

New Zealand.

ANALYSIS.

- | | |
|--|--|
| <p>Title.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Land taken from Auckland Harbour Board under "The Public Works Act, 1882," vested in Her Majesty. 3. Compensation only payable to Board for actual outlay on such land. | <ol style="list-style-type: none"> 4. Compensation to tenants of Harbour Board in certain cases. 5. Compensation to be ascertained under "The Public Works Act, 1882." Schedule. |
|--|--|

1885, No. 35.

Title.

AN ACT to provide for the Compensation to be paid by Her Majesty the Queen in respect of certain Land taken for the Railway Station at Auckland. [17th September, 1885.]

Short Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—
1. The Short Title of this Act is "The Auckland Railway Land Compensation Act, 1885."

Land taken from Auckland Harbour Board under "The Public Works Act, 1882," vested in Her Majesty.

2. The several parcels of land described in the Schedule hereto having been taken from the Auckland Harbour Board (hereinafter referred to as "the Board") by a Proclamation issued on the fourteenth day of August, one thousand eight hundred and eighty-four, under "The Public Works Act, 1882," shall be and be deemed to have been, as from that date, vested in Her Majesty the Queen for all such estate or interest as the Board then had therein, and free from all mortgages, incumbrances, charges, or claims of any kind thereon, or then subsisting in respect thereof.

Compensation only payable to Board for actual outlay on such land.

3. Notwithstanding the issue of such Proclamation, and the provisions of "The Public Works Act, 1882," the compensation to be paid to the Board by Her Majesty in respect of the said parcels of land shall not in any case exceed the amount which such Board has at any time actually laid out upon the same, either for cost of reclamation or otherwise in permanent improvements of such land.

Compensation to tenants of Harbour Board in certain cases.

4. (1.) If any part of the land so taken by Proclamation as aforesaid is in the occupation of any person as a tenant of the Board, then such person shall be entitled to receive compensation from Her Majesty for his estate or interest in the land so taken: Provided that in case any tenant or other occupier of any land affected by the operation of this Act shall be the owner or occupier of any jetty or other like work erected on any part of the land so taken as aforesaid, no compensation shall be payable in respect of such jetty or work

unless and until the same shall be rendered useless or unworkable by reason of the execution of any works in or on such last-mentioned land by or on behalf of Her Majesty.

(2.) If any person is a tenant of the Board of any land abutting on any part of the land taken by Proclamation as aforesaid, such person shall be entitled to receive compensation for any interest he may have in such adjoining land which shall be injuriously affected by the operation of this Act; but such right to compensation shall be suspended until the actual execution of any works by or on behalf of Her Majesty causing such injury.

5. All compensation payable under this Act shall be ascertained and settled in the manner provided by Part III. of "The Public Works Act, 1882."

Compensation to be ascertained under "The Public Works Act, 1882."

SCHEDULE.

Schedule.

LAND FRONTING CUSTOMHOUSE STREET, AUCKLAND.

ALL that piece or parcel of land, in the Provincial District of Auckland, containing by admeasurement 12 perches, being a portion of that parcel of land which is described in the third paragraph of the Second Schedule to "The Auckland Railway Station Act, 1882," and known as Lot 97 of the Auckland Harbour Board Lots. Bounded North-easterly by a line, 50 links; South-easterly by Lot 98 of the Auckland Harbour Board Lots aforesaid, 151 links; South-westerly by Customhouse Street, 50 links; North-westerly by Lot 96 of the Auckland Harbour Board Lots aforesaid, 151 links, to the point of commencement: be the said area and linkages more or less; the said parcel of land being more particularly delineated upon the plan marked P.W.D. 11878, deposited in the office of the Minister for Public Works, at Wellington.

LAND IN AUCKLAND HARBOUR ADJOINING BREASTWORK, IN THE VICINITY OF THE RAILWAY WHARF.

All that piece or parcel of land, in the Provincial District of Auckland, containing by admeasurement 1 rood 39 perches, being a portion of the land granted on the 23rd March, 1858, to the Superintendent of Auckland, in trust for the improvement of the Harbour of Auckland. Bounded North-easterly by a line, 248 links; South-easterly by a line, 200 links; South-westerly by a road 100 links wide, 248 links; North-westerly by a line, 200 links, to the point of commencement: be the said area and linkages more or less; the said parcel of land being more particularly delineated upon the plan marked P.W.D. 11878, deposited in the office of the Minister for Public Works, at Wellington.

LAND IN MECHANICS' BAY, AUCKLAND, ADJOINING THE AUCKLAND-WAIKATO RAILWAY.

All that piece or parcel of land, in Mechanics' Bay, in the Provincial District of Auckland, containing by admeasurement 9 acres 1 rood 24 perches, being a portion of the land so granted to the Superintendent of Auckland as aforesaid. Bounded North-easterly by a road 100 links wide, 1241 links; South-easterly by Lots 14, 13, 12, 11, 10, and 9 of the Auckland Harbour Board Lots, by a road 50 feet wide, by Lots 8, 7, 6, 5, 4, and 3 of the Auckland Harbour Board Lots aforesaid, and by a road 45 feet wide, 1127 links; South-westerly by lines, 331 and 798 links respectively; North-westerly by a line, 466 links, to the point of commencement.

Also all that piece or parcel of land, in Mechanics' Bay, containing by admeasurement 5 acres and 23 perches, being a portion of the land so granted to the Superintendent of Auckland as aforesaid. Bounded North-easterly by a road, 700 links; South-easterly and North-easterly by lines, 466, 798, and 331 links respectively; South-easterly by a road, and by Lots Nos. 2 and 1, Harbour Board Endowment, 310 links; South-westerly and Westerly by railway land, 381, 393, 821, and 508 links respectively, to the point of commencement.

Be all the aforesaid areas and linkages more or less; the several parcels of land being more particularly delineated upon the plan marked P.W.D. 11878, deposited in the office of the Minister for Public Works, at Wellington.