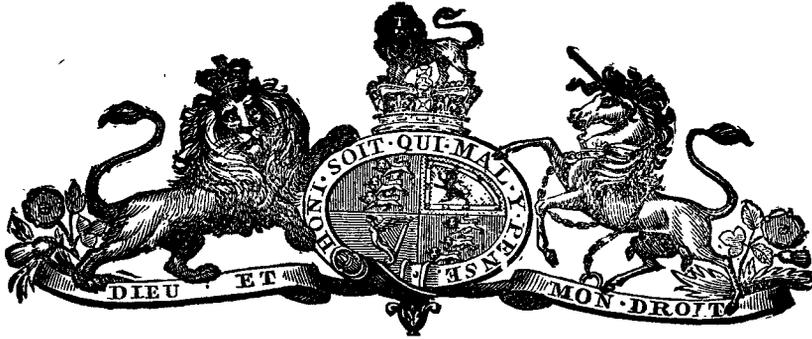


NEW ZEALAND.



TRICESIMO SEXTO

VICTORIÆ REGINÆ.

No. LI.

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AN ACT to revoke a Grant from the Crown of certain Land in the Province of Auckland made to the Wardens of the Hundred of Auckland, and to make provision for the Disposal of such Land.

Title.

[25th October, 1872.]

WHEREAS by deed poll or grant bearing date the twentieth day of December, one thousand eight hundred and fifty, issued under the hand of Sir George Grey, then being the Governor of the Colony of New Zealand, and under the Seal of the Colony, all that allotment of land containing by admeasurement three acres two roods, situated in the Suburbs of Auckland, in the Parish of Waitemata and County of Eden, and being number twenty-four of section number four; bounded on the North by number twenty-three of the same section, six hundred and sixty-five links; on the East by the middle of a stream; on the South by the road to Tamaki, three hundred and thirty-nine links, to the curve at the intersection of the Tamaki and Epsom roads; and on the West by a road eight hundred and seventy-two links from the curve before named, was conveyed and granted to Henry Matson, William Foster, and George Nicol, therein described as Wardens of the Hundred of Auckland, to hold to the said Wardens of the Hundred of Auckland and to their successors in the said office for ever in trust, that the same be used as site

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Newmarket Reserve Disposal.

of a pound slaughter-house and cattle-market, and for other purposes for the use and benefit of the said Hundred: And whereas, since the date of the hereinbefore in part recited grant, other provisions have been made for the management of Waste Lands of the Crown within the said Province, and hundreds have ceased to be a known division of such lands therein, and the several persons named in the said grant, or their successors in office as such Wardens as aforesaid, have ceased to exercise any functions or duties which at the date of the said grant or thereafter devolved upon them in respect of the land therein mentioned: And whereas the allotment of land conveyed by the said in part recited grant hath recently been resurveyed, and it hath been ascertained that the actual area thereof is four acres one rood and twenty-three perches, and a correct description thereof is set forth in the First Schedule hereto: And whereas it is now desired that the said allotment shall be subdivided and disposed of in the manner hereinafter provided, and for that purpose it is expedient that the said grant should be revoked:

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

Short Title.

1. The Short Title of this Act shall be "The Newmarket Reserve Disposal Act, 1872."

Interpretation.

2. In the construction of this Act, the term "Wardens" shall mean and include not only the persons to whom the said in part recited grant was originally made, but also their successors in office, and all or any other persons or person in whom the same may now be vested.

Grant of reserve cancelled, and land vested in the Queen.

3. On the passing of this Act, the hereinbefore in part recited grant to the said Wardens shall be and the same is hereby cancelled and revoked, and all and singular the lands and hereditaments therein comprised and vested in the said Wardens, or intended to have been vested in them by the said grant, shall be and become vested in Her Majesty the Queen, her heirs and successors, as fully and effectually to all intents and purposes as if the same had never been granted or disposed of to the said Wardens: Provided that this revocation shall not affect any act matter or thing which may have been done made or executed by such Wardens during their tenure of office as such Wardens, and which lawfully shall or may have been done by them in respect of the said land and hereditaments at any time prior to the passing of this Act, and either in accordance with any law heretofore in force regulating the management or control of Waste Lands within the limits of a hundred or under the powers vested in them by the said grant: Provided further that for the purposes of this Act the land described in the First Schedule hereto shall be deemed to have been the land comprised in the said grant, and of the area therein set forth.

Saving of things lawfully done by Wardens.**Part of land to be reserved for railway purposes.**

4. Out of the parcel of land described in the First Schedule hereto, so much thereof as is described and set forth in the Second Schedule shall be and remain vested in Her Majesty the Queen, her heirs and successors, and shall be and is hereby set apart as a Reserve for Railways now constructed or hereafter to be constructed within the Province of Auckland, and shall be used for such purposes accordingly.

Residue of land to be granted to Superintendent upon trusts to be set forth in grant.

5. The residue of the land described in the said First Schedule, as such residue is described and set forth in the Third Schedule, shall as soon as conveniently may be after the passing of this Act be granted by the Governor, in the name and on behalf of Her Majesty, to the Superintendent of the Province of Auckland; and such last-

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mentioned land shall be held by the Superintendent upon trust for the public service of the said Province, and under and in accordance with such trusts as may be set forth therein, as hereinafter provided.

6. Such grant shall be made and issued under and in accordance with the provisions of "The Public Reserves Act, 1854;" and it shall be lawful for the Governor in such grant to set forth and define the trusts upon which the land comprised therein shall be held by the said Superintendent, and all or any such trusts so set forth therein shall be deemed to be trusts for the public service of the Province, in accordance with the last-mentioned Act and this Act.

Grant to be issued under "Public Reserves Act, 1854," and Governor may define trusts.

7. The said Wardens shall, from and after the passing of this Act, be discharged and relieved from any trusts or duties imposed upon them under the said in part recited grant, or in respect of the land therein mentioned, and shall be deemed and taken to have been so relieved and discharged as from the date or time when they ceased to execute the said trusts or to perform the said duties.

Wardens discharged from trusts of original grant.

SCHEDULES.

Schedules.

FIRST SCHEDULE.

ALL that allotment containing by admeasurement 4 acres 1 rood and 23 perches, situated in the Suburbs of Auckland, in the Parish of Waitemata and County of Eden, and being No. 24 of Section No. 4: bounded on the North by No. 23 of the same section, 657 links; on the East by the middle of a stream; on the South by the road to Tamaki, 339 links, to the curve at the intersection of the Tamaki and Epsom Roads; on the South-west by the said curve, 71 links; and on the West by a road, 872 links from the curve before named.

SECOND SCHEDULE.

ALL that parcel of land being portion of allotment No. 24 of section No. 4, situated in the Suburbs of Auckland, in the County of Eden, containing 2 acres 1 rood and 5 perches or thereabouts: bounded on the North by part of the said allotment No. 24, 286 links, and by allotment No. 23 of same section, 277 links; on the East by the centre of a stream; on the South by the Tamaki Road, 339 links, to a curve at the junction of the Tamaki and Epsom Roads; on the South-west by the said curve, 71 links; and on the West by a road 247 links from the curve before named, and by a part of the said allotment No. 24 defined by the railway fence, 650 links.

THIRD SCHEDULE.

ALL that parcel of land being portion of allotment No. 24 of section 4, situated in the Suburbs of Auckland, in the Parish of Waitemata and County of Eden, containing by admeasurement 2 acres and 18 perches: bounded on the North by allotment No. 23 of the same section, 380 links; on the East by a line, 650 links; on the South by a line, 286 links; and on the West by a road, 625 links.

WELLINGTON, NEW ZEALAND:

Printed under the authority of the New Zealand Government, by GEORGE DIDSBUY, Government Printer.