

## New Zealand.



### ANALYSIS.

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| <p>Title.<br/>Preamble.</p> <ol style="list-style-type: none"> <li>1. Short Title.</li> <li>2. Power to lease land in Fourth Schedule.</li> <li>3. Land in Fifth Schedule to be used as an esplanade.</li> <li>4. Council may let certain lands to racing clubs.</li> </ol> | <ol style="list-style-type: none"> <li>5. Entrance-money may be collected by lessees.</li> <li>6. Rents may be expended on public library or tree-planting.</li> <li>7. Council may expend rents for maintaining roads and other purposes.</li> <li>8. Roads may be treated as part of land, or land as land taken for public works.</li> </ol> <p>Schedules.</p> |
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### 1890, No. 13.—*Local.*

Title.           AN ACT to facilitate the Management of certain Reserves in Palmerston North.   [3rd September, 1890.]

Preamble.       WHEREAS, under the provision of "The Wellington Reserves Act 1876 Amendment Act, 1877," certain lands the boundaries whereof are set forth in the First Schedule hereto were granted to the Mayor, Councillors, and Burgesses of the Borough of Palmerston North, in trust for the use and benefit of the inhabitants of Palmerston North and the vicinity thereof as a public park and recreation-ground and botanical gardens, with power to lease the whole or any portion of the said lands for any term not exceeding twenty-one years, to any person or persons, for such rent or rents, and subject to such covenants, conditions, and agreements in every respect as they should by resolution duly passed at a meeting of the same duly convened in the ordinary way think fit: Provided always that all rents and profits arising out of any of the said lands should be applied towards the improvement of such lands only, and for no other purpose whatsoever: And whereas certain portions of the land described in the Schedules hereto appear on the map of the said borough as roads, but have never been used and are not convenient for that purpose: And whereas doubts have been raised as to the application of the words "and subject to the purposes recited in the preceding clause," occurring in section six of the said Act: And whereas it is desirable to remove such doubts and to render such trusts practicable and beneficial to the said inhabitants:

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 is "The Palmerston North Reserves Act, 1890."

2. Notwithstanding anything contained in the said Act, the Council of the said borough may let the whole or any portion of the land the boundaries whereof are set forth in the Fourth Schedule hereto, and with or without roads intersecting the same, to any person or persons, for such rent or rents, and subject to such covenants, conditions, and agreements, but without compensation clause, in every respect as such Council shall, by resolution duly passed at a meeting of the same, duly convened in the ordinary way, think fit.

Power to lease land in Fourth Schedule.

3. The land the boundaries whereof are set forth in the Fifth Schedule hereto shall, without prejudice to the existing leases, be for the use and benefit of the inhabitants of Palmerston North and the vicinity as an esplanade.

Land in Fifth Schedule to be used as an esplanade.

4. Such Council may from time to time let the land described in the Second Schedule hereto to persons to be from time to time chosen by the Manawatu Racing Club, or by any other association of persons contributing their own money for the encouragement of horse-racing; and every such lease shall be upon trust, out of the profits of such land after payment of rent and charges, if any, to improve the said land, erect suitable buildings, and give prizes for horse-races thereon, and upon trust to transfer such lease to such other persons as may from time to time be elected by such club or association and approved of by the said Council.

Council may let certain lands to racing clubs.

5. Such Council may from time to time, by by-law or by special license, in accordance with its by-laws, empower any association of persons to exact money on special days from persons on entering any part of the land set forth in the Second and Third Schedules hereto respectively.

Entrance-money may be collected by lessees.

6. The Council may from year to year expend not more than one-third of the rents and profits received during any year in subsidising a free public library for the benefit of the said inhabitants, or in planting trees in public places in the said borough, or partly in one way and partly in the other.

Rents may be expended on public library or tree-planting.

7. The Council may from time to time expend any of such rents or profits in improving, forming, or maintaining roads over, intersecting, or bounding any of the said land, or in keeping any covenant on its part in any lease of any part of the said land, or in preserving the said land, or for any of the purposes of this Act or the said Act.

Council may expend rents for maintaining roads and other purposes.

8. The Council may from time to time treat any of the said roads as part of the said land, due regard being paid to the public convenience, and to the convenience of owners and occupiers of land fronting any such road, or may treat any part of the said land as land taken for public works.

Roads may be treated as part of land, or land as land taken for public works.

## SCHEDULES.

Schedules.

### FIRST SCHEDULE.

ALL that piece or parcel of land containing by admeasurement 340 acres, more or less, being the Rural Section number 1536 on the plan of the Township of Palmerston in the Manawatu District. Bounded towards the north-west by a public road; towards the east and north-east by a Native reserve; towards the south and south-east by the Manawatu River; and towards the south-west by Sections numbered 372, 373, and 374, 3780 links.

Also all that other piece or parcel of land containing by admeasurement 21 acres 1 rood 4 perches, more or less, being the Suburban Sections numbered 1010, 1012,

1014, 1016, and 1018 on the said plan. Bounded towards the north-east and south-east by public roads, 850 links and 2502 links respectively; towards the south-west by Section numbered 372, 850 links; and towards the north-west by Suburban Sections numbered 1009, 1011, 1013, 1015, and 1017, 2502 links.

#### SECOND SCHEDULE.

ALL that piece or parcel of land known as the Racecourse, containing 86 acres, more or less, being Sections numbered 1010, 1012, 1014, 1016, 1018, part of Section 1536, and a portion of Park Road, on the plan of the said Borough of Palmerston North. Bounded towards the north-east by Botanical Road and Park Road, 950 links; towards the north-west by Park Road, 78 links; again towards the north-east by a line at right angles to Park Road to a point 100 links distant from the right bank of the Manawatu River; again towards the south-east by a line parallel to and 100 links distant from the Manawatu River; towards the south-west by Rural Sections 371 and 373; and towards the north-west by Sections numbered 1009, 1011, 1013, 1015, and 1017 on the plan of the said borough.

#### THIRD SCHEDULE.

##### RECREATION-GROUND.

ALL that piece or parcel of land containing by admeasurement 22 acres 2 roods, more or less, being portion of Rural Section number 1536 on the plan of the Borough of Palmerston North. Bounded towards the north-west by Park Road, 1500 links; towards the north-east by a line, being the production of the north-eastern boundary-line of Suburban Section number 1046, 1500 links; towards the south-east by a right line drawn at right angles to the last-mentioned line, 1500 links; and towards the south-west by a right line to the place of commencement, 1500 links: be all the aforesaid linkages more or less.

#### FOURTH SCHEDULE.

ALL that piece or parcel of land containing by admeasurement 19½ acres and 30 perches, more or less, being portion of Rural Section number 1536 on the plan of the Borough of Palmerston North. Bounded towards the north-west by Park Road; towards the north-east, again towards the north-west, and towards the south-west respectively by the Recreation-ground, as described in the Third Schedule hereto; again towards the north-west by Park Road; towards the east and north-east by a Native reserve; towards the south by subdivision number 12 of the said Section number 1536, by the crossing of a road, and a line parallel to and three chains distant from the right bank of the Manawatu River; and towards the south-west by the land known as the Racecourse, as described in the Second Schedule hereto: and intersected by two road-lines, each 100 links wide, and a footpath 15 feet wide.

#### FIFTH SCHEDULE.

##### ESPLANADE.

ALL that piece or parcel of land containing by admeasurement 39 acres 2 roods and 10 perches, more or less, being portion of Rural Section number 1536 on the plan of the Borough of Palmerston North. Bounded towards the north-west by a line one chain distant from and parallel to the right bank of the Manawatu River, commencing at the north-eastern boundary-line of Rural Section number 373, and proceeding to the north-eastern boundary-line of the land known as the Racecourse, as described in the Second Schedule hereto; thence towards the south-west by the said land known as the Racecourse to a point three chains distant from the right bank of the Manawatu River; thence towards the north generally by a line three chains distant from and parallel to the right bank of the said Manawatu River to Fitzherbert Street; thence by a right line to the south-western corner of subdivision number 11 of Rural Section number 1536; and thence by the said subdivision number 11 to a Native reserve; thence towards the south-east by the said Native reserve; thence towards the south and east by the right bank of the Manawatu River; and again towards the south-west by Rural Section number 373 aforesaid.