

RESERVES.

5° and 6° GEO. VI., No. XXXVIII.

No. 38 of 1941.

AN ACT relating to certain reserves and other lands.

[Assented to 2nd January, 1942.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title. 1. This Act may be cited as the *Reserves Act (No. 2)*, 1941.

**Perth lot
O18.** 2. Subject as hereinafter provided, all that piece of land, being Perth lot O18, granted to the mayor and councillors of Perth, to be held in trust and used for municipal purposes solely, may be surrendered by the city of Perth to His Majesty the King with the intent that the said land when so surrendered shall be reserved for the purpose of a kindergarten and be vested in the Kindergarten Union of Western Australia Incorporated:
Provided that—

(i) in the event of the said land being vested in the said Kindergarten Union of Western Aus-

tralia Incorporated and thereafter that body is dissolved or no longer requires the said land, such land shall by virtue of this section, revert in His Majesty the King as from the date when the said body is dissolved or intimates to the Under Secretary for Lands that it no longer requires the said land, and thereafter shall be reserved for municipal purposes and be vested in the city of Perth; and

- (ii) if at the time when in accordance with paragraph (i) of this proviso the said land shall become revested in His Majesty the King the said land shall have been lawfully mortgaged or otherwise encumbered by the said Kindergarten Union of Western Australia Incorporated, and that body has not the means to procure a discharge of such mortgage or a surrender or release of such encumbrance, the said land shall revert in His Majesty the King free of such encumbrances, but before the said land is reserved and vested in the city of Perth, the city of Perth shall, in a manner satisfactory to the Minister for Lands, assume and undertake duly to observe, perform, and comply with all the obligations of the said Kindergarten Union of Western Australia Incorporated under the mortgage or other encumbrance aforesaid; and if the city of Perth shall be unwilling so to assume and undertake the due observance, performance, and compliance with the said obligations, then the said land may be dealt with as Crown land under the provisions of the Land Act, 1933-1939, as the Governor may think fit.

3. All that reserve 17755 (Victoria location 7505) held under a ninety-nine years' lease by James McCagh, Albert Henry Cousins, Claud Edwin Maley, Cornelius Sheahan, and Patrick Martinea Durack in trust for the purpose of a racecourse is hereby revested in His Majesty the King as of his former estate to the intent that the said land may be set apart as a reserve for a greater sports ground and be vested in the Three Springs road board.

Reserve
17755, Vic-
toria location
7505.

Boulder town
lots 661 and
394.

4. All that piece of land, being Boulder town lot 661, granted to the mayor and councillors of Boulder upon trust for municipal purposes (Electric Light Station) and all that piece of land, being Boulder town lot 394, granted to the mayor and councillors of Boulder upon trust for "Fire Brigade Station" are hereby revested in His Majesty the King as of his former estate, and may be dealt with as Crown land under the provisions of the Land Act, 1933-1939.

Reserve
12361, Nelson
location 8449.

5. All that reserve 12361 (Nelson location 8449) held under nine hundred and ninety-nine years' lease by Robert Arthur John Crawford, John Charles Rose, and Herbert Lake as trustees for the Bridgetown Racing Club is hereby revested in His Majesty the King as of his former estate, and may be dealt with as Crown land under the provisions of the Land Act, 1933-1939.

Reserve
A7800.

6. All that portion of reserve A7800 set apart for recreation purposes at East Fremantle, situated south-westward of the Lower Canning road, is hereby excluded from the said reserve with the intent that it may be dedicated to the purposes of the Workers' Homes Act, 1911-1938.

Cottesloe
lot 192.

7. All that piece of land, being Cottesloe lot 192, containing five acres three roods thirty-seven perches or thereabouts, may be granted to the Nedlands road board for an estate in fee simple, with power to the said road board to subdivide the said land in such manner as may be permitted by law, and to sell the said land as so subdivided, either in one lot or in two or more lots free from any trust.

Coolgardie
town lot 64.

8. All that piece of land, being Coolgardie town lot 64, comprised in Certificate of Title volume CIII, folio 155, held in fee simple by the Coolgardie road board in trust for a miners' institute solely, which the said Coolgardie road board sold in the year, one thousand nine hundred and thirty-four, to one Paul Bietz for the price of ten pounds, shall be deemed to have been validly so sold by the said Coolgardie road board freed and discharged from the said trust, and the said Coolgardie road board is hereby authorised to execute a registrable transfer of its said estate in the said land to John Topham, of Coolgardie, being the person now in possession and occupation of the said land as the latest purchaser

thereof, and the Registrar of Titles is hereby authorised to register such transfer freed and discharged from the said trust, provided such transfer is stamped with the *ad valorem* duty chargeable in respect of the consideration paid by the said John Topham on the sale of the said land to him.
