

Hon. Mr. Nosworthy.

## HOWARD ESTATE.

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### A BILL INTITULED

AN ACT to make Provision with respect to the Estate of Josiah Howard, deceased. Title.

WHEREAS Josiah Howard, of Tikokino, in the Provincial District of Hawke's Bay, died on the fifth day of January, nineteen hundred and nineteen, leaving a will dated the nineteenth day of December, nineteen hundred and ten, whereby he devised and bequeathed all his real and personal property to His Majesty the King without restriction or limitation, but in confidence that the Government of the Dominion of New Zealand would use the property as a foundation or endowment for the purposes of agricultural education: And whereas on the twenty-seventh day of March, nineteen hundred and nineteen, letters of administration of the estate of the said Josiah Howard with the said will annexed were granted by the Supreme Court of New Zealand to the Public Trustee: And whereas the said estate comprises, *inter alia*, the fee-simple of the lands described in the Schedule hereto: And whereas it is desirable to give legal effect to the intentions of the said Josiah Howard as indicated in his said will, and to make provision accordingly for the disposition and use of his estate: And whereas it is further desirable to make provision for the benefit of certain relatives of the said Josiah Howard for whom no provision was made by his said will: Preamble.

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 Howard Estate Act, 1919.

Short Title.

Howard Estate set apart as permanent endowment for agricultural education.

2. (1.) The Public Trustee shall hold in trust for the Crown as a permanent endowment for the purpose of agricultural education in accordance with this Act all the lands now vested in the Public Trustee as the administrator of the estate of the said Josiah Howard, the said lands being those which are described in the Schedule to this Act. 5

Leasing-powers of Public Trustee.

(2.) The said lands shall be known as the Howard Estate.

3. (1.) The Public Trustee shall in respect of the Howard Estate be a leasing authority within the meaning of the Public Bodies' Leases Act, 1908, and may exercise in respect of that estate, or of any part thereof, all the powers of a leasing authority accordingly. 10

(2.) In addition to the powers conferred by the Public Bodies' Leases Act, 1908, there may be conferred on the Public Trustee by Order in Council such further powers of leasing as the Governor-General thinks fit. 15

Management of estate.

4. Pending the leasing of the Howard Estate, or of any part thereof, the Public Trustee may occupy and manage the same as a farm in such manner as he thinks fit.

Dedication of roads.

5. The Public Trustee may dedicate as roads such parts of the Howard Estate as he thinks necessary for the proper subdivision and leasing of that estate. 20

Remuneration of Public Trustee.

6. The remuneration of the Public Trust Office for the administration of the Howard Estate shall be such as is determined from time to time by Order in Council. 25

Howard Estate Account.

7. The net revenues derived by the Public Trustee from the administration of the Howard Estate shall be paid by him from time to time as required by the Minister of Agriculture into the Public Account to the credit of a separate account to be called "The Howard Estate Account," and shall in the meantime form part of the common fund of the Public Trust Office. 30

Expenditure of moneys in Howard Estate Account.

8. All moneys included in the Howard Estate Account shall from time to time, without further appropriation than this Act, but in accordance with a scheme or schemes of administration and expenditure to be from time to time approved by Order in Council, be expended (whether by way of capital or recurrent expenditure) for the following purposes:— 35

(a.) The establishment and maintenance of a school or institute of agricultural education which shall be under the control of the Minister of Agriculture, and shall be known as the Howard Agricultural Institute: 40

(b.) The improvement and development of the Howard Estate.

Provision for relatives of Josiah Howard.

9. The Public Trustee shall, on being so authorized by Order in Council, transfer to any or all of the next-of-kin of the said Josiah Howard, or to any other persons connected with him by blood or marriage, any portion of the property of the said Josiah Howard (other than the Howard Estate) or of the proceeds of the realization of that property, in such shares and amounts as may be determined by that Order, but so that the aggregate value of the property or proceeds so transferred shall not exceed the sum of *twenty-five* thousand pounds. 45 50

10. The Public Trustee shall at such times, and in such manner as he thinks fit, convert into money all the residue of the estate of the said Josiah Howard, and shall pay thereout all debts, liabilities, and other lawful charges, and shall pay the residue into the Howard  
5 Estate Account.

Administration of residue of the property of Josiah Howard.

11. No estate duty, succession duty, or gift duty shall be payable under the Death Duties Act, 1909, in respect of the estate of the said Josiah Howard or in respect of the execution of the provisions of this Act.

Exemption from death duties and gift duty.

## SCHEDULE.

Schedule.

### LANDS INCLUDED IN THE HOWARD ESTATE.

ALL those pieces or parcels of land situated in the Provincial District of Hawke's Bay in the Dominion of New Zealand,—

First, containing 210 acres, be the same a little more or less, being Block No. 175 on the public map of the Makaretu District, being the whole of the land comprised and described in certificate of title, Volume 17, folio 41, Hawke's Bay Registry.

Second, containing 210 acres, be the same a little more or less, being Block No. 177 on the plan of the Makaretu District aforesaid, being the whole of the land comprised and described in certificate of title, Volume 12, folio 144, Hawke's Bay Registry.

Third, containing 105 acres, be the same a little more or less, being Block No. 160 on the plan of the Makaretu District aforesaid, being the whole of the land comprised and described in certificate of title, Volume 17, folio 34, Hawke's Bay Registry.

Fourth, containing 136 acres 2 roods, be the same a little more or less, being Block No. 166 on the plan of the Makaretu District aforesaid, being the whole of the land comprised and described in certificate of title, Volume 17, folio 40, Hawke's Bay Registry.

Fifth, containing 210 acres, be the same a little more or less, being Block No. 178 on the plan of the Makaretu District aforesaid, being the whole of the land comprised and described in certificate of title, Volume 17, folio 42, Hawke's Bay Registry.

Sixth, containing 45 acres, be the same a little more or less, being Block No. 61 on the plan of the Wakarara District, being the whole of the land comprised and described in certificate of title, Volume 30, folio 149, Hawke's Bay Registry.

Seventh, containing 52 acres 2 roods, be the same a little more or less, being Block No. 167 on the plan of the Makaretu District aforesaid, and being the whole of the land comprised and described in certificate of title, Volume 17, folio 35, Hawke's Bay Registry.

Eighth, containing 1,380 acres, be the same a little more or less, being Section No. 2, Block 10, on the map of the Wakarara Survey District aforesaid, being the whole of the land comprised and described in certificate of title, Volume 26, folio 126, Hawke's Bay Registry.

Ninth, containing 99 acres 2 roods 37 perches, be the same a little more or less, being the balance of the Block No. 161 on the plan of the Makaretu District aforesaid, after deducting or excepting from the said block the portion transferred to the Crown by transfer registered No. 13622, which said piece of land is the whole of the land comprised and described in certificate of title, Volume 43, folio 166, Hawke's Bay Registry.

Tenth, containing 653 acres, be the same a little more or less, being Block No. 68 on the plan of the Wakarara District aforesaid, and being the whole of the land comprised and described in certificate of title, Volume 33, folio 161, Hawke's Bay Registry.

Eleventh, containing 532 acres, be the same a little more or less, being Section No. 3 on Block 14 on the plan of the Wakarara Survey District aforesaid, and being the whole of the land comprised and described in certificate of title, Volume 26, folio 127, Hawke's Bay Registry.

Twelfth, containing 1,207 acres, be the same a little more or less, being Section No. 1 of Block 10 on the plan of the Wakarara Survey District aforesaid, and being the whole of the land comprised and described in certificate of title, Volume 26, folio 125, Hawke's Bay Registry.

Thirteenth, containing 72 acres, be the same a little more or less, being Block 179 on the plan of the Wakarara District aforesaid, and being the whole of the land comprised and described in certificate of title, Volume 26, folio 100, Hawke's Bay Registry.

Fourteenth, containing 210 acres, be the same a little more or less, being Block No. 176 on the plan of the Makaretu District aforesaid, and being the whole of the land comprised and described in certificate of title, Volume 12, folio 143, Hawke's Bay Registry.

Fifteenth, containing 73 acres 2 roods, be the same a little more or less, being Block No. 165 on the plan of the Makaretu District aforesaid, and being the whole of the land comprised and described in certificate of title, Volume 12, folio 132, Hawke's Bay Registry.

Sixteenth, containing 210 acres, be the same a little more or less, being Block No. 163 on the plan of the Makaretu District aforesaid, and being the whole of the land comprised and described in certificate of title, Volume 17, folio 36, Hawke's Bay Registry.

Seventeenth, containing 210 acres, be the same a little more or less, being Block No. 164 on the plan of the Makaretu District aforesaid, being the whole of the land comprised and described in certificate of title, Volume 17, folio 39, Hawke's Bay Registry.

Eighteenth, containing 635 acres, be the same a little more or less, being Blocks Nos. 58 and 91 on the plan of the Wakarara District aforesaid, and being the whole of the land comprised and described in certificate of title, Volume 17, folio 37, Hawke's Bay Registry.

Nineteenth, containing 380 acres 2 roods, be the same a little more or less, being Blocks Nos. 54 and 57 on the plan of the Wakarara District aforesaid, and being the whole of the land comprised and described in certificate of title, Volume 17, folio 38, Hawke's Bay Registry.

Twentieth, containing by admeasurement 157 acres, be the same a little more or less, being Block No. 40 on the Government plan of the Wakarara District aforesaid.

Twenty-first, containing by admeasurement 685 acres, be the same a little more or less, being Block No. 54 on the Government plan of the Wakarara District aforesaid.

Twenty-second, containing by admeasurement 42 acres, be the same a little more or less, being Block No. 50 on the Government plan of the Wakarara District aforesaid.

Twenty-third, containing by admeasurement 63 acres, be the same a little more or less, being Block No. 21 on the Government plan of the Wakarara District aforesaid.

Twenty-fourth, containing by admeasurement 61 acres 2 roods 16 perches, be the same a little more or less, being Block No. 39 on the plan of the Wakarara Crown Grant District, and being the whole of the land in Crown grant, registered No. 51223, in favour of Thomas Smith therein described.