

*Mr. Smith.*

NEW PLYMOUTH BOROUGH LAND EXCHANGE  
AND EMPOWERING.

[LOCAL BILL.]

**ANALYSIS.**

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| Title.  | 3. District Land Registrar to amend existing certificates of title and issue fresh certificates of title. |
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A BILL INTITULED

- AN ACT to effect an Exchange of certain Lands between the Corporation of the Borough of New Plymouth and the Taranaki Jockey Club (Incorporated); to confer on the New Plymouth Borough Council certain Additional Powers in regard to Lands held by the Corporation under the Taranaki Botanic Garden Act, 1876; and to change the Purpose of certain Moneys held by the Council. Title.
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- 10 WHEREAS the Corporation of the Mayor, Councillors, and Burgesses of the Borough of New Plymouth (hereinafter in this Act referred to as the Corporation) is the owner of the lands described in the *First* Schedule hereto as to the land firstly described therein in trust for a botanic garden and public recreation-grounds, and as to Preamble.
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the land secondly described therein for the purposes of a recreation-ground: And whereas the Taranaki Jockey Club (Incorporated), a duly incorporated society having its registered office in Brougham Street, New Plymouth (hereinafter in this Act referred to as the club), is the owner in fee-simple in possession of the land described in the *Second* Schedule hereto: And whereas it is for the mutual advantage of the Corporation and the club that the exchange of the said lands authorized by this Act should be effected: And whereas by the Taranaki Botanic Garden Act, 1876, certain lands therein mentioned and described were vested in a Board of Trustees for public recreation as therein constituted in trust for a botanic garden and public recreation-grounds: And whereas the said Board in accordance with the provisions of the said Act acquired certain other lands in trust for the same purpose: And whereas the Governor-General, in pursuance of the provisions of the said Act, dissolved the said Board, and the said lands thereupon vested in the Corporation, to be managed in accordance with the provisions of the said Act: And whereas it is expedient that the powers of the New Plymouth Borough Council (hereinafter in this Act referred to as the Council) in respect of the said lands should be extended: And whereas the sum of three hundred and fifty pounds received by the Council as a bequest under the last will of Charles Score Sanders (deceased), late of New Plymouth, Retired Farmer, was by the terms of such bequest required to be used for the enlargement and improvement of the Rhododendron Dell in Pukekura Park, New Plymouth: And whereas the said dell is now and was at the time of the receipt of the said sum planted to its existing limits: And whereas it is not desirable to enlarge such dell, owing to experience having shown that the soil therein is not the most suitable for the growth of rhododendrons and the soil of the land immediately surrounding is less suitable: And whereas the Council is desirous of establishing a rhododendron garden on lands situate partly in the said park and partly in the recreation reserve owned by the Council and immediately adjoining the said park, and it is expedient that the Council should be empowered to use the said sum for this purpose:

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

1. This Act may be cited as the New Plymouth  
5 Borough Land Exchange and Empowering Act, 1934.
2. The lands described in the *First* Schedule hereto (being lands heretofore vested in the Corporation) are hereby vested in the club in fee-simple free from the trusts and reservations heretofore affecting them, and  
10 the land described in the *Second* Schedule hereto (being land heretofore vested in the club) is hereby vested in the Council in fee-simple free of encumbrances, and shall be held by the Council for the purposes of a recreation-ground.
- 15 3. The District Land Registrar of the Land Registration District of Taranaki shall, upon application under the respective seals of the club and the Corporation, amend any existing certificates of title affected by the *last preceding* section, and issue to the club and the  
20 Corporation respectively certificates of title in respect of the lands vested in them by that section.
4. Without in any way restricting the powers of the Council under the Taranaki Botanic Garden Act, 1876, the lands vested in the Corporation under the provisions  
25 of that Act shall be deemed to be a recreation reserve within the meaning of the Public Reserves, Domains, and National Parks Act, 1928; and the powers of the Council in respect of the said lands are hereby extended accordingly.
- 30 5. The said sum of three hundred and fifty pounds may be applied by the Council in the laying-out and planting of a rhododendron garden on lands owned by it situate partly in the said Pukekura Park and partly in the recreation reserve adjoining thereto.

Short Title.

Exchange of lands between New Plymouth Borough Council and Taranaki Jockey Club.

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Lands deemed to be a recreation reserve, and powers of Council extended accordingly.

Purpose of certain moneys held by the Council changed.

Schedules.

SCHEDULES.

FIRST SCHEDULE.

ALL those pieces of land situate in the Borough of New Plymouth, containing together 3 roods 16·44 perches, more or less, being, firstly, Section 1264 and part of Section 1263 on the public map of the Town of New Plymouth, containing 1 rood 29·49 perches, more or less, and being part of the land comprised in certificate of title, Volume 127, folio 10, Taranaki Register; and, secondly, part of Section 34 on the public map of Fitzroy District (Block V, Paritutu Survey District), containing 1 rood 26·95 perches, more or less, and being part of the land comprised in certificate of title, Volume 138, folio 99, Taranaki Register: the said pieces of land being more particularly delineated upon the plan deposited in the Lands and Survey Office at New Plymouth as Number 910, roads, and thereon edged pink.

SECOND SCHEDULE.

ALL that piece of land situate in the Borough of New Plymouth, containing 1 acre 2 roods 16·87 perches, more or less, being parts of Sections 34 and 35 on the public map of Fitzroy District (Block V, Paritutu Survey District), and being part of the lands comprised in certificate of title, Volume 108, folio 217, Taranaki Register: the said piece of land being more particularly delineated upon the plan deposited in the Lands and Survey Office at New Plymouth as Number 910, roads, and thereon edged pink.