastern boundary of Section 5, Hutt Registration District; thence towards the north-east along the said boundary of Section 5 for a distance of 89.5 links to the place of commencement: be all the aforesaid linkages a little more or less:

As the same are delineated on the plan marked L and S 22/3417, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

(3) The Council may sell any land acquired by it by way of exchange as aforesaid, and the proceeds of such sale and all revenues derived therefrom shall be paid into the Council's General Account for the purposes of that account.

97 Authorizing New Plymouth Borough Council to grant to certain companies rights to lay petroleum conduit-pipes along or under streets

(1) The New Plymouth Borough Council may from time to time, by special order, grant to any person, firm, or company a right or easement, for such period not exceeding fifty years and on such terms and conditions as the Council may think fit, authorizing such person, firm, or company to lay conduit-pipes for oils of any kind, petroleum or petroleum products, in the Borough of New Plymouth under or along any street or other public highway, or any other land vested in or controlled by the Council, or (with the consent of the owners) along any private way or private street; but no such grant shall be to the exclusion of like grants to any other person, firm, or company.

(2) The grant of any such right or easement shall be subject to the payment of such rent, and to the observance of such conditions as to size, construction, repair, and maintenance of such conduit-pipes, and as to repair of any street, public highway, or private way under or along which they are laid, or as to any matter or thing incidental to or in relation to such grant, as the Council thinks fit.

98 Authorizing Timaru Borough Council to make certain advances out of Timaru Borough Drainage, Sewerage, and Works Loan No 7, $14,000

Whereas the Timaru Borough Council (hereinafter called the Council) did on the twenty-second day of August, nineteen hundred and twenty-three, take a poll of ratepayers upon a proposal to borrow by way of special loan under the Local Bodies Loans Act 1913, the sum of fourteen thousand dollars for the purpose of installing sewerage-works in the Borough of Timaru, and such poll was duly carried, and the special loan was duly raised and called the Timaru Borough Drainage, Sewerage, and Works Loan No 7, $14,000 (hereinafter referred to as the said loan): And whereas by a Proclamation published in the *Gazette* of the eighth day of July, nineteen hundred and twenty, a certain area of land particularly described in the said Proclamation and hereinafter called the **Watlington Area** was included in the said Borough of Timaru

as from the first day of January, nineteen hundred and twenty-one: And whereas the Council desires that it be empowered to make or pay out of the said loan, or out of any further sum raised under section eighteen of the Local Bodies Loans Act 1913, or out of its General Fund, or partly out of one and partly out of any other of them, to the owner or owners of rateable property within the Watlington Area, on whose property a dwellinghouse had already been erected prior to the inclusion of that area within the said Borough of Timaru, allowances for the purpose of assisting such owner or owners to connect their lands, buildings, and premises within that area with the public sewer within that area: And whereas it is necessary for the benefit of the health of the inhabitants of the said borough generally that the Council be so empowered: Be it therefore enacted as follows:—

The Timaru Borough Council may from time to time without any further authority than this section, either out of the moneys raised under the said loan or out of any further sum raised under section eighteen of the Local Bodies Loans Act 1913, or out of its General Fund, or partly out of one and partly out of any other of them, pay to any owner of a dwellinghouse within the Watlington Area erected prior to the inclusion of that area in the Borough of Timaru an allowance not exceeding the sum of twenty dollars towards the cost of connecting such dwellinghouse and its appurtenant buildings with the public sewer within the Watlington Area:

Provided that from such allowance as aforesaid the Council shall be entitled to deduct the cost of extending or installing the branch sewer from the main sewer to the building-line of the land on which such dwellinghouse is erected.

The words "fourteen thousand dollars" and "twenty dollars" were substituted, as from 10 July 1967, for the words "seven thousand pounds" and "ten pounds" respectively, pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

99 Changing purposes for which certain lands are held by the Petone Borough Corporation

Whereas the Corporation of the Borough of Petone is registered as the proprietor of the lands described in subsection two hereof: And whereas the said lands were acquired and have been used by the

Petone Borough Council for the purpose of constructing thereon certain protective and drainage works: And whereas there is no longer any necessity for such protective and drainage works, and it is expedient that the Petone Borough Council should be given power to put the said lands to other uses: Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary in the Municipal Corporations Act 1920, or any other Act, the lands described in subsection two hereof, and any moneys arising from the sale of the said lands, may be dealt with by the Petone Borough Council, without further authorization, as it thinks fit for any of the purposes of the borough.

(2) The lands to which this section relates are particularly described as follows: All those pieces of land situate in the Borough of Petone, containing—

Firstly, three roods and eight-tenths of a perch, be the same a little more or less, being part of Section 6, Hutt District, and being part of Lot 2 on a plan deposited in the office of the District Land Registrar at Wellington under No 890, excepting out of the said Lot 2 all that piece or parcel of land bounded as follows: commencing at a point on the western boundary of Section 6, Hutt District, distant 786.1 links from the southern side of White's Line: thence in a south-easterly direction on a line bearing 161° 19′ for a distance of 318.8 links; thence towards the south-west on a line bearing 262° 19′ for a distance of 61.7 links; thence towards the north-west along a line bearing 341° 19′ for a distance of 241.2 links to a point on the eastern boundary of Section 5, Hutt District; thence towards the north-east along the eastern boundary of Section 5 for a distance of 89.5 links to the point of commencement: be all the aforesaid linkages a little more or less.

Secondly, one acre one rood twenty-three perches and three-tenths of a perch, be the same a little more or less, being part of Section 6, Hutt District, and being Lot 3 on the aforesaid plan.

Thirdly, fourteen perches and seven-tenths of a perch, being part of Section 7, Hutt District, and being parts of Lots 32 and 33 on a plan deposited as aforesaid as No 709, and being all the land comprised and described in certificate of title, Volume 86, folio 223, Wellington Registry.

Subsection (2) was amended, as from 11 September 1926, by section 15 Local Legislation Act 1926 (1926 No 61) by substituting the words "excepting out of the said Lot 2 all that piece or parcel of land bounded as follows" for the words "and bounded as follows".

100 Authorizing Wellington City Council to lease portion of recreation-ground at Island Bay for marine observatory

The Wellington City Council is hereby authorized to lease to the Corporation of the Victoria University College for the purposes of a marine observatory, at such rent (including a peppercorn rent) and for such term not exceeding fifty years, and upon and subject to such conditions, limitations, and restrictions, as the Council shall in its absolute discretion think fit, any part not exceeding three roods in extent of the recreation-ground at Island Bay comprised in certificate of title, Volume 158, folios 256 and 257, Wellington Registry.

101 Empowering Hamilton Borough Council to purchase land as a site for a maternity home and to transfer such land to the Waikato Hospital Board

[Repealed]

Section 101 was repealed, as from 5 December 1927, by section 16(2) Local Legislation Act 1927 (1927 No 58).

102 Changing purposes of expenditure of certain loan-money raised by Otahuhu Borough Council

Whereas on the twenty-ninth day of October, nineteen hundred and twenty-four, the Otahuhu Borough Council submitted to a poll of the ratepayers of the borough a proposal to borrow by way of special loan under the Local Bodies Loans Act 1913, the sum of twenty-four thousand dollars to be allocated in the manner set out in the said proposal amongst certain waterworks improvements: And whereas the sum of eighteen thousand eight hundred dollars was in the said proposal allocated for the purpose of the purchase of Mannesman steel or cast-iron pipes and for the work of laying and connecting the same to replace the existing defective water-mains in certain streets in the borough named in the said loan proposal: And whereas the said loan proposal was duly carried, and the sum of eighteen thousand dollars only was duly raised by the

said Council on account of the said allocation of eighteen thousand eight hundred dollars: And whereas the works for which the said sum of eighteen thousand eight hundred dollars was allocated in the said loan proposal have been completed at a less cost than the amount of such allocation, leaving a balance of two thousand one hundred and sixty-six dollars of the said allocation unexpended: And whereas the said Council is desirous of expending the said balance of two thousand one hundred and sixty-six dollars in reticulating certain other streets in the said borough and in certain other waterworks improvements: Be it therefore enacted as follows:—

The Otahuhu Borough Council is hereby authorized and empowered to expend the said sum of two thousand one hundred and sixty-six dollars on the purchase, construction, laying, and fitting of additional pipes, mains, fittings, and appliances for the supply of water in the Borough of Otahuhu, and on the construction and erection, on lands vested in the Corporation of the borough, of buildings for the housing of machinery, fittings, and appliances in connection with its waterworks system.

The words "twenty-four thousand dollars", "eighteen thousand eight hundred dollars", "eighteen thousand dollars" and "two thousand one hundred and sixty-six dollars" were substituted, as from 10 July 1967, for the words "twelve thousand pounds", "nine thousand four hundred pounds", "nine thousand pounds", "one thousand and eighty-three pounds" respectively, pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

103 Empowering Hamilton Borough Council to lease Allotment 46, Town of Hamilton West

Whereas Allotment 46 of the Town of Hamilton West is vested in the Corporation of the Borough of Hamilton for an estate in fee-simple for the purpose of the erection, maintenance, and improvement of municipal buildings either on the said land or on other lands in the said borough: And whereas the Hamilton Borough Council is desirous of assisting in providing accommodation in the borough for a Plunket Nurse by leasing part of the said Allotment 46 for such purpose at a nominal rental: Be it therefore enacted as follows:—

(1) The Hamilton Borough Council is hereby authorized and empowered from time to time to lease the piece of land with right-of-way hereinafter mentioned, or any portion of such

land, for a term of years to any person or body of persons, whether corporate or unincorporate, for the purpose of the lessee erecting and maintaining on such land a building for the use of a Plunket Nurse and mothers and children requiring her services.

(2) Any lease granted under the provisions of this section shall be for such period, at such rental, and subject to such conditions and provisions as the Hamilton Borough Council shall deem necessary and proper for the purpose aforesaid.

(3) The land with right-of-way referred to in subsection one hereof is all that piece of land, containing thirty-three and twenty-seven hundredths perches, more or less, being Lot 5 of a subdivision of Allotment 46 of the Town of Hamilton West, as delineated on a plan deposited in the Land Registry Office at Auckland as No 17380. Such land to be held with the right to use the right-of-way over other part of the said Allotment 46 delineated as a right-of-way or passage on a plan deposited as aforesaid as No 15653.

104 Validating Taihape Borough Water-supply and Sewerage Extension Loan of $48,000

Whereas on the seventeenth day of February, nineteen hundred and twenty-one, the Taihape Borough Council, acting under the Local Bodies Loans Act 1913, caused to be taken a poll of ratepayers upon a proposal to raise a loan of forty-eight thousand dollars, upon the security of a special rate on the unimproved value of all the land comprised in a special-rating area within the Borough of Taihape, for the purpose of extending the said Council's water-supply and sewerage reticulation on the western and northern portions of the borough, which portions constituted the said special-rating area: And whereas the said proposal was carried and the loan raised: And whereas by a resolution passed by the Taihape Borough Council on the fourteenth day of July, nineteen hundred and twenty-two, the said Council made and levied a special rate of two and seventeen twenty-fourths of a cent in the dollar on the unimproved value over all rateable property in the said special-rating area: And whereas doubts have arisen as to the validity of the proceedings in connection with the taking of the said poll, and the description of the said special-rating area contained in the public notice of the said poll published in a newspaper

circulating in the district, and in the voting-paper, and in the resolution making and levying the said special rate: And whereas it is expedient that the said special-rating area should be clearly defined, and that the said loan should be validated: Be it therefore enacted as follows:—

(1) The said special-rating area shall for all purposes be deemed to consist and at all times to have consisted of the whole of Sections 28, 29, 30, 31, 32, 33, 34, 37, 75, 76, and 77, Block XIV, Ohinewairua Survey District, and the whole of that part of the said borough lying to the west of the North Island Main Trunk Railway, excepting thereout Sections 16, 19, 20, and 21, Block XIV, Ohinewairua Survey District.

(2) The said loan shall for all purposes be deemed to have been lawfully raised, and the said special rate shall at all times and for all purposes be deemed to have been lawfully made and levied, in respect of the said special-rating area as hereinbefore defined and all parts thereof.

The words "forty-eight thousand dollars" and "two and seventeen twenty-fourths of a cent in the dollar" were substituted, as from 10 July 1967, for the words "twenty-four thousand pounds" and "sixpence and one half-penny in the pound" respectively, pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

105 Application of moneys received by Wellington City Council under Thorndon Reclamation Act 1921-22 *[Repealed]*

Section 105 was repealed, as from 1 July 2003, by section 266 Local Government Act 2002 (2002 No 84). *See* sections 273 to 314 of that Act as to the savings and transitional provisions.

106 Cancelling reservation over public reserve, Borough of Otahuhu

Whereas the area of land hereinafter described was formerly vested in the Corporation of Otahuhu Road District and is now vested in the Corporation of the Borough of Otahuhu as a public reserve under the provisions and for the purposes of section seventy-eight of the Cemeteries Act 1908: And whereas the bodies interred therein have been removed to another cemetery, and no further burials can lawfully be made in the said area, which is now used for the purposes of a public pound: And whereas it is desirable to change the purposes for which

the said area is vested in the said Council: Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary in the Cemeteries Act 1908, or in any other Act, the vesting of the said area in the Corporation of the Borough of Otahuhu for the purposes and subject to the provisions of section seventy-eight of the Cemeteries Act 1908, is hereby cancelled, and the said area is hereby vested in the said Corporation as a reserve for municipal purposes.

(2) The Otahuhu Road Board and the Otahuhu Borough Council shall be deemed to have been lawfully empowered to erect and maintain a public pound on the said area.

(3) In particular, but without limiting the purposes for which the said area may be used, the Otahuhu Borough Council is hereby authorized to utilize any portions of the said area as sites for workers' dwellings and a depot for any plant and stores belonging to the said Council.

(4) The area of land to which this section relates is particularly described as follows:—

All that piece of land, containing three acres, more or less, being Lots 6, 8, and 10 of Section 8 of the Village of Otahuhu, Parish of Manurewa, Otahuhu Survey District, North Auckland Land District: bounded towards the north by Lot 4, 400 links; towards the east by a road, 750 links; towards the south by a road, 400 links; and towards the west by Lots 5, 7, and 9, 750 links: as the same is delineated on the public map or plan of the said Village of Otahuhu.

107 Wellington City Council authorized to borrow by special loan or by bank overdraft $50,000 for advances for construction of private drains

(1) The Wellington City Council may, for the purpose of providing funds out of which advances may be made to owners of premises in the City of Wellington for the purposes of drainage or sanitation works under Part 22 of the Municipal Corporations Act 1920, borrow moneys not exceeding in the aggregate fifty thousand dollars by way of special loan under the Local Bodies Loans Act 1913, by special order, and without

taking the steps prescribed by sections eight to twelve of the Local Bodies Loans Act 1913.

(2) The special rate made as security for any such loan may be made and levied over the whole of the city.

(3) In lieu of borrowing by way of special loan as aforesaid the Council may borrow by way of bank overdraft moneys not exceeding in the aggregate fifty thousand dollars for the purpose aforesaid, and such moneys so borrowed shall to the extent of the amount of contributions unpaid by such owners be excluded from the general overdraft of the Council in determining the amount of overdraft permitted under the Local Bodies Finance Act 1921-22.

The words "fifty thousand dollars" were substituted, as from 10 July 1967, for the words "twenty-five thousand pounds" respectively, pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

108 Changing purposes for which certain areas of land are vested in Christchurch City Corporation

Whereas the area of land situate in the City of Christchurch, being town sections numbered 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, and 621, is vested in the Corporation of the City of Christchurch and is used by the City Council as the site of the power-house, workshops, garage, and offices of the Christchurch Municipal Electricity Department, the city destructor, the municipal baths, and the Council yard with stables, implement-sheds, and other buildings for the housing of the Council's horses and roadmaking implements and machines: And whereas the sites of the said stables and implement-sheds and other portions of the said area of land are not now required for these purposes: And whereas it is desirable to authorize the said Council to utilize for other purposes such portions of the said area of land as are not at present, or will not at any time, be required for the purposes for which they are now vested in the said Council: Be it therefore enacted as follows:—

It shall be lawful for the Christchurch City Council from time to time to erect buildings upon the whole or any portion of the said area of land as is not required for the purpose for which it is now vested in the said Corporation, and to let the said

buildings, or such of them as shall not for the time being be required for the use of the said Council.

109 Authorizing Whakatane Borough Council to pay balance of purchase price of material for water supply by instalments

Whereas there has existed a dispute between the Whakatane Borough Council (hereinafter called the Council) and the Spiral and Lock-bar Steel Pipe Company of New Zealand (Limited), of Wanganui, with respect to the balance of an amount owing by the Council to the said company for pipes, fittings, and materials purchased by the Council from the said company for the Council's high-pressure water-supply in the Borough of Whakatane: And whereas the Council and the company did on the twentieth day of August, nineteen hundred and twenty-five, agree upon a settlement of the said dispute, whereby the Council agreed to pay to the said company the sum of two thousand three hundred and six dollars and twenty-eight and a third cents in full settlement of the said amount, in instalments of one hundred dollars a month, commencing on the twentieth day of September, nineteen hundred and twenty-five, together with interest on the balance thereof from time to time remaining unpaid at the rate of six dollars and fifty cents per centum per annum computed from the said twentieth day of August nineteen hundred and twenty-five: And whereas it is desired to validate the said agreement and to empower the Council to pay the interest at the said rate: Be it therefore enacted as follows:—

The said agreement between the Council and the said company is hereby validated and the Council empowered out of its General Account or its Water-supply Account to pay to the said company, on the amount from time to time outstanding as aforesaid, interest at the rate of thirteen dollars per centum per annum in accordance with the terms of the said agreement.

The references to "two thousand three hundred and six dollars and twenty-eight and a third cents", "one hundred dollars", and "six dollars and fifty cents" were substituted, as from 10 July 1967, for references to "one thousand one hundred and fifty-three pounds two shillings and tenpence", "fifty pounds", and "six pounds ten shillings" pursuant to section 7(1) and (2) Decimal Currency Act 1964 (1964 No 27).

110 Section 126 of Reserves and other Lands Disposal and Public Bodies Empowering Act 1924 (affecting Wellington City Council), amended

Section one hundred and twenty-six of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1924, is hereby amended by inserting, after paragraph (c) of subsection three thereof, the following new paragraph:—

"(cc) The moneys due by each owner of land comprised in the proclaimed area, and all interest payable on such moneys, shall, until payment thereof, be a charge on the land in respect of which payment is due."

111 Authorizing Hastings Borough Council to utilize unexpended balance of loan of $98,000

Whereas the Hastings Borough Council, being duly authorized by a poll of ratepayers taken on the second day of July, nineteen hundred and twenty-four, raised a loan of ninety-eight thousand dollars under the Local Bodies Loans Act 1913, for undertaking certain works in the Borough of Hastings, a portion of such loan—namely, thirty thousand dollars—being specifically allocated for expenditure on the construction of four hundred and eighty-one chains of new concrete footpaths (where the kerbs and channels are already established), and eight hundred and thirty-one chains of new concrete channels, kerbs, and footpaths: And whereas those works have been completed for less than that sum, and it is desirable to authorize the said Council to expend the surplus in constructing other concrete channels, kerbs, and footpaths in the said borough: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in the Local Bodies Loans Act 1913, or in any other Act, it shall be lawful for the Hastings Borough Council to expend any surplus of the said sum of thirty thousand dollars not required for the purposes for which the said sum was allocated in constructing new concrete channels, kerbs, and footpaths in such portion of the said borough as the said Council thinks fit.

The references to "ninety-eight thousand dollars", and "thirty thousand dollars" were substituted, as from 10 July 1967, for references to "forty-nine thousand pounds", and "fifteen thousand pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

112 Changing purposes for which certain lands are held by New Plymouth Borough Corporation

Whereas the land firstly described in subsection two hereof is held by the Corporation of the Borough of New Plymouth (hereinafter referred to as the Corporation) in trust partly for the improvement and benefit of the said borough and partly as a site for a Town Hall and public lecture-room: And whereas the land secondly described in subsection two hereof is held by the Corporation as a site for a septic tank: And whereas it is desirable that the reservations, trusts, and uses affecting the said lands should be removed, and that the said lands should hereafter be held by the Corporation as an endowment for the improvement and benefit of the said borough: Be it therefore enacted as follows:—

(1) The lands hereinafter described are hereby freed from all reservations, trusts, and uses affecting the same, and such lands shall hereafter be held by the Corporation as an endowment for the benefit and improvement of the Borough of New Plymouth.

(2) The lands to which this section relates are particularly described as follows:—

Firstly, all that parcel of land in the Town of New Plymouth, containing three roods sixteen and two-tenths perches, being Allotments 4, 5, 6, 7, 8, 26, 27, 28, 29, and 30 on deposited plan 578, and being the whole of the land comprised in certificate of title, Volume 104, folio 260, Taranaki Registry.

Secondly, all that parcel of land in the Town of New Plymouth, containing together thirty-two and fourth-tenths perches, being Section 13, Storehouse Reserve, part of the bed of the Huatoki Stream and part of original bed of Huatoki Stream, being the whole of the land comprised in certificate of title, Volume 48, folio 53, Taranaki Registry.

113 Wellington City Council authorized to spend part of Wellington Jubilee Fund in purchase of photographs

The Wellington City Council is hereby authorized to expend out of moneys in the hands of the Council under deed dated the thirty-first day of July, nineteen hundred and eleven, made between Charles John Johnston, of the City of Wellington, merchant, of the one part, and the Mayor, Councillors, and Citi-

zens of the City of Wellington, of the other part, relating to certain moneys known as the Wellington Jubilee Fund, held for the purpose of carrying into effect resolutions passed at a public meeting held in the City of Wellington on the fifth day of June, eighteen hundred and ninety, as set out in that deed, a sum of not more than two hundred dollars in purchasing certain photographs and pictures exhibited at the Winter Show held in Wellington in the month of August, nineteen hundred and twenty-five, and in providing suitable cases and frames for the same.

The reference to "two hundred dollars" was substituted, as from 10 July 1967, for a reference to "one hundred pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

114 Wellington City Council empowered to make payments in respect of alleged smoke nuisance at Evans Bay

(1) The Wellington City Council may in respect of an alleged nuisance arising from smoke from its electric power-house at Evans Bay pay in full satisfaction of all present and future claims by persons claiming to be affected by such nuisance allowances not exceeding in the whole three thousand dollars out of moneys to the credit of the tramways undertaking and the electric light and power supply undertaking on the thirty-first day of March, nineteen hundred and twenty-five.

(2) No such allowance shall be paid under this section to any person unless the General Manager or other officer for the time being appointed by the City Council to manage the Wellington City Corporation Tramways certifies that the claimant is, in his opinion, entitled to the amount proposed to be paid.

(3) No such allowance shall be paid to any person who has received any compensation under the provisions of the Public Works Act 1908, in respect of any such nuisance, nor shall any such allowance be paid to any person who has made a claim for such compensation unless and until he executes a release by deed of all claims for compensation under the Public Works Act 1908, or otherwise howsoever.

The reference to "three thousand dollars" was substituted, as from 10 July 1967, for a reference to "one thousand five hundred pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

The Public Works Act 1908 was repealed, as from 6 October 1928, by section 346 Public Works Act 1928 (1928 No 21). That Act was in turn repealed, as from 1 February 1982, by section 248(1) Public Works Act 1981 (1981 No 35).

115 Varying purposes of expenditure of loan of $6,000 raised by Westport Borough Council

Whereas on the twenty-first day of March, nineteen hundred and twenty-four, the Westport Borough Council was authorized by the ratepayers of the borough to raise two separate loans of forty-seven thousand dollars (for the purpose of installing electric light and power within the Borough of Westport) and six thousand dollars (for the purpose of advances of money to ratepayers for private electric connections) respectively: And whereas the former such loan, together with a further sum not greater than one-tenth of the amount originally authorized by the ratepayers which has already been raised, is insufficient for the purpose of completing the undertaking in respect of which it was raised, and an additional sum of two thousand dollars is required for such purpose: And whereas the said loan of six thousand dollars is greater than is necessary for the purpose of completing the public work for which it was raised, and it is expedient to spend two thousand dollars of such loan on the public work for which the loan of forty-seven thousand dollars was obtained: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in the Local Bodies Loans Act 1913, the Westport Borough Council may utilize any sum not exceeding two thousand dollars (being portion of the unexpended balance of the said loan of six thousand dollars) for the purpose of completing the work for which the said loan of forty-seven thousand dollars was raised.

The references to "forty-seven thousand dollars", "six thousand dollars", and "two thousand dollars" were substituted, as from 10 July 1967, for references to "twenty-three thousand five hundred pounds", "three thousand pounds", and "one thousand pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

116 Cancelling reservation over area of land vested in New Plymouth Borough Corporation

Whereas the Corporation of the Borough of New Plymouth is seised of an estate of freehold in fee-simple as a reserve and endowment for the improvement and benefit of the Town of New Plymouth in all that piece of land, containing by admeasurement fifty-five hundredths of a perch, more or less, being the section numbered 2339 on the public maps of the Town of New Plymouth, and being part of the land comprised in certificate of title, Volume 104, folio 259, Taranaki Registry: And whereas owing to its limited area the said land is not used for the purpose for which it was reserved, and it is expedient to authorize the New Plymouth Borough Council to sell the same: Be it therefore enacted as follows:—

(1) The reservation of the said land as a reserve and endowment for the improvement and benefit of the Town of New Plymouth is hereby cancelled.

(2) The New Plymouth Borough Council is hereby empowered to sell the said land and to pay the proceeds of such sale into its General Account for the purposes of that account.

Town boards.

117 Helensville Town Board authorized to fix water charges according to quantity consumed

(1) Notwithstanding anything to the contrary in the Municipal Corporations Act 1920, or any other Act, it shall be lawful for the Helensville Town Board to make and levy water rates or charges in respect both of the ordinary as well as of any extraordinary supply according to the quantity of water consumed by any person receiving the same as measured by meter, at such rates or charges as may be fixed by any by-law in that behalf or as may be agreed on with any such person and all water rates or charges so payable shall be deemed to be separate rates, and may be recovered accordingly.

(2) This section shall be deemed to have come into operation on the first day of April, nineteen hundred and twenty-four.

Harbour boards.

118 Otago Harbour Board may remit certain charges in respect of the vessel Sir James Clark Ross

It shall be lawful for the Otago Harbour Board to remit the pilotage and port charges payable in respect of the vessel **Sir James Clark Ross** on account of the entry of that vessel into the Port of Otago in the month of November, nineteen hundred and twenty-four, and again in the month of March, nineteen hundred and twenty-five.

119 Validating expenditure by Otago Harbour Board in celebrating jubilee of Board and advertising in certain publications

The sum of three hundred and sixty-nine dollars and forty cents expended by the Otago Harbour Board in the year nineteen hundred and twenty-four in celebrating the jubilee of the said Board, and the sum of one hundred and ninety-one dollars and fifty-six and two-third cents expended by the said Board in the same year for the insertion of matter relating to the Port of Otago in a publication named **Progressive New Zealand,** and also the further sum of five hundred dollars expended by the said Board in the year nineteen hundred and twenty-five for the insertion of matter relating to the said port in a publication named **New Zealand To-day,** shall be deemed to have been lawfully expended.

The references to "three hundred and sixty-nine dollars and forty cents", "one hundred and ninety-one dollars and fifty-six and two third cents", and "five hundred dollars" were substituted, as from 10 July 1967, for references to "one hundred and eighty-four pounds fourteen shillings", "ninety-five pounds fifteen shillings and eightpence", and "two hundred and fifty pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

120 Validating expenditure by Bluff Harbour Board in advertising in "New Zealand To-day"

The expenditure of the sum of three hundred and twenty-six dollars and sixty-seven and a half cents by the Bluff Harbour Board for the insertion of matter relating to the Bluff Harbour District in a publication called **New Zealand To-day** is hereby validated and declared to have been lawfully made.

The words "three hundred and twenty-six dollars and sixty-seven and a half cents" were substituted, as from 10 July 1967, for the words "one hundred and sixty-three pounds six shillings and ninepence" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

121 Authorizing Motueka Harbour Board to contribute towards construction of road and bridge across Moutere Estuary

Whereas the Motueka Harbour Board desires authority to contribute the sum of one thousand four hundred dollars towards the cost of constructing a road and bridge across the tidal land and tidal waters of Moutere Estuary in order to provide improved access to the Port of Motueka, and it is considered expedient to grant such authority: Be it therefore enacted as follows:—

Notwithstanding anything contained in the Harbours Act 1923, the Motueka Harbour Board may, out of its General Account, contribute a sum not exceeding one thousand four hundred dollars towards the construction of a road and bridge across the Moutere Estuary to provide improved access to the Port of Motueka.

The reference to "one thousand four hundred dollars" was substituted, as from 10 July 1967, for a reference to "seven hundred pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

122 Extending powers conferred on Wairau Harbour Board by section 99 of Reserves and other Lands Disposal and Public Bodies Empowering Act 1914

Whereas pursuant to subsection two of section ninety-nine of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1914, the Wairau Harbour Board entered into contracts for the purchase of certain lands, tenements, and hereditaments upon terms providing for the repayment of the purchase-moneys within a period of seven years: And whereas that period has expired without the said Board having repaid the said purchase-moneys in full: And whereas it is expedient to empower the said Board to agree with the vendors of the said property for an extension of time within which to pay the balance of unpaid purchase-moneys: And whereas it is expedient to extend the leasing-powers conferred on the said Board by subsection

three of the said section ninety-nine: Be it therefore enacted as follows:—

(1) Notwithstanding that the period has expired within which the Wairau Harbour Board is bound by any contract entered into pursuant to subsection two of section ninety-nine of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1914, to pay the purchase-moneys in respect of any lands, tenements, and hereditaments purchased by it pursuant to that subsection, the said Board may agree with the vendors for an extension of time within which to pay the balance of such moneys unpaid at the expiration of such period as aforesaid, and may pay interest at such rate as may be approved by the Minister of Finance on the balance of such moneys for the time being outstanding.

(2) The power conferred by the said Board by subsection three of the said section ninety-nine is hereby extended to enable the said Board to lease any lands, tenements, and hereditaments pursuant to that subsection for any term not exceeding eighteen years from the date of purchase of such lands, tenements, and hereditaments, and in any case where a lease has heretofore been granted for a term of less than eighteen years the Board may, notwithstanding that such period may have expired before the passing of this Act, extend such lease for a term or terms expiring not later than eighteen years after the date of the purchase by the Board of the lands, tenements, or hereditaments in respect of which it was granted.

Electric-power boards.

123 Authorizing Opunake Electric-power Board to expend $1,180 out of loan-moneys to repay Opunake Town Board's Acetylene-gas Loan

Whereas the Opunake Town Board was on the fourteenth day of August, nineteen hundred and nineteen, authorized by the ratepayers of the Opunake Town District to raise a loan of fourteen thousand dollars for the purpose of generating and distributing electric energy, and to pay to the Public Trustee the amount of principal owing under its Acetylene-gas Loan, being approximately one thousand one hundred and eighty

dollars: And whereas, owing to the action taken by the Opunake Electric-power Board as hereinafter recited, the Opunake Town Board did not complete the matter for which the loan was authorized and has not so repaid the amount of such Acetylene-gas Loan: And whereas the Opunake Electric-power Board was on the sixteenth day of November, nineteen hundred and twenty-one, duly authorized by the ratepayers of the Opunake Electric-power District to raise a loan of one hundred and forty thousand dollars for the purpose of generating and distributing electric energy throughout the Opunake Electric-power District and outer area: And whereas in the notice published by the Opunake Electric-power Board pursuant to section nine of the Local Bodies Loans Act 1913, it was stated that the loan-moneys were to be applied in purchasing the hydro-electric works then in the course of construction by the Opunake Town Board, and in payment of the liabilities of the said Board in respect of the same, and in the further manner set out in such notice, and the raising of the said loan was authorized on that understanding: And whereas no provision was made in such notice published by the Opunake Electric-power Board to repay the said Acetylene-gas Loan: And whereas it is deemed advisable to authorize the repayment of the said Acetylene-gas Loan out of the loan-moneys raised by the Opunake Electric-power Board pursuant to the said authority: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in the Local Bodies Loans Act 1913, or any other Act, the Opunake Electric-power Board is hereby authorized to expend out of the proceeds of the loan authorized as aforesaid to be raised by it the sum of one thousand one hundred and eighty dollars for the purpose of repaying the said Acetylene-gas Loan of the Opunake Town Board.

The references to "fourteen thousand dollars", "one thousand one hundred and eighty dollars", and "one hundred and forty thousand dollars" were substituted, as from 10 July 1967, for references to "seven thousand pounds", "five hundred and ninety pounds", and "seventy thousand pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

124 Authorizing Waitemata Electric power Board to establish its public offices outside the district

Whereas it is provided by section thirty-seven of the Electric-power Boards Act 1918, that an Electric-power Board may provide public offices within the electric-power district: And whereas, owing to the scattered nature of the different parts of the Waitemata Electric-power District and the difficulties of access between them, it is expedient that the public offices of the said district be established in the City of Auckland, which is not within the district: Be it therefore enacted as follows:—

The Waitemata Electric-power Board is hereby authorized to exercise within the City of Auckland the powers conferred by section thirty-seven of the Electric-power Boards Act 1918, as if the said city were situated within the Waitemata Electric-power District.

125 Authorizing Wanganui-Rangitikei Electric-power Board to apply certain loan-moneys towards purchase of power plants from Wanganui City Council and Bull's Town Board

[Repealed]

Section 125 was repealed, as from 1 April 1993, by section 173(1) Electricity Act 1992 (1992 No 122).

The words "seven hundred and fifty thousand dollars", "eighty-one thousand one hundred and forty-one dollars and twenty-five cents", "twelve thousand dollars" were substituted, as from 10 July 1967, for the words "three hundred and seventy-five thousand pounds", "forty thousand five hundred and seventy pounds twelve shillings and sixpence", and "six thousand pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

126 Authorizing Ashburton Electric-power Board to vary purposes for which loan of $593,000 may be expended

Whereas the Ashburton Electric-power Board, constituted under the Electric-power Boards Act 1918 (hereinafter referred to as the Board), was on the twenty-seventh day of July, nineteen hundred and twenty-two, duly authorized by the ratepayers of the Ashburton Electric-power District to raise a loan of five hundred and ninety-three thousand dollars to be applied, as set out in the loan proposals, in part to the purchase of existing plants and installations and in part to the construction of electric works: And whereas,

purporting to act within its authority, the Board has expended part of the loan in the exercise of its powers under and for the purposes set out in sections eighty-eight and ninety of the Electric-power Boards Act 1918, and has also expended on such purposes moneys in its Power Fund Account in anticipation of recouping the account from the loan-moneys: And whereas doubts have arisen as to the Board's power to apply any portion of the loan to such purposes, and it is desirable to confer such power, and to authorize the recouping of the Power Fund Account in manner hereinafter set out: Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary in the Local Bodies Loans Act 1913, or any other Act, the Board may from time to time out of the loan of five hundred and ninety-three thousand dollars hereinbefore referred to expend for any of the purposes set out in sections eighty-eight and ninety of the Electric-power Boards Act 1918, such sum or sums, not exceeding in the whole the sum of fifty thousand dollars, as it thinks fit. The authority hereby conferred shall extend to cover the sum or sums heretofore expended out of the said loan on the aforesaid purposes, and the said sum or sums shall be deemed to have been lawfully expended in pursuance of that authority.

(2) Out of the sum of fifty thousand dollars hereby authorized to be expended on the aforesaid purposes the Board may repay to its Power Fund Account such sum or sums not exceeding in the whole the sum of four thousand dollars as have heretofore been expended from that account on the aforesaid purposes.

The references to "593,000", "five hundred and ninety-three thousand dollars", "fifty thousand dollars", and "four thousand dollars" were substituted, as from 10 July 1967, for references to "296,500", "two hundred and ninety-six thousand five hundred pounds", "twenty-five thousand pounds", "and two thousand pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

127 Authorizing Wanganui-Rangitikei Electric-power Board to pay out of loan-money certain interest and sinking-fund charges

Notwithstanding anything to the contrary in the Local Bodies Loans Act 1913, or any other Act, the Wanganui-Rangitikei Electric-power Board may pay, out of the proceeds of loans raised by it for its undertaking, the interest and sinking-fund charges in respect of such loans accruing up to the date electri-

city from the Government power-works at Mangahao becomes available for use in the Board's district:

Provided that the total amount that may be so paid in respect of such loans pursuant to the authority conferred by this section shall not exceed fifty thousand dollars.

The reference to "fifty thousand dollars" was substituted, as from 10 July 1967, for a reference to "twenty-five thousand pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

128 Authorizing Taranaki Electric-power Board to vary purposes of expenditure of loan of $700,000

Whereas the Taranaki Electric-power Board was on the fifth day of July, nineteen hundred and twenty-three, duly authorized by the ratepayers of the Taranaki Electric-power District to raise a loan of seven hundred thousand dollars to be allocated amongst the purposes set out in the loan proposal in the proportions specified therein: And whereas the amounts raised by the Board for the said purposes are insufficient for some and are more than sufficient for others of the said purposes: And whereas it is expedient that the Board should be authorized to expend such loan-moneys for the said purposes in the manner hereinafter provided instead of in the manner authorized as aforesaid: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in the Local Bodies Loans Act 1913, or in any other Act, it shall be lawful for the said Board to apply the moneys borrowed or to be borrowed in such manner as it thinks fit to the carrying-out of the purposes for which the loan was authorized irrespective of the specific amounts allocated to the said purposes in the loan proposal.

The references to "$700,000", and "seven hundred thousand dollars" were substituted, as from 10 July 1967, for references to "£350,000", and "three hundred and fifty thousand pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

129 Authorizing conditions as to the change-over from present system of electric supply being inserted in a license proposed to be issued to Waitomo Electric-power Board under section 2 of Public Works Amendment Act 1911

Whereas the Waitomo Electric-power Board recently purchased and took over from the Te Kuiti Borough Council the electric-power

house, plant, transmission-lines, poles, and all equipment generally used, owned, and employed by the Te Kuiti Borough Council in connection with the manufacture, supply, and distribution of electrical energy and electric light to the inhabitants of the said Te Kuiti Borough: And whereas under the provisions of section two of the Public Works Amendment Act 1911 [*Repealed*], a license relating to the use of electric lines is to be issued to the said Waitomo Electric-power Board: And whereas the conditions of such license will necessitate a change from the Board's present direct-current system of supplying electrical energy: And whereas it is expedient that the conditions subject to such change-over shall be set forth in the said license: Be it therefore enacted as follows:—

(1) In the conditions of the license to be issued to the Waitomo Electric-power Board under section two of the Public Works Amendment Act 1911 [*Repealed*], there may be inserted provisions governing the change-over hereinbefore referred to and the allocation between the licensee and the consumers of the cost of adjusting, altering, or replacing installations consequent on such change-over. Provision may be made—

(a) For classification of consumers' installations into the following classes:—

(i) Class A: Installations in which the wiring is found to be in accordance with the requirements of the license issued to the Te Kuiti Borough Council by Order in Council dated the fourth day of August, nineteen hundred and thirteen, and published in the *Gazette* on the seventh day of the same month, and in accordance with the rules of the New Zealand Fire Underwriters' Association relating to electric wiring, and only require alterations necessitated by the change in system.

(ii) Class B: Installations in which the wiring is found to be defective under the requirements of the aforesaid license or the aforesaid rules of the New Zealand Fire Underwriters' Association.

(iii) Class C: Installations in which the wiring is worn out and under any conditions of supply would require to be rewired within a short period.

(b) For the allocation between licensee and consumers of the cost consequent on the change-over in the following manner according to the class of the installation:—

(i) Class A: The whole of the cost shall be paid by the licensee:

Provided always that in the case of extensions and alterations which have not been authorized by the licensee the cost of alterations thereto shall be borne by the consumer.

(ii) Class B: The cost of removing all defects shall be paid by the consumer, and the cost of alterations due to change in system shall be paid by the licensee.

(iii) Class C: The whole cost shall be paid by the consumer.

(2) The following conditions may also be inserted in such license:—

(a) All work required to be done pursuant to the change-over in connection with installations of classes A and B shall, unless otherwise agreed between the licensee and the consumer, be carried out by the licensee.

(b) All money expended by the licensee for this purpose shall, in cases where the consumer may be liable, be a charge on the premises of the consumer and recoverable accordingly. Provision may be made for consumers who do not desire to pay in full at the time of the alterations to pay in instalments due with their regular accounts for the supply of electricity.

(c) In case of any dispute arising in respect of matters affected by this clause between the licensee and a consumer, a Board of Appeal (whose decision shall be final) shall be set up to decide such dispute, which Board of Appeal shall consist of the following:—

(i) One representative appointed by the licensee:

(ii) One representative appointed by the consumer on whose premises the alterations are necessary:

(iii) The District Court Judge for the district, who shall be Chairman.

(3) All the provisions and conditions of such license when issued shall be valid and binding on the licensee and every consumer.

The words "District Court" and "District Court Judge" were substituted, as from 1 April 1980, for the words "Magistrates Court" and "Magistrate" pursuant to section 18(1) District Courts Amendment Act 1979 (1979 No 125).

130 Validating payment of certain travelling-expenses of Chairman and Deputy Chairman, Waitemata Electric-power Board

Whereas the Chairman and Deputy Chairman of the Waitemata Electric-power Board rendered certain services to the Board by visiting and inspecting Power Boards' offices situated at Te Kuiti, Te Awamutu, New Plymouth, and Te Aroha: And whereas the Board paid the sum of twelve dollars and eighteen and a third cents to the Chairman and the sum of twenty-three dollars and sixty-two and a half cents to the Deputy Chairman towards the travelling-expenses incurred by them respectively during the said visits and inspections, and it is desired to validate such payments: Be it therefore enacted as follows:—

The payments by the Waitemata Electric-power Board of the said sum of twelve dollars and eighteen and a third cents to the Chairman and the said sum of twenty-three dollars and sixty-two and a half cents to the Deputy Chairman of the Board in respect of the said visits and inspections are hereby validated.

The references to "twelve dollars and eighteen and a third cents", and "twenty-three dollars and sixty-two and a half cents" were substituted, as from 10 July 1967, for references to "six pounds one shilling and tenpence", and "eleven pounds sixteen shillings and threepence" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

131 Authorizing the Otago Electric-power Board to establish its public offices outside the district

Whereas it is provided by section thirty-seven of the Electric-power Boards Act 1918, that an Electric-power Board may provide public offices within the electric-power district: And whereas owing to the scattered nature of the different parts of the Otago Electric-power District, and the difficulties of access between them, it is expedient that the public offices of the said

district be established in the City of Dunedin, which is not within the district: Be it therefore enacted as follows:—

The Otago Electric-power Board is hereby authorized to exercise within the City of Dunedin the powers conferred by section thirty-seven of the Electric-power Boards Act 1918, as if the said city were situated within the Otago Electric-power District.

Hospital boards.

132 Validating certain expenditure of the Auckland Hospital Board

The expenditure by the Auckland Hospital Board during the current financial year of a sum not exceeding two hundred dollars in connection with the entertainment of delegates to the Hospitals Conference held at Auckland in the month of May, nineteen hundred and twenty-five, is hereby validated and declared to have been lawfully incurred.

The reference to "two hundred dollars" was substituted, as from 10 July 1967, for a reference to "one hundred pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

Education authorities.

133 Governor-General may extend borrowing-powers of Auckland Grammar School Board

Notwithstanding anything to the contrary in sections twenty-six and twenty-seven of the Auckland Grammar School Act 1899, the Governor-General in Council may, on the application of the Auckland Grammar School Board, from time to time extend the powers of that Board to borrow moneys in excess of the limits fixed by those sections.

134 Validating payments by Pukekohe Technical High School Board to members of Board

Whereas three members of the Board of Managers of the Pukekohe Technical High School (hereinafter referred to as the Board) contracted with the Board and received payment for their services amounting in all to three hundred and fifty-three dollars and thirty cents: And whereas the payment

to the said members was disallowed by the Controller and Auditor-General, and the moneys received by those members were refunded to the Board: And whereas the said members subsequently resigned from the Board, and the Board repaid to those members the moneys refunded as aforesaid: And whereas such last-mentioned payment has been disallowed by the Controller and Auditor-General, and it is expedient to validate such payment: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in the Public Contracts and Local Bodies Contractors Act 1908, the payment by the Board of the sum of three hundred and fifty-three dollars and thirty cents as aforesaid is hereby validated and declared to have been lawfully made.

The reference to "three hundred and fifty-three dollars and thirty cents" was substituted, as from 10 July 1967, for a reference to "one hundred and seventy-six pounds thirteen shillings" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

135 Authorizing Napier High School Board to borrow $30,000 from Public Trustee

(1) For the purpose of building a school and hostel in connection with the Napier Boys' High School, the Napier High School Board, constituted under the Napier High School Act 1882, may, with the consent of the Governor-General in Council, borrow from the Public Trustee, and the Public Trustee may lend to the said Board out of the Common Fund of the Public Trust Office notwithstanding anything to the contrary in the Public Trust Office Act 1908, or its amendments, a sum not exceeding thirty thousand dollars on the security of the rents and profits of all or any of the lands vested in or belonging to the said Board, at such rate of interest, for such term of years, and upon such conditions as the said Board and the Public Trustee may agree upon and the Governor-General approves.

(2) If the Public Trustee shall grant the said loan, the instrument or instruments of security may be in such form, and may confer upon the Public Trustee such authorities, powers, and remedies for securing the repayment of the principal, interest, and other moneys intended to be secured thereby, and may contain such covenants, agreements, conditions, and provisions, as the Public Trustee shall require: and in particular may empower

the Public Trustee, in case of default in payment of any such moneys, or in the performance or observance of any of the said covenants, agreements, conditions, or provisions, to enter into possession of the said rents and profits, or to appoint a receiver thereof.

The references to "$30,000", and "thirty thousand dollars" were substituted, as from 10 July 1967, for references to "£15,000", and "fifteen thousand pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

Miscellaneous public bodies.

136 Authorizing Winton Racecourse trustees to borrow $2,400 to erect a dwellinghouse

Whereas the Trustees of the Winton Racecourse, under the Winton Racecourse Reserve Management Ordinance, 1873, desire to erect on the said racecourse a new dwellinghouse to replace one that has become uninhabitable, and for that purpose to borrow money: And whereas the said Trustees have no authority at law to borrow, and it is deemed expedient to confer such authority as hereinafter provided: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in the said Winton Racecourse Reserve Management Ordinance, 1873, or in the Public Reserves and Domains Act 1908, the said Trustees may, with the sanction of the Minister of Finance, borrow on the security of the rents, issues, and profits of the lands vested in them, at such rate of interest as may be approved by the said Minister, a sum not exceeding two thousand four hundred dollars, and may expend the same in erecting a dwellinghouse on the said racecourse.

The references to "$2,400", and "two thousand four hundred dollars" were substituted, as from 10 July 1967, for references to "£1,200", and "one thousand two hundred pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

137 Authorizing Hukanui Public Hall Board to borrow for re-erection of its hall

Whereas the Hukanui Public Hall Board is incorporated under the Religious, Charitable and Educational Trusts Act 1908: And whereas the said Board is desirous of erecting a new public hall in lieu of the present hall, which is in a state of decay,

and is no longer suitable for the requirements of the district, and for that purpose to borrow money on the security of property vested in it: And whereas the Board has no power to give such security: Be it therefore enacted as follows:—

For the purposes of the erection of a public hall at Gordonton in lieu of the present hall, known as the Hukanui Public Hall, the Hukanui Public Hall Board is hereby empowered to borrow such moneys as it may require, and to give as security therefor a mortgage or charge over any land or other property vested in it. Any mortgage given for the purpose of this section may contain a covenant that the mortgagee shall have power to sell the mortgaged property or any part thereof in the event of default being made by the Board in the payment of principal or interest.

138 Amending Schedule to Wanganui River Trust Amendment Act 1922

The Schedule to the Wanganui River Trust Amendment Act 1922, is hereby amended as follows, as from the date of commencement of that Act:—

(a) By omitting the words "thence northerly along the left bank of the said Wanganui River to a point opposite the mouth of the Ohura River" where they appear at the end of the description of the lands firstly described in the said Schedule, and substituting the words "thence down the centre of the Wanganui River to the point of commencement."

(b) By omitting the words "the Wanganui River" where they last appear in the description of the lands thirdly described in the said Schedule, and substituting the words "its junction with the Raorikia Road; thence in an easterly direction along the said Raorikia Road to the southern boundary of Section 4, Block X, Waipakura Survey District, along the southern boundary of said Section 4 and the production thereof to the Wanganui River; and thence up the centre of said Wanganui River to the point of commencement."

139 Authorizing Dunedin Savings-bank Trustees to donate $1,500 to University of Otago

The Trustees of the Dunedin Savings-bank, being a savings-bank constituted under the Savings-banks Act 1908, are hereby authorized to pay out of the profits of the bank the sum of one thousand five hundred dollars to the University of Otago, and the said sum, as to both capital and income, shall be applied in or towards the purchase of apparatus for use in the new Dental School of the said University, anything in any Act to the contrary notwithstanding.

The references to "$1,500", and "one thousand five hundred dollars" were substituted, as from 10 July 1967, for references to "£750", and "seven hundred and fifty pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

140 Authorizing the conveyance of the Henderson Public Hall to the Henderson Town Board

Whereas by deed dated the eighth day of December, nineteen hundred and eight, and registered in the Deeds Registry Office at Auckland under No 197808, all that piece or parcel of land in the Provincial District of Auckland, containing by admeasurement one rood, more or less, and being Lot No 27 of the Township of Henderson, and a subdivision of part of Allotment 7 of the Parish of Waipareira, County of Eden (bounded as appears in the said deed), was conveyed and assured to certain persons in the said deed named and described (and therein referred to as the Trustees), together with a hall erected thereon, known as the Henderson Public Hall, and all other buildings, rights, ways, means, property, and appurtenances thereto belonging, upon trust, subject to the disclosed encumbrances, as a permanent site for a public hall for the Township of Henderson: And whereas included in the powers conferred upon the Trustees by the said deed is a provision, in case of the death or incapacity or resignation of any one or more of the Trustees, or in case any of the Trustees should leave the district of Henderson, for the surviving Trustee or Trustees, by deed, to appoint some ratepayer or ratepayers of the Township or District of Henderson to fill such vacancy or vacancies so that the number of Trustees should always be at least seven in number: And whereas since the execution of the said deed of trust there has been established in the Township of Henderson a Board of Commissioners known as the Henderson Town Board (hereinafter referred to as the

Board), and it is considered desirable to terminate the trust hereinbefore recited and to vest the fee-simple of the aforementioned land and appurtenances the subject thereof in the Henderson Town Board absolutely: Be it therefore enacted as follows:—

(1) It shall be lawful for the existing Trustees of the aforementioned trust property, by deed, to convey and assure unto the Board absolutely the fee-simple of the above-recited land and hereditaments, together with the hall erected thereon and known as the Henderson Public Hall, freed and discharged from the trusts declared in the aforementioned deed, No 197808.

(2) Such conveyance and assurance shall be otherwise made subject to all existing encumbrances affecting the said land and hereditaments.

(3) Upon the exercise by the existing Trustees of the powers conferred upon them by the foregoing provisions of this section they shall cease to be Trustees of the settlement, and thereupon the trusts created by the aforementioned deed No 197808 shall determine.

(4) Section forty-two of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1924, is hereby repealed.

141 Section 131 of Reserves and other Lands Disposal and Public Bodies Empowering Act 1924, amended

Subsection three of section one hundred and thirty-one of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1924, is hereby amended by omitting the words "to the Wanganui River Trust, who shall apply the said revenues," and substituting the words "into the Wanganui River Trust Domain Account, and the said revenues shall be applied."

142 Section 6 of Hamilton Parsonage Site Act 1904, amended *[Repealed]*

The words "one thousand two hundred dollars" and "three hundred and fifty dollars" were substituted, as from 10 July 1967, for the words "six hundred pounds" and "one hundred and seventy-five pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

Section 142 was repealed, as from 9 June 1994, by section 2 Hamilton Parsonage Site Amendment Act 1994 (1994 No 4(P)).

Schedule 1
Reserves made available for disposal under the Land Act 1924.

Item 6 was amended, as from 1 October 1925, by section 17 Reserves and other Lands Disposal Act 1926 (1926 No 62) by substituting the description of the land referred to in that item.

No.	Description of Land.	Purpose for which Land reserved.	Instrument of Reservation.
	Auckland Land District.		
1	Section 1, Block IX, Kawhia North Survey District, in the Auckland Land District, containing 3 acres and 13 perches, more or less	Site for public hospital	Notice in *Gazette*, 24th October, 1907.
2	All that area in the Auckland Land District, containing by admeasurement 9 acres and 6 perches, more or less, being portion of Section 1, Block I, Tuhingamuta East Survey District: bounded by a line commencing at	Timber reserve for Post and Telegraph Department	Notice in *Gazette*, 21st March, 1895.

No.	Description of Land.	Purpose for which Land reserved.	Instrument of Reservation.
	the north-western corner of said reserve, and proceeding thence along the northern boundary of said reserve by lines bearing 85° 52′ (distance 700 links), bearing 103° 25′ (distance 322.2 links); thence by a line running through said reserve bearing 156° 50′ 30″ (distance 1541.1 links) to the south-western boundary of said reserve; and thence along that boundary bearing 304° 33′ (distance 1190.4 links) and bearing 320° 14′ (distance 996.4 links) to the point of commencement: be all the aforesaid bearings and distances a little more or less:		

No.	Description of Land.	Purpose for which Land reserved.	Instrument of Reservation.
	as the same is delineated on the plan marked L and S XII/15B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.		
	Gisborne Land District.		
3	Allotment 302, Parish of Waiotahi, situated in Block I, Opotiki Survey District, Gisborne Land District, containing 7 acres 1 rood 30 perches	Public-school site	Notice in *Gazette*, 5th December, 1895.
4	Allotment 304, Parish of Waiotahi, situated in Block I, Opotiki Survey District, Gisborne Land District, containing 5 acres 3 roods 30 perches	Public recreation-ground	Notice in *Gazette*, 5th December, 1895. Brought under Part 2 of the Public Reserves and Domains Act 1908, by notice in *Gazette*, 23rd September, 1909.

No.	Description of Land.	Purpose for which Land reserved.	Instrument of Reservation.
	Taranaki Land District.		
5	Section 8, Block VIII, Mimi Survey District, in the Taranaki Land District, containing 6 acres, more or less	Resting-place for travelling stock	Notice in *Gazette*, 8th December, 1898.
6	All that area in the Taranaki Land District, being Lot 1 of Section 2, Block II, Kapara Survey District, containing by admeasurement one hundred and thirty-three acres, more or less, and bounded as follows: commencing at a point on the west side of Rotokohu Road adjacent to survey peg No XXI, and proceeding thence generally westerly, 2695.6 links; thence generally northerly,	Scenic reserve subject to Scenery Preservation Act 1908	Notice in *Gazette*, 22nd June, 1905.

No.	Description of Land.	Purpose for which Land reserved.	Instrument of Reservation.
	7738.3 links; thence generally easterly, 2728.7 links (maintaining a distance of not less than ten chains from Rotokohu Lake) to the eastern boundary of Section 2, Block II, Kapara Survey District (scenic reserve), as described in *Gazette* No 58, page 1504, of the twenty-second day of June, nineteen hundred and five; thence generally southerly along the east boundary of the said Section 2 to the point of commencement: excluding all that portion of Rotokohu Road contained within this description: as the same is more particularly		

No.	Description of Land.	Purpose for which Land reserved.	Instrument of Reservation.
	delineated on the plan marked L and S 262A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered green.		
7	Subsection 2 of Section 1, Pukearuhe Town Belt, Block VI, Mimi Survey District, in the Taranaki Land District, containing 2 acres 3 roods 20 perches, more or less	Police	Notice in *Gazette*, 7th July, 1887.
	Wellington Land District.		
8	Section 22, Town of Ohau, in the Wellington Land District, containing 1 rood 36 perches, more or less	Site for post and telegraph office	Notice in *Gazette*, 22nd November, 1906.
	Marlborough Land District.		

No.	Description of Land.	Purpose for which Land reserved.	Instrument of Reservation.
9	Section 1, Block XIII, Town of Ward, in the Marlborough Land District, containing 3 acres, more or less	Public utility	Notice in *Gazette*, 31st March, 1910.
	Nelson Land District.		
10	Section 35, Square 10, Block VI, Kaiteriteri Survey District, in the Nelson Land District containing 78 acres, more or less; and Section 90, Square 9, Block VI, Kaiteriteri Survey District, in the Nelson Land District, containing 133 acres, more or less	Quarantine station	Notice in *Gazette*, 28th August, 1873, pursuant to the Public Health Act 1872.
	Westland Land District.		

No.	Description of Land.	Purpose for which Land reserved.	Instrument of Reservation.
11	Reserve No 622, Block I, Kanieri Survey District, in the Westland Land District, containing 4 acres 2 roods 2 perches	Site for cattle-market	Notice in Canterbury Provincial Gazette, 8th February, 1866.
	Canterbury Land District.		
12	Section 2877 (in red), Block XVIII, Mueller Survey District, in the Canterbury Land District, containing by admeasurement 25 acres, more or less	Paddock for Rabbit Inspector	Notice in *Gazette*, 1st June, 1899.
13	Reserve 2597, Block VII, Grey Survey District, in the Canterbury Land District, containing by admeasurement 11 acres 3 roods, more or less	Gravel	Notice in *Gazette*, 11th October, 1883.

No.	Description of Land.	Purpose for which Land reserved.	Instrument of Reservation.
14	Reserve 2999 (formerly Town Sections 234, 235, 240, and 241), Town District of Geraldine, in the Canterbury Land District, containing 1 acre, more or less	Public buildings of the General Government	Notice in *Gazette*, 15th June, 1893.
15	Reserve 2902, Blocks VII and XI, Rakaia Survey District, Canterbury Land District, containing 550 acres, more or less	River conservation	Notice in *Gazette*, 2nd July, 1891.
	Otago Land District.		
16	Sections 5, 6, and 7, Block V, Town of Balclutha, in the Otago Land District, containing 3 roods, more or less	Site for public buildings or other purposes of the General Government	Notice in *Gazette*, 20th January, 1869.

Persons in whom the several Portions of Road-line and Road Reserves are vested.		Area vested.	Identification on Plan No L and S 16/1122 of Areas vested.
17	Section 8, Block IV, Cairnhill Survey District, Galloway Settlement, in the Otago Land District, containing 1 acre	Use of the Department of Agriculture	Notice in *Gazette*, 22nd May, 1919.
18	Sections 3, 4, 5, 6, and 7, Block II, Town of Kurow, in the Otago Land District, containing 1 acre 1 rood, more or less.	Police	Notice in *Gazette*, 13th May 1886.

Schedule 2
Ngei Road-line and road reserves.

1

Particulars as to vesting of portions of road-line and of reserves.

Persons in whom the several Portions of Road-line and	Area vested.	Identification on Plan No L and S 16/1122 of Areas vested.

1—*continued*

Road Reserves are vested.		
Thomas Bartlett, Alfred Bartlett, Sarah Greene	1 acre 1 rood 8 perches: road-line	Portion coloured yellow and marked A to B.
John Richard Lloyd Hammond	3 roods 29 perches: road-line	Portion coloured red and marked C to D.
The Corporation	4 acres 2 rood 22 perches: road-line and road reserve	Portion uncoloured and marked D to E.
William Barnard Rhodes, William Richard Holmes	14 acres 3 roods 39 perches: road-line and road reserve	Portion coloured blue and marked E to F.
Beryl Hammond	5 acres 1 rood 36 perches: road-line, subject as to part as to right of way	Portion coloured red and marked G to H.

2
Private lands vested in corporation of County of Rangitikei.

Owners of Several Portions of Land vested in Corporation.	Area vested.	Identification on Plan No L and S 16/1122 of Areas vested.
Thomas Bartlett, Alfred Bartlett, Sarah Greene	1 acre 1 rood 8 perches	Portion hatched yellow.

2—*continued*

Owners of Several Portions of Land vested in Corporation.	Area vested.	Identification on Plan No L and S 16/1122 of Areas vested.
William Barnard Rhodes, William Richard Holmes	14 acres 3 roods 36 perches, with right of way from and to public road to and from land hatched blue	Portion hatched blue.
Beryl Hammond	6 acres 1 rood 25 perches, including right of way from the land hatched red to the closed road-line, and thence north-easterly along such closed road-line to where it joins a public road at H, and from H to the land hatched red, by the same route	Portion hatched red.

Schedule 3
Mining privileges and other rights held by His Majesty.

1

The water-race known as the **Wainihinihi Water-race,** held under license registered in the Warden's Court at Kumara as No 887, granted on the 16th day of April, 1914, to His Majesty the King, for a term of forty-two years. Locality of race and its starting and terminal points: Turiwhate Survey District; commencing at a point marked by peg 0.00 in the gorge of

the Rough Wainihinihi River, and terminating at a peg marked "1 mile 59 chains" on Kawhaka Saddle. Length and course of race: 139 chains; westerly. Point of intake: Gorge of Rough Wainihinihi River. Mean depth and breadth: 4 ft by 6 ft, with 7 ft of ground protected on each side of race. Number of heads to be diverted: Fifty. Purpose for which water is to be used: Mining.

2

The water-race known as the **Waimea Water-race Extension (Additional Supply),** held under license registered in the Warden's Court at Kumara as No 658, granted on the 27th day of November, 1912, to James Rochford, of Kumara, Government Water-race Manager, for and on behalf of His Majesty the King, for a term of forty-two years. Locality of race and its starting and terminal points: Turiwhate Survey District; commencing at a point on MacPherson's Creek, and terminating on the western slope of the Kawhaka Valley. Length and course of race: 215 chains; northerly. Point of intake: MacPherson's Creek. Mean depth and breadth: 3 ft by 5 ft. Number of heads to be diverted: Thirty—ten heads from MacPherson's Creek, five heads from No 1 Tributary, and fifteen heads from Arahura Wainihinihi Creek. Purpose for which water is to be used: Mining.

3

The branch water-race known as **Callaghan's Branch Water-race,** held under license numbered 7857 from the Warden at Goldsborough, certificate of registration No 39790, granted to Alexander Aitken, on behalf of Her Majesty, on the 7th day of December, 1892, and renewed for a term of forty-two years as from the 6th day of December, 1907. Locality of race and its starting and terminal points: Kanieri and Waimea Survey Districts; commencing at the outlet of the pipe-line on the Waimea Water-race, and terminating at the peg near the schoolhouse at Callaghan's Creek. Length and course of race: 4 miles 62 chains; northerly. Point of intake: Outlet of pipe-line on Waimea Water-race. Mean depth and breadth: 4 ft by 6 ft, with area of 14 ft in width on right-hand side of race for depositing spoil. Number of heads to be diverted:

Nil. (Branch race lifting water from the Waimea Water-race.) Purpose for which water is to be used: Mining.

4

The water-race known as the **Branch Water-race to Middle Branch Flat,** held under license registered in the Warden's Court at Stafford as No 36, granted on the 18th day of May, 1899, to Alexander Aitken, on behalf of Her Majesty, for a term expiring on the 31st day of December, 1941. This license includes water-race certificate of registration No 84283, granted on the 27th day of May, 1898, from dam in Middle Branch Creek to Thompson's Freehold in Middle Branch Flat, and an extension from this point to a point near Lenihan's old shaft near Hokitika-Kumara Road. Locality of race and its starting and terminal points: Waimea Survey District; commencing at a point in Callaghan's Branch Water-race, No 7875, near Greek's Gully, and terminating at a point near Lenihan's shaft near Hokitika-Kumara Road. Length and course of race: 131 chains; north-westerly. Point of intake: Callaghan's Branch Water-race near Greek's Gully. Mean depth and breadth: 4 ft by 7 ft, with 10 ft on each side of race for spoil, etc. Number of heads to be diverted: Nil. (Branch race lifting water from Callaghan's Branch Race.) Purpose for which water is to be used: Mining. License to be subject to the condition that the race is not to interfere with the working of the respective freehold lands through which it passes.

5

The reservoir known as the **Middle Branch Reservoir,** held under license registered in the Warden's Court at Stafford as per certificate of registration No 93713, granted on the 12th day of December, 1898, to Alexander Aitken, on behalf of Her Majesty, situated at a point in the middle branch of the Waimea Creek on the south side of the Hokitika-Kumara Main Road. Length of embankment: 11 chains. Greatest height of embankment: 20 ft. Greatest breadth of base: 90 ft. Area of reservoir: 12 acres. Purpose for which water is to be stored: Mining.

6

The water-race known as the **Main Race - Waimea Water-race,** declared by Proclamation in *Gazette* No 62, of the 23rd day of October, 1873, and *Gazette* No 69, of the 15th day of July, 1880, respectively. Locality of race and its starting and terminal points: Kanieri and Waimea Survey Districts; commencing at a point on the reservoir reserve on the right-hand side of the Kawhaka Creek, and thence by open ditching, flumings, and tunnels to terminal point at Ballarat Hill, near Stafford. Length and course of race: 15¾ miles; north-westerly. Point of intake: Right-hand side of Kawhaka Creek at Government Reservoir Reserve. Mean depth and breadth: 4 ft by 7 ft. Number of heads to be diverted: Fifty. Purpose for which water is to be used: Mining.

7

The water-race known as the **Waimea Water-race, Branch B** (with extension to Tunnel Terrace). Extension held under license registered in the Warden's Court at Hokitika as No 955, granted on the 22nd day of December, 1906, to His Majesty, per James Rochford, of Kumara, Water-race Manager, for a term of forty-two years. Branch B declared by Proclamation in Gazettes Nos 62 and 69, dated the 23rd day of October, 1873, and the 31st day of December, 1874, respectively. Locality of race and its starting and terminal points: Commencing in the Waimea Survey District at a point on the Main Waimea Water-race about twelve miles below its intake in the Kawhaka Creek, and terminating at Tunnel Terrace below Goldsborough and Stafford. Length and course of race: One mile and a half; north-westerly. Point of intake: At twelve-mile peg on Main Waimea Water-race. Mean depth and breadth: 3 ft by 5 ft, with 10 ft on each side of race for spoil. Number of heads to be diverted: Nil. (Branch race lifting water from the Main Waimea Water-race.) Purpose for which water is to be used: Mining.

8

The water-race known as the **Kawhaka Supply Race,** declared by Proclamation in *Gazette* No 102, of the 24th day of October, 1878. Locality of race and its starting and terminal points: Kanieri Survey District; commencing at a point

on the right-hand side of the Kawhaka Creek about one mile below the intake of the Waimea Water-race, and terminating in the headwaters of the Kapitea Creek. Length and course of race: About four miles and a half; north-westerly. Point of intake: Kawhaka Creek, about one mile below intake of Waimea Water-race. Mean depth and breadth: 4 ft by 6 ft. Number of heads to be diverted: Forty. Purpose for which water is to be used: Mining and power-development.

9

The reservoir commonly known as the **No 1 or Distributing Reservoir,** situated in the Kapitea Creek at the intake of the Kumara Water-race No 5354, near the northern boundary of the Reservoir Reserve. Length of embankment: About 7 chains. Greatest height: About 18 ft. Greatest breadth at base: About 80 ft. Area of reservoir: 50 acres. Purpose for which water is to be stored: Mining. Land within which reservoir constructed declared and streams taken by Proclamations in *Gazette* No 18, of the 10th day of March, 1881, and *Gazette* No 110, of the 25th day of October, 1883, respectively.

10

The reservoir commonly known as the **No 2 Reservoir,** situated in the Reservoir Reserve in the Kapitea Creek about 5 chains south of the Loop-line Road and about two miles above No 1 or distributing Reservoir. Length of embankment: 36 chains. Greatest height: 20 ft. Greatest breadth at base: 90 ft. Area of reservoir: 300 acres. Purpose for which water is to be stored: Mining. Land within which reservoir constructed declared and streams taken by Proclamations in *Gazette* No 18, of the 10th day of March, 1881, and *Gazette* No 110, of the 25th day of October, 1883, respectively.

11

The water-race known as the **Kumara Race,** held under license dated the 9th day of June, 1876, and registered in the Warden's Court at Kumara as No 5354, together with alterations and deviations thereof, as shown in certificate of registration No 54355, granted on 23rd day of January, 1895, and license No 394, granted on 25th day of January, 1911, respectively. Locality of race and its starting and terminal points:

Waimea Survey District; commencing on the right-hand side of Kapitea Creek at Government Reservoir No 16101, and terminating at a point in the Kumara Borough about 8 chains from the eastern borough boundary. Length and course of race (including deviation): Two miles and three-quarters; north-easterly. Point of intake: Reservoir No 16101 in Kapitea Creek (generally known as No 1 Kapitea Reservoir). Mean depth and breadth: 4 ft by 8 ft, with a reserve of 7 ft of ground on each side of race for the entire length. Number of heads to be diverted: One hundred and forty to a point at peg 65 chains, and forty heads from thence to terminal point. Purpose for which water is to be used: Mining.

12

The water-race known as the **Kumara Water-race - Branch Race to Kapitea Hill,** held under license registered in the Warden's Court at Kumara as No 19970, granted on the 19th day of August, 1889, to Her Majesty, with Extension Certificate No 28982, dated 24th day of October, 1890, Reservation Certificate No 19799, dated 16th day of September, 1889, and Extension Certificate No 90649, dated 29th day of November, 1898. Locality of race and its starting and terminal points: Waimea Survey District; commencing at a point in Kumara Water-race No 5354 at the outlet of the Kumara Head-race tunnel, and terminating at a point on the northern slope of the Kapitea Hill near the head of the No 5 sludge-channel. Length and course of race: About two miles; westerly. Point of intake: Outlet of Kumara Head-race tunnel, Kumara Water-race. Mean depth and breadth: 4 ft by 7 ft, with a reserve of 10 ft on lower side and 4 ft on upper side of race on sideling, and 7 ft of ground on each side of race on flat ground, for the entire length of race. Number of heads to be diverted: Nil. (Branch race taking water from Kumara Water-race.) Purpose for which water is to be used: Mining.

13

The water-race known as the **Kumara Water-race - Branch Race to Westbrook,** held under license registered in the Warden's Court at Kumara as No 271, granted on the 11th day of December, 1909, to James Rochford, of Kumara, Manager of the Government water-races, for and on behalf of His

Majesty, for a term of forty-two years. Commencing at a point near Hayes Gauge on the Kumara Government Water-race No 5354, such point of commencement being distant 649.3 links and bearing 231° 03′ from Tube XLII, Block XII, Waimea Survey District, Westland; from thence the race bears 41° 56′ 30″ for 1 mile 521.2 links, and from thence bearing 46° 43′ for 352.2 links to the River Teremakau, and from thence across the river 1148.9 links bearing 71° 22′, and from thence 5868.7 links bearing 24° 09′ to the discharge-tank and valve-house, and from thence by ditching round the sideling to the termination at a point above Quinn's Terrace, a total distance of 3 miles 50 chains from the commencement. The points of intake will be at Hayes Gauge aforesaid, from Dam No 125 and from surface drainage along the course of the race. Mean depth and breadth: For one mile 7891 links, a pipe of 30 in bore; for 42.09 chains, a ditch 4 ft wide and 4 ft deep; for 89 chains, a ditch 4 ft wide and 4 ft deep. Number of heads to be diverted: Twenty-seven, from Kumara Water-race. Purpose for which water is to be used: Mining. From the commencement-point to a peg at distance of 1 mile 7891 links water will be carried by an iron pipe 30 in in diameter, and for this distance the race-line is applied for 2 chains in width, this width being necessary for protection of pipes; from peg 1 mile 7891 links to peg 3 miles 50 chains the water-race will be conveyed by ditching 6 ft 6 in wide by 4 ft deep, and for this distance the race-line is applied for 6 ft 6 in wide, with a strip of ground 10 ft wide on each side of the said race for its entire length for the purpose of construction, maintenance, and improvement of same.

14

The drainage area known as the **Kumara Water-race - Branch Race to Westbrook - Drainage Area,** held under license registered in the Warden's Court at Kumara as No 124, granted on the 13th day of December, 1899, to Otto William Anderson for a term of forty-two years, and transferred by way of assignment No 262 to James Rochford, Manager of the Government water-races at Kumara, for and on behalf of His Majesty, dated the 12th day of November, 1909, situated at Anderson's Swamp, Payne's Gully, on the north side of the

Teremakau River, having a frontage of 10 chains by a depth of 20 chains. Posts at angles marked "A" cut into the wood. This area of 20 acres is required to supply Dam No 296 with water

15

The reservoir at outlet of Trans-Teremakau pipe-line north side of Teremakau River, held under license registered in the Warden's Court at Kumara as No 296, granted on the 9th day of February, 1910, to James Rochford, of Kumara, Manager of Government water-races, for and on behalf of His Majesty, for a term of forty-two years. Situated on the north side of the Teremakau River to the south of Westbrook diggings 4 chains below Anderson's Dam (License No 125) and along same watercourse. Length of embankment: 620 ft. Greatest height: 12 ft. Greatest width of base: 62 ft. Area of reservoir: 15 acres. Purpose for which water is to be stored: Mining.

16

All that area of land reserved under section 19 of the Mining Act 1908, date of reservation the 25th day of January, 1911, registered in the Warden's Court at Kumara as No 403, being all that piece or parcel of unoccupied Crown lands, containing 10 acres, be the same a little more or less, situate on the south bank of the Teremakau River near the sandhills near Dillmanstown: commencing at peg marked "X" about 4 chains up-stream from the constructed Pontoon Dock near the Government pipe-line, extending thence in a westerly direction down the river for a distance of 20 chains to a peg marked "A"; thence in a south-westerly direction to a peg marked "B," a distance of 5 chains; thence in a south-easterly direction to a peg marked "C," a distance of 20 chains; thence in a north-easterly direction, 5 chains, to commencing-point. Purpose of reserve: For power-house and generating-station.

17

The branch race known as the **Old Distributing Branch Race to Kumara Goldfield,** held under license registered in the Warden's Court at Kumara as No 6129, granted on the 16th day of May, 1877, to J Gow for the General Government. Locality of race and its starting and terminal points: Waimea Survey

District; commencing at a point in the Kumara Water-race No 5354 near the intake of the Kapitea Hill Water-race, and terminating in the old workings at Larrikin's. Length and course of race: About 20 chains; westerly. Point of intake: Kumara Water-race No 5354. Mean depth and breadth: 4 ft by 7 ft, with a reserve of 7 ft on each side of the race for its entire length. Number of heads to be diverted: Nil. (Branch water-race.) Purpose for which water is to be used: Mining.

18

The special site, held under license registered in the Warden's Court at Kumara as No 387, granted on the 17th day of December, 1910, to James Rochford, of Kumara, Manager of the Government water-races at Kumara, for and on behalf of His Majesty, for a term of forty-two years, being that piece or parcel of land, containing 1 acre, be the same a little more or a little less, situated on the side of the Kumara-Christchurch Road above Dillmanstown near Blake's old sawmill: commencing at a peg marked "X" about 7 chains above the Trans-Teremakau pipe-line, extending thence in a westerly direction along the Kumara-Christchurch Road for a distance of 5 chains; thence in a south-westerly direction for 2 chains; thence in a south-easterly direction for 5 chains; thence in a north-easterly direction for 2 chains to the commencing-point. Pegs at angles marked "X" cut into the wood.