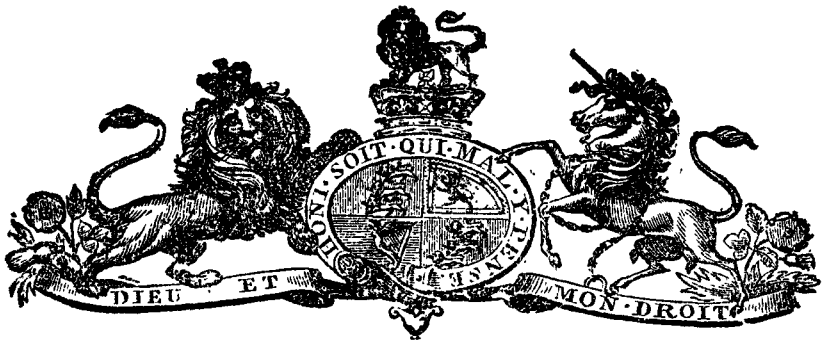
NEW ZEALAND.




TRICESIMO QUINTO

# VICTORIÆ REGINÆ.

## No. XXIII.

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ANALYSIS.

Title.
Preamble.
1. Short Title.
2. Repeal of Act.
3. Land in Second Schedule to be conveyed to the Superintendent.
4. Superintendent to convey to Board.
5. Superintendent to convey to Botanic Garden Governors part of land in Second Schedule.
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Schedules.

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AN ACT to provide for the Management of certain Parcels of Land in the City of Wellington. Title.

[14*th November* 1871.]

WHEREAS by grant from the Crown dated the third day of June one thousand eight hundred and sixty-one the land firstly described in the First Schedule hereto annexed and hereinafter referred to as the Town Belt was granted to Isaac Earl Featherston then Superintendent of the Province of Wellington in trust for purposes of public utility to the Town of Wellington and its inhabitants And whereas by another grant from the Crown dated the said third day of June one thousand eight hundred and sixty-one the land secondly described in the said First Schedule hereto annexed and hereinafter referred to as the Canal and Basin Reserve was also granted to the said Isaac Earl Featherston Superintendent as aforesaid in trust for purposes of public utility to the Town of Wellington and its inhabitants: Preamble.

And whereas by an Act of the Superintendent and Provincial Council of the Province of Wellington intituled "An Act for the better management of certain Parcels of Land in the City of Wellington" certain provisions were made for the management of the lands granted as aforesaid And whereas it is expedient that the said recited Act should be repealed And whereas by grant from the Crown dated the twenty-seventh day of October one thousand eight hundred and fifty-two the land described in the Second Schedule hereunto annexed and hereinafter referred to as the Wesleyan Reserve was granted to James Watkin Superintendent of Wesleyan Missions for the Province of Wellington and his successors in that office And whereas the said James

Watkin as such grantee acting with the consent of the governing body of the Wesleyan Denomination entered into arrangements with the said Isaac Earl Featherston as such Superintendent as aforesaid for the sale to him of the said land so granted by the said lastly recited deed of grant but such arrangements were never fully carried into effect And whereas doubts have arisen whether the said James Watkin can make a valid title to the said land and it is expedient to remove such doubts And whereas it is expedient to make provision for the future management as well of the said lands described in the First Schedule hereunto annexed as of the said Wesleyan Reserve when the same shall have been conveyed to the Superintendent for the time being of the said Province of Wellington as hereinafter provided:

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 Wellington City Reserves Act 1871."

Repeal of Act.

**2.** The hereinbefore recited Act of the Superintendent and Provincial Council of the Province of Wellington is hereby repealed saving nevertheless to all persons any rights which they may have acquired thereunder.

Land in Second Schedule to be conveyed to the Superintendent.

**3.** For the purpose of carrying into effect any arrangement for the sale or conveyance of the Wesleyan Reserve to the Superintendent for the time being of the said Province of Wellington the said James Watkin his heirs or assigns shall within six calendar months after the passing of this Act upon payment of the balance of the purchase money convey to the said Superintendent and his successors the land described in the Second Schedule hereunto annexed and from and after the execution of such conveyance the said land shall be deemed to be absolutely freed and discharged from all trusts theretofore affecting the same.

Superintendent to convey to Board.

**4.** The Superintendent of the said Province of Wellington shall convey the whole of the land comprised in the First Schedule hereunto annexed to the Mayor Councillors and Burgesses for the time being of the City of Wellington to hold the same to the said Mayor Councillors and Burgesses and their successors upon such trusts and for such purposes of public utility to the City of Wellington and its inhabitants as shall in and by the deed or deeds of conveyance thereof be expressed and declared Provided that one half of the moneys derived from such lands shall be devoted to the ornamentation and utilization of the lands referred to in the Schedules to this Act and no other purposes Provided also that the other half of such moneys shall be devoted to the construction and maintenance of roads upon the Town Belt described in the First Schedule to this Act connecting the streets of the said city with the country roads and to no other purpose.

Superintendent to convey to Botanic Garden Governors part of land in Second Schedule.

**5.** The Superintendent for the time being of the said Province of Wellington may with the advice and consent of his Executive Council convey to the Governors of the Botanic Gardens created under the provisions of "The Botanic Gardens Act 1869" all or any part of the land described in the Second Schedule hereunto annexed to hold the same unto the said Board of Governors upon trust for such purposes of public utility to the City of Wellington and its inhabitants and with such powers as shall in and by the deed or deeds of conveyance thereof be expressed and declared.

Superintendent may set apart land for Lunatic Asylum.

**6.** The said Superintendent may with the advice and consent aforesaid appropriate any part of the said land described in the said

Second Schedule hereunto annexed to the purposes of a Lunatic Asylum for the Province of Wellington and of grounds to be annexed thereto and may convey the same to Trustees for the purposes of such Asylum in such manner and subject to such conditions as to the said Superintendent with the advice and consent aforesaid shall seem meet.

## SCHEDULES.

Schedules.

### FIRST SCHEDULE.

*Town Belt.*

ALL that parcel of land in the Province of Wellington in our Colony of New Zealand situate at and adjoining the Town of Wellington containing by admeasurement one thousand two hundred and thirty-four acres two roods and eighteen perches more or less bounded towards the North by section No. 1 Harbour District by section No. 28 Karori District two thousand five hundred and seventy-five links by section No. 20 Ohiro District one thousand eight hundred and fifty links and by section No. 3 Evans's Bay District one thousand one hundred and fifty links towards the East by sections No. 1 2 3 4 5 and 6 Evans's Bay District twenty-four thousand five hundred and fifty links towards the South by sections No. 2 and 5 Town District four thousand links and five thousand links respectively by section No. 12 Ohiro District nine hundred and fifty links and one thousand seven hundred and fifty links by section No. 11 Ohiro District two thousand three hundred and fifty links and by section No. 28 Karori District two thousand two hundred and fifty links towards the West by a public road nine hundred and fifty links by sections No. 20 18 15 12 11 10 and the Ohiro Road nineteen thousand five hundred and twenty links by sections No. 28 29 and 30 Karori District eleven thousand three hundred and fifty links by sections No. 1 2 and 3 Kaiwarrawarra District five thousand one hundred links and part of Lambton Harbour excepting always out of the said boundaries the City of Wellington as the same was originally laid out by the New Zealand Company as delineated in a plan appended to the grant thereof.

*Canal and Basin Reserve.*

All that parcel of land in the Province of Wellington situate in the Town of Wellington containing by admeasurement fifteen acres more or less bounded towards the North by high watermark about one hundred and thirty-one links and by Sussex Square one thousand one hundred links towards the East by Kent Terrace four thousand and forty links and Sussex Square eight hundred and ninety links and towards the West by Sussex Square eight hundred and ninety links and by Cambridge Terrace four thousand and forty links as the same is delineated on the plan appended to the grant thereof.

### SECOND SCHEDULE.

*Wesleyan Reserve.*

ALL that piece or parcel of land situate and being in the Town of Wellington in the Province of Wellington and bounded on the North-west South-west and South in an irregular line by the Karori Road two hundred and forty links and two hundred and sixty-six links by the Botanic Gardens three hundred and thirty-nine links and two thousand eight hundred and sixty-five links and by No. 28 Karori District one thousand nine hundred and three links one thousand one hundred and fifteen links and two hundred and eighty-five links towards the East South-east North-east and North by a branch of the Kumutoto Stream and an irregular line forming the boundary of the Town Belt six hundred links five hundred and thirty-nine links three hundred and thirty-five links and one hundred and seventy-four links and by the Wesleyan Road one thousand and eighty-eight links and one thousand one hundred and thirteen links the contents being seventy-three acres one rood and twenty-two perches or thereabouts.

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