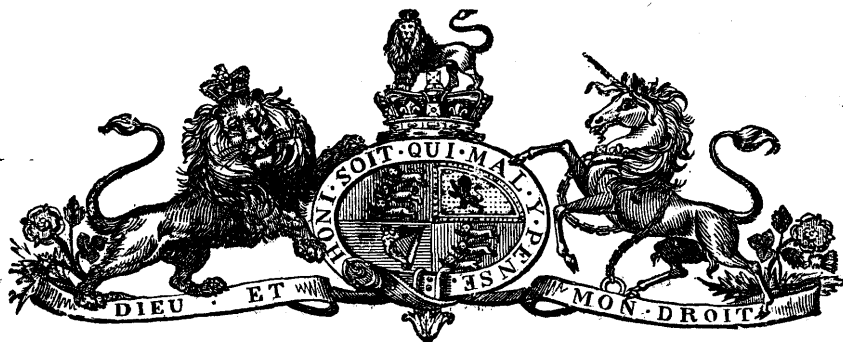


NEW ZEALAND.



ANNO VICESIMO PRIMO ET VICESIMO SECUNDO

VICTORIÆ REGINÆ.

No. 49.

ANALYSIS:

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| Title. | Schedule C to Superintendent in exchange for Government House. |
| Preamble. | 6. Land granted to Superintendent to be deemed to have been granted under Public Reserves Act. |
| 1. Governor may sell by auction Lands described in Schedule A. | 7. Short Title. |
| 2. And Lands in Schedule B at arbitration. | Schedules A, B, C. |
| 3. Grant to convey Estate in fee simple. | |
| 4. Application of proceeds. | |
| 5. Governor may grant Lands described in | |

AN ACT to enable the Governor to sell and exchange certain allotments of Land in and near the City of Auckland, and apply the proceeds of such sales in Public Improvements. ^{Title.}

[18th August, 1858.]

WHEREAS the allotments or parcels of land described in the Schedules A and B hereunto annexed were heretofore set apart as Public Reserves : And whereas the said lands are not required for any public purpose, and it is expedient that the same should be sold, and the proceeds thereof expended in improvements for the benefit of the Public Domain, and other property in the vicinity of the land hereby authorised to be sold, and still reserved by the General Government for public purposes : ^{Preamble.}

Auckland Reserves.

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

Governor may sell by auction Lands described in Schedule A.

I. It shall be lawful for the Governor, whenever he shall think fit, to sell and dispose of by public auction, either altogether or in lots, all or any part of the said allotments or parcels of land more particularly mentioned or described in the said Schedule A to this Act.

And Lands in Schedule B at arbitration.

II. It shall also be lawful for the Governor to sell and dispose of all or any part of the allotment or parcel of land more particularly mentioned or described in Schedule B to this Act, to the several persons whose lands respectively abut thereon, by private contract, at a price to be fixed by an arbitration, to be conducted in such manner as the Governor shall think fit to direct.

Grants to convey Estate in fee simple.

III. It shall also be lawful for the Governor, in the name and on behalf of Her Majesty, to make and execute under the Public Seal of the Colony, Crown Grants, in the usual form, to the Purchasers of any of the lands sold under this Act; and every such grant shall be deemed to convey an estate in fee simple, free from incumbrances, and without liability on the part of the purchaser or purchasers to see to the application of the purchase money.

Application of proceeds.

IV. The money to arise from every such sale shall be applied, first in payment of the expenses attending the same, and secondly, except the purchase money of allotments Nos. 1, 2, 3, 4, of Section 15 of the City of Auckland, in the improvement of the Government Domain or Park, at Auckland, and in payment of the cost already or to be hereafter incurred in making roads to and in the vicinity of the said Domain, and as to the purchase money of allotments Nos. 1, 2, 3, 4, in or towards the erection of a Court of Justice in the City of Auckland.

Governor may grant Lands described in Schedule C to Superintendent in exchange for Government House.

V. And whereas, it has been proposed that the several allotments or parcels of land described in the Schedule C. hereunto annexed, together with the buildings thereon erected, shall be transferred by the Government of the Colony to the Provincial Government of Auckland, in consideration of the expense incurred by the Province of Auckland in the erection of the house now occupied by the Governor: Be it therefore further enacted that it shall be lawful for the Governor, whenever he shall think fit, in the name and on behalf of Her Majesty, to make and execute under the Public Seal of the Colony, Crown Grants or a Crown Grant to the Superintendent of the said Province and his successors, of all or any of the several allotments of land described in the said Schedule C. to this Act; and it shall be lawful for the Superintendent of the said Province for and on behalf of the said Province, by writing under his hand and under the seal of the said Province, to release to Her Majesty all rights and claims whatsoever in respect or on account of the expense incurred on behalf of the said Province in the erection of the said house now occupied as the residence of His Excellency the Governor.

Auckland Reserves.

VI. Any land granted to the Superintendent of the said Province of Auckland, and his successors, by virtue of this Act, shall for all purposes be deemed and taken to have been granted under "The Public Reserves Act, 1854," for such purposes of public utility as shall be hereafter declared in respect of the same by any Act to be passed by the Superintendent of the Province of Auckland, with the advice and consent of the Provincial Council thereof.

Land granted to Superintendent to be deemed to have been granted under Public Reserves Act.

VII. The Short Title of this Act shall be "The Auckland Reserves Act, 1858."

Short Title.

SCHEDULE A.

1. All that allotment or parcel of land containing six acres three roods and twenty-six perches, (more or less,) being part of Section No. 10 of the City of Auckland, in the Parish of Waitemata, in the County of Eden, and being bounded as follows:—on the North-east for a length of seven hundred and fifty links, (750) by allotment No. 1, of the aforesaid Section No. 10; on the South-east for a length of one thousand and eighty five links (1085) by Stanley street; on the South-west for a length of two hundred and eighty-seven links (287) by a road connecting Stanley street and the Grafton Road; on the West-north-west and west for lengths respectively of one hundred and three links (103), and seven hundred and thirty-five links (735) by the Grafton Road; and on the North-west for a length of four hundred and fifty-five links (455), by Wynyard-street.

2. All that allotment or parcel of land containing four acres one rood and twenty-eight perches, (more or less), being part of Section No. 34 of the City of Auckland aforesaid, and being bounded as follows; on the East and East-south-east, for lengths respectively of five hundred and forty links, (540), and eight hundred and eighty-seven links, (887) by the Grafton road aforesaid; on the West-south-west and south-west for lengths respectively of three hundred and fifty links, (350), and three hundred links, (300), by a fence which separates it from property belonging to Andrew Sinclair, Esq.; and on the North-west for a length of eleven hundred links, (1100) by a road fifty feet in width, running North-east from the property aforesaid, of Andrew Sinclair, Esq., to the Grafton road aforesaid.

3. All that allotment or parcel of land, containing one acre one rood and nineteen perches, (more or less) situated in the Suburbs of Auckland, and being bounded as follows:—on the North-east for a length of three hundred and four links, (304) by Section No. 11 of the City of Auckland aforesaid, on the South-east for a length of one hundred links (100), by land granted for a rope walk; on the South-south-east by an irregular undefined line, the several parts of which are in length respectively, twenty-three links (23), one hundred links (100), two hundred and ninety links (290), one hundred and eighty-five links (185); and two hundred and twelve links (212), which said irregular line separates it from Section No. 98, of the Suburbs of Auckland; (being an hospital endowment, and at this part a narrow belt of land by the side of a mill race), and on the North-west for a length of eight hundred and thirty links (830), by Stanley street aforesaid.

4. All that allotment or parcel of land containing ten acres one rood and twenty-nine perches, (more or less), being part of the Government Domain, otherwise called Auckland Park, and being bounded as follows:—on the West-north-west, for lengths of two thousand two hundred and twenty links (2220), and one thousand three hundred and forty-five links (1345), by the Grafton road aforesaid; on the South for a length of five hundred and seventy five links (575) by a road leading towards the Provincial Hospital; on the Eastward by the Hospital stream, which for a length of about one thousand six hundred and fifty links (1650), separates it from the Hospital endowment, in which the Provincial Hospital is situated, and for a further length of about nine hundred and fifty links (950), separates it from the Government Domain, the Hospital stream then losing itself in a swamp at a Puriri

Auckland Reserves.

tree; on the East-south-east by a bent undefined line, the two parts of which are in length respectively, six hundred and eighty-five links (685), and four hundred and twenty links (420), and which bent line reaches from the Puriri tree aforesaid, to the southernmost post of the gate entering the Government Domain from Stanley street aforesaid; and on the North-east for a length of three hundred and eighty five links (385), by a road as aforesaid connecting Stanley street and the Grafton road.

5. All those allotments or parcels of land on which stand the buildings occupied by the Supreme Court, the Resident Magistrate's Court, and the Gaol, containing one acre and twenty perches, (more or less), being Nos. 1, 2, 3, and 4, of Section No. 15, of the City of Auckland aforesaid.

6. All that allotment or parcel of land containing fifteen acres and ten perches (more or less) being No. 35, of Section No. 6, of the Suburbs of Auckland.

7. All that allotment or parcel of land containing one hundred and forty-two acres, (more or less), situated near St. John's College, and being bounded as follows:— on the North for a length of about three thousand nine hundred and fifty links (3950), by a road commonly called the "Point England Road"; on the West, South-west, and South, for lengths respectively of about one thousand two hundred links (1200), two thousand eight hundred links (2800), and three thousand one hundred and eighty links (3180), by the road from St. John's College to Panmure; and on the East for a length of about three thousand six hundred and fifty links (3650), by a road running between the said "Point England" Road and the said road from St. John's College to Panmure.

SCHEDULE B.

1. All that allotment or parcel of land containing thirteen acres three roods and seventeen perches, (more or less), situated in Section No. 11 of the Suburbs of Auckland, and being bounded as follows:—on the West for a length of about four thousand five hundred links (4500), by the road from Auckland to Onehunga, commonly called the "Epsom Road"; and on the Eastwards for lengths respectively of two thousand three hundred and fifteen links (2315), two hundred and sixty-two links (262), five hundred and eighty-nine links (589), fifty links (50), five hundred and fifty links (550), and nine hundred and twenty-four links (924), by allotments Nos. 10 and 11, and part of allotment No. 12 of the aforesaid Section No. 11, by the end of a road fifty links (50) wide by another part of allotment No. 12, and by allotment No. 16 of the aforesaid Section No. 11, of the Suburbs of Auckland.

SCHEDULE C.

1. All that allotment or parcel of land containing one acre and one perch (more or less), being No. 1 of Section No. 12, of the City of Auckland aforesaid.

2. All that other allotment or parcel of land situate in Princes-street, in the City of Auckland aforesaid, and being the Eastern half of allotment No. 17A of Section No. 4 of the said Town, containing thirteen perches, (more or less).

3. All that other allotment or parcel of land in the City of Auckland aforesaid, having a frontage to High street of fifty seven feet, (57ft.), and a frontage to Chancery Street of sixty seven feet, six inches (67ft. 6in.) and being part of allotment No. 4, of Section No. 4 of the said City, and which said parcel of land, with the buildings thereon, was purchased for and on behalf of the Government of New Zealand, for Public Offices of certain Departments of the Government.

Auckland Reserves.

4. All that other allotment or parcel of land in the City of Auckland aforesaid, containing eight perches, (more or less), being part of allotment No. 16 of Section No. 14, of the said, City which was conveyed to Her Majesty Queen Victoria, by George Willson, on the sixteenth day of October, one thousand eight hundred and forty nine, and which is bounded as follows :—on the North by allotment No. 17, of the Section aforesaid, one hundred and thirteen feet (113ft), on the East by a portion of the aforesaid allotment No. 16, twenty feet six inches, (20ft 6in), on the South by a portion of the aforesaid allotment No. 16, one hundred and thirteen feet (113ft), and on the West by Lower Queen-street, twenty feet six inches, (20ft 6in).