

New Zealand.



ANALYSIS.

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| <p>Title.
Preamble.</p> <p>1. Short Title.</p> <p>2. Land in section 2 of "The Auckland Hospital Reserves Act 1883 Amendment Act, 1888," released from charge referred to in third preamble to "The Auckland Hospital Reserves Act, 1883."</p> <p>3. Power to Governor to sell land, or exchange same for other land of equal value.</p> | <p>4. Land so acquired to be held on like trusts, &c., as the land parted with.</p> <p>5. Nothing to affect section 3 of "The Auckland Hospital Reserves Act 1883 Amendment Act, 1888."</p> <p>6. Public Trustee to lease the newly-acquired land to the District of Auckland Hospital and Charitable Aid Board without resorting to sale by auction.</p> |
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1893, No. 17.—*Local.*

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| Title. | <p>AN ACT to authorise the Sale or Exchange of a Hospital Reserve at Auckland, and to apply the Proceeds to the Purchase of other Lands in Extension of the Reserve upon which the Costley Home is built. [2nd October, 1893.]</p> |
| Preamble. | <p>WHEREAS since the passing of "The Auckland Hospital Reserves Act 1883 Amendment Act, 1888," the Board referred to in the preamble to the said Act has obtained a site for the erection of the refuge, and for the objects and purposes also in such preamble referred to, and it has, at a cost of some ten thousand pounds, erected thereon a building or refuge, which is known as "The Costley Home for the Aged Poor," but herein called "the said Home": And whereas the area of the said site is wholly insufficient for the purposes and objects of the said Home, and it has now become necessary that the same should be increased by the acquisition of other land adjoining or otherwise to the said Home: And whereas the lands mentioned and referred to in the second section of the first-mentioned Act are part of the lands included in the charge referred to in the third preamble to "The Auckland Hospital Reserves Act, 1883": And whereas such last-mentioned lands have, since the said charge was so created, been greatly increased in value by the said Board, and though the amount of the said charge has been reduced, yet the same still exists: And whereas the said Board is now entitled, under and by virtue of the third section of the first-mentioned Act, to have granted to it the renewed lease in the said section referred to: And whereas, and without altering or in any way interfering with the provisions of the said sections two and three, except as hereinafter provided, the said Board is desirous that the lands referred to in the said section two, or such portion or portions thereof</p> |

as may be necessary for the purpose herein mentioned, should be released and discharged from the operation of the said Act of 1883, and of the charge and security therein referred to, with the object simultaneously of including in lieu thereof in the last-mentioned Act, and the said charge and security therein mentioned, all other lands of equal value therewith and to be acquired as herein mentioned; and for that purpose that the said lands so referred to in the said section two should be exchanged or sold, and thereby enable other lands immediately adjoining the said Home or otherwise, and of equal value therewith, to be acquired in their place and stead as hereinafter provided; and that the said Board may have granted to it a lease of the said newly-acquired land, for the term of twenty-one years from the date of such new acquisition being made, and on the terms hereinafter provided: And whereas it would benefit the said Home, and the trust for which the same is held and reserved, if the lands mentioned in the said sections two and three, or such portion thereof as may be necessary for the purpose herein mentioned, were so exchanged or sold, and other lands of equal value therewith and adjoining or otherwise the said Home were acquired by exchange or purchase in their place and stead: And whereas it is expedient for the purposes aforesaid, and for the purposes mentioned in the said preamble and in this Act, to alter the provisions of "The Public Reserves Act, 1881," section eight, and "The Auckland Hospital Reserves Act, 1883":

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

1. The Short Title of this Act is "The Auckland Hospital Reserves Exchange Act, 1893."

Short Title.

2. The land referred to in the said section two, or so much thereof as may be required to be sold or given in exchange by the Governor under the provisions hereof, is hereby released and discharged from the charge and security referred to in the said third preamble to the Act of 1883, and from all liability whatever in respect thereof.

Land in section 2 of "The Auckland Hospital Reserves Act 1883 Amendment Act, 1888," released from charge referred to in third preamble to "The Auckland Hospital Reserves Act, 1883."

3. The Governor may from time to time, in the name and on behalf of Her Majesty, exchange with any person or body politic or corporate the whole or any portion, as he may think fit, of the lands mentioned in the said section two for any other lands adjoining or otherwise the said Home which the Governor shall deem of equal value therewith, and more suitable for the requirements and purposes of the said Home than the land so wholly or partially given in exchange.

Power to Governor to sell land, or exchange same for other land of equal value.

And the Governor may also from time to time, in the name and on behalf of Her Majesty, sell to any person or body politic or corporate the whole or any portions of the lands mentioned in the said section two, for such price as the Governor shall deem to be the fair value thereof, and with the proceeds of such sale the Governor may purchase to the like value any other land adjoining the said Home or otherwise, and which the Governor shall consider more suitable for the purposes of the said Home than the land so wholly or partially sold.

And the Governor may do or cause to be done all such acts and things, and make, sign, and execute all such conveyances and instru-

ments, as may be necessary to effect such exchange or sale; and any such conveyance or instrument, purporting to be a conveyance of the said land, and executed by the Governor, shall operate to vest in the person or body politic or corporate in whose favour the same is made the fee-simple of the land therein described, wholly discharged from all statutes, restraints, and trusts, and from the charge and security referred to in the said third preamble, anything to the contrary contained in "The Public Reserves Act, 1881," or the statutes herein referred to, or any other statute notwithstanding.

Land so acquired to be held on like trusts, &c., as the land parted with.

4. All land so obtained by way of exchange or purchase by Her Majesty shall be held by Her Majesty subject to the said charge and security, and in the place and stead of all land included therein and so exchanged or sold by virtue hereof, for the like objects and purposes, and upon the same conditions and trusts, as the land so given in exchange or sold by Her Majesty was held immediately prior to the passing of this Act.

Nothing to affect section 3 of "The Auckland Hospital Reserves Act 1883 Amendment Act, 1888."

5. Except as to so much of the land referred to in the said second section as may be so exchanged or sold, nothing in this Act shall in anywise alter or interfere with the provisions of the said section three, and the granting of the lease therein mentioned to the Board, except that according to the extent of area of such said exchange or sale so shall the rent to be reserved in the said lease be reduced in the like proportion.

Public Trustee to lease the newly-acquired land to the District of Auckland Hospital and Charitable Aid Board without resorting to sale by auction.

6. That upon any acquisition as aforesaid of the lands so to be acquired by the Governor, it shall be lawful for the Public Trustee to grant a lease of the same to the said Board for the term of twenty-one years from the date of such acquisition, and upon the same terms and subject to the same conditions as are contained in the lease referred to in the said section three, save and except that the rent to be reserved thereby shall be a peppercorn per annum, and the Public Trustee shall not be required, before granting such lease, to submit the same for sale or competition by public auction.