

New Zealand.

Title.

Preamble.

1. Short Title.

2. Interpretation.

3. The Commissioners may exchange land described in the First Schedule for land described in the Second Schedule.

4. The Borough may exchange land described in the Second Schedule for land described in the First Schedule.

5. The Borough may expend money by way of equality of exchange and in obtaining surrender of existing leases.

ANALYSIS.

6. On completion of exchange, land described in First Schedule to be held by Borough for recreation purposes, and land described in Second Schedule to be held by School Commissioners for primary education.

7. Application of equality of exchange by Commissioners.

8. Limitation of dealing with lands. Schedules.

1906, No. 2.—*Local.*

AN ACT to enable the New Plymouth Borough Council to exchange certain Lands with the School Commissioners for the Taranaki Provincial District.

Title.

[8th October, 1906.]

WHEREAS the School Commissioners for the Taranaki Provincial District (hereinafter called "the Commissioners") are seized of or entitled to the parcel of land described in the First Schedule as an endowment for primary education within the Taranaki Provincial District: And whereas the New Plymouth Borough Council (hereinafter called "the Borough Council") are seized of the parcel of land described in the Second Schedule for the purpose of recreation: And whereas the Borough Council are desirous and it is for the public benefit that an exchange should be made of the said lands, and the Commissioners consent thereto subject to three hundred pounds being paid to them by way of equality of exchange:

Preamble.

BE IT THEREFORE 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 New Plymouth Borough and the Taranaki School Commissioners Exchange Act, 1906."

Short Title.

2. In this Act the expression "the Commissioners" means the School Commissioners for the Taranaki Provincial District; and "the Borough" means the Mayor, Councillors, and Burgesses of the Borough of New Plymouth.

Interpretation.

3. It shall be lawful for the Commissioners to transfer to the Borough, in fee-simple, subject to any existing leases affecting the same, the parcel of land described in the First Schedule hereto, in

The Commissioners may exchange land described in the First Schedule, for

land described in the Second Schedule.

exchange for the parcel of land described in the Second Schedule hereto :

Provided that it shall be a condition of such exchange that the Borough shall pay to the Commissioners the sum of three hundred pounds by way of equality of exchange and the expenses of the Commissioners incurred in and about the effecting of such exchange.

The Borough may exchange land described in the Second Schedule for land described in the First Schedule.

4. It shall be lawful for the Borough to transfer to the Commissioners the parcel of land described in the Second Schedule hereto in exchange for the parcel of land described in the First Schedule hereto.

The Borough may expend money by way of equality of exchange and in obtaining surrender of existing leases.

5. It shall be lawful for the Borough to expend moneys out of the District Fund by way of equality of exchange, as provided by section three hereof, and also for the purpose of obtaining the surrender of any existing leases affecting the lands described in the First Schedule hereto and of paying the expenses of and incidental to such exchange.

On completion of exchange, land described in First Schedule to be held by Borough for recreation purposes, and land described in Second Schedule to be held by School Commissioners for primary education.

6. Upon the completion of the said exchange the Borough shall thenceforth hold the parcel of land described in the First Schedule hereto in trust for recreation purposes, and the parcel of land described in the Second Schedule shall vest in the Commissioners in fee-simple as an endowment for primary education within the Taranaki Provincial District and otherwise freed from any existing trusts.

Application of equality of exchange by Commissioners.

7. The sum of three hundred pounds aforesaid shall be applied by the Commissioners in the purchase of other lands to be held on the same trusts and subject to the same powers and conditions as those on which the parcel of land described in the First Schedule is held.

Limitation of dealing with lands.

8. Notwithstanding anything in "The Education Reserves Act, 1877," or any other Act, the Taranaki School Commissioners shall not transfer or appropriate as a school-site any part of the land described in the Second Schedule hereto, or of the lands purchased with the sum of three hundred pounds aforesaid, unless the consent of the Governor shall first have been obtained.

Schedules.

SCHEDULES.

FIRST SCHEDULE.

ALL that parcel of land in the Town of New Plymouth, containing by admeasurement 2 acres and 10 perches, more or less, being Sections Nos. 488, 489, 490, 491, 492, 493, 494, and 495 : bounded towards the north-west by Downe Street ; towards the north-east by Morley Street ; towards the south-east by Sections Nos. 514, 515, 516, 517, 518, 519, 520, and 521 ; and towards the south-west by the Cutfield Road.

SECOND SCHEDULE.

ALL that parcel of land in the Town of New Plymouth, containing by admeasurement 1 acre 2 roods 8 perches, more or less, being Sections Nos. 332, 333, 334, 358, 359, and 360 : bounded towards the north-west by Vivian Street ; towards the north-east by Sections Nos. 335 and 361 ; towards the south-east by Fulford Street ; and towards the south-west by the Cutfield Road.