

New Zealand



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1940, No. 16

AN ACT to confer certain Powers on certain Public Bodies and to validate certain Transactions.

[30th August, 1940

BE IT 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 Local Legislation Short Title Act, 1940.

County Councils.

Further extending period of appointment of Commissioner for County of Matakaoa. 1932-33, No. 47 1937, No. 25 Repeal.

Validating proceedings in connection with portion of a loan of £26,000 raised by Awatere County Council. See Reprint of Statutes, Vol. V, p. 415

2. (1) Subsection eleven of section ten of the Local Legislation Act, 1932-33, as amended by section eleven of the Local Legislation Act, 1937, is hereby further amended by omitting the words "nineteen hundred and forty-one", and substituting the words "nineteen hundred and forty-four".

(2) Section eleven of the Local Legislation Act, 1937, is hereby repealed.

3. Whereas the Awatere County Council (hereinafter called the Council) was authorized by Order in Council made on the nineteenth day of August, nineteen hundred and thirty-six, pursuant to section eleven of the Local Government Loans Board Act, 1926, to raise a loan of twenty-six thousand pounds known as the "Awatere Water-supply Loan, 1936", for the purpose of providing a high-pressure water-supply for parts of the County of Awatere upon certain terms and conditions, one of such conditions being that no money should be borrowed under such authority after the expiration of two years from the date thereof: And whereas the Council by resolution made on the seventh day of April, nineteen hundred and thirty-eight, resolved to raise the said loan and, pursuant to such resolution, arranged to raise the said loan by instalments as required: And whereas the authority conferred by the said Order in Council expired on the nineteenth day of August, nineteen hundred and thirty-eight: And whereas by Order in Council made on the thirteenth day of September, nineteen hundred and thirty-nine, a fresh consent was issued authorizing the Council to raise the balance then outstanding: And whereas after the nineteenth day of August, nineteen hundred and thirty-eight, but before the thirteenth day of September, nineteen hundred and thirty-nine, the Council received instalments amounting to ten thousand nine hundred pounds in respect of the said loan: And whereas it appears that the Council had no authority to receive the said instalments amounting to ten thousand nine hundred pounds, and it is desirable that the raising

of such amount of ten thousand nine hundred pounds by the Council as aforesaid should be validated: Be it therefore enacted as follows:—

The action of the Council in raising the said sum of ten thousand nine hundred pounds of the Awatere Water-supply Loan, 1936, is hereby validated, and the said moneys shall be deemed to have been lawfully borrowed and the securities given in respect thereof to have been lawfully issued.

4. Whereas by section sixty-four of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1912, the area of land described in that section was constituted a district within the meaning of the Land Drainage Act, 1908, under the name of the Waimumu Stream Drainage District, and the Southland County Council (hereinafter called the Council) was created the Drainage Board of that district: And whereas the Council, as such Drainage Board, being desirous of carrying out works of straightening, widening, and deepening the Waimumu Stream within such district has, in respect of each of the financial years within the period which commenced on the first day of April, nineteen hundred and thirty-seven, and ended on the thirty-first day of March, nineteen hundred and forty, levied rates on lands in the said district for the purpose of providing a fund for the payment of the cost of such works, and has now in hand from such rates and available for such works the sum of six hundred and fifty pounds: And whereas it is estimated that the cost of such works will be two thousand three hundred pounds, of which sum one-half will need to be provided by the Council as such Drainage Board: And whereas it is desirable that such works should be carried out without delay: And whereas the Council is willing to advance from the County Fund of the Southland County a further sum not exceeding six hundred pounds required to enable such works to be carried out, provided the Council is granted the powers necessary to enable it, as such Drainage Board, to levy annually for three years a rate sufficient to refund such sum to the County Fund, or to any riding account to which the sum may have been charged: And whereas doubts have arisen as to the validity of

Provision with respect to moneys advanced by Southland County Council for certain works in the Waimumu Stream Drainage District.
1912, No. 46
See Reprint of Statutes, Vol. IV, p. 466

the said rates levied on lands in the said district in the financial years aforesaid, and it is desirable that such doubts should be removed: Be it therefore enacted as follows:—

(1) The Council is hereby authorized and empowered to advance free of interest from its County Fund to the fund held by the Council as the Drainage Board of the Waimumu Stream Drainage District a sum not exceeding six hundred pounds by paying such sum into the separate bank account kept by the Council with the Bank of New Zealand at Invercargill and known as “The Waimumu Stream Drainage Board Account”.

(2) Upon payment by the Council of any sum of money as provided in the last preceding subsection, the Council may charge that sum to the separate account of the riding within which such part of the lands in the said district as are within the County of Southland are situated.

(3) The Council may, as the Drainage Board of the Waimumu Stream Drainage District, in respect of each of the financial years within the period commencing on the first day of April, nineteen hundred and forty, and ending on the thirty-first day of March, nineteen hundred and forty-three, make and levy on all rateable property in the said district, in manner prescribed by the Land Drainage Act, 1908, and the Rating Act, 1925, a separate rate calculated to produce one-third of the total amount advanced or intended to be advanced by the Council under the provisions of this section.

(4) The separate rates mentioned in the last preceding subsection may be levied by the Council in addition to any general rates levied by it as the Drainage Board of the district during the financial years mentioned in that subsection.

(5) The Council shall out of the proceeds of such separate rates, as and when they are received, and out of any other moneys in the Waimumu Stream Drainage Board Account, repay to the County Fund or to the said riding account, as the case may require, such amounts as shall from time to time be available for the purpose of repaying the amount paid into

the Waimumu Stream Drainage Board Account under the authority of this section until the whole of that amount shall have been repaid.

(6) The rates made and levied during the financial years within the period which commenced on the first day of April, nineteen hundred and thirty-seven, and ended on the thirty-first day of March, nineteen hundred and forty, by the Council, as the Land Drainage Board of the Waimumu Stream Drainage District, on lands in such district are hereby declared to have been lawfully made and levied.

(7) All moneys advanced by the Council under the powers conferred upon it by this section shall be expended on works of straightening, widening, and deepening the Waimumu Stream within the Waimumu Stream Drainage District.

5. Whereas the Awatere County Council (hereinafter called the Council) was authorized by Order in Council made on the nineteenth day of August, nineteen hundred and thirty-six, pursuant to section eleven of the Local Government Loans Board Act, 1926, to raise a loan of twenty-six thousand pounds, known as the "Awatere Water-supply Loan, 1936", for the purpose of providing a high-pressure water-supply for parts of the County of Awatere: And whereas, owing to necessary alterations in the said scheme and to increased costs in connection therewith, it has been found necessary to raise further moneys for the completion of the supply scheme and for paying incidental expenses in connection therewith, and it is desirable that the Council be authorized to raise such amount without taking a poll of ratepayers: Be it therefore enacted as follows:—

Authorizing
the Awatere
County Council
to raise a loan.
See Reprint
of Statutes,
Vol. V, p. 415

(1) The Council is hereby authorized to raise a loan of seven thousand pounds to be known as the "Awatere Water-supply Loan, 1940", by way of special loan under the Local Bodies' Loans Act, 1926, by special order and without taking the steps prescribed by sections nine to thirteen of that Act, for the purpose of the completion of the Awatere water-supply scheme aforesaid and for paying the balance of the costs thereof and incidental expenses in connection therewith,

such loan to be in substitution for the supplementary loan which the Council is authorized to raise under subsection one of section nineteen of the said Act.

(2) The Council is hereby authorized to repay to the County Fund from the said loan-moneys any moneys advanced from that Fund, whether before or after the passing of this Act, in respect of the purposes for which the special loan referred to in the last preceding subsection may be raised.

Provision
with respect
to transfer of
moneys between
riding accounts
and the
levying of
rates by the
Waitotara
County Council.

6. Whereas by reason of extensive flood damage exceptional expenditure has been incurred in repairing and reinstating roads and bridges within the Tokomaru Riding of the Waitotara County and the expenditure in respect of such work was debited against the separate account of the said riding: And whereas, by reason of reductions of the valuations of the rateable property within such riding, the rates which can lawfully be levied on land in that riding do not produce a greater sum than is required for essential maintenance-works within the said riding, with the consequence that the separate account of the said riding is in debit: And whereas it is deemed expedient, and the Waitotara County Council (hereinafter called the Council) has approved, that such exceptional expenditure should be apportioned among the separate accounts of certain other ridings as well as the said Tokomaru Riding as hereinafter provided, and that rates for the year ending on the thirty-first day of March, nineteen hundred and forty-one, should be made and levied having regard to the apportionment of such expenditure: Be it therefore enacted as follows:—

(1) The Council is hereby authorized to credit the separate account of the Tokomaru Riding with the sum of one thousand six hundred and twenty pounds and to debit seven hundred pounds of such sum to the separate account of the Brunswick-Westmere Riding, nine hundred and eleven pounds of such sum to the separate account of the Waitotara Riding, and nine pounds of such sum to the separate account of the Mosston Riding.

(2) The Council is hereby further authorized to include in its estimates of expenditure for the year ending on the thirty-first day of March, nineteen

hundred and forty-one, as an amount required to cover the debit balance of the separate account of the Tokomaru Riding, the sum of seven hundred pounds in respect of the Brunswick-Westmere Riding, the sum of nine hundred and eleven pounds in respect of the Waitotara Riding, and the sum of nine pounds in respect of the Mosston Riding; and no rate made and levied by the Council for the year ending on the thirty-first day of March, nineteen hundred and forty-one, shall be invalidated on the ground that such rate was made and levied on the basis of such estimates of expenditure.

7. Whereas the Awatere County Council (hereinafter called the Council) formed a special rating area, known as the Awatere Water-supply Special-rating Area: And whereas the Council on the twenty-third day of July, nineteen hundred and thirty-six, took a poll of the ratepayers in the said district on a proposal to borrow the sum of twenty-six thousand pounds for the purpose of constructing a high-pressure water-supply for the said Awatere Water-supply Special-rating Area: And whereas by Order in Council dated the twenty-third day of April, nineteen hundred and thirty-seven, and made under section one hundred and eighty-two of the Counties Act, 1920, the provisions relating to water-supply contained in the Municipal Corporations Act, 1933, were made to apply to the county: And whereas doubts have arisen as to the validity of the said poll and the special rate made and levied as security for the said loan of twenty-six thousand pounds: And whereas it is desirable that such doubts should be resolved: Be it therefore enacted as follows:—

The poll of the ratepayers of the Awatere Water-supply Special-rating Area taken on the twenty-third day of July, nineteen hundred and thirty-six, on a proposal to raise the sum of twenty-six thousand pounds as aforesaid is hereby declared to have been lawfully taken, and the special rate made and levied and to be levied by the Council for the repayment of the moneys borrowed in pursuance thereof shall be deemed to be duly made and is hereby validated accordingly.

Validating
raising of
loan and
levying of rates
by Awatere
County Council.

See Reprint
of Statutes,
Vol. V, p. 180
1933, No. 30

City and Borough Councils.

Making special provision with respect to land taken for widening Glenmore Street in the City of Wellington.

8. Whereas by a Proclamation dated the twenty-eighth day of March, nineteen hundred and twenty-nine, all that piece of land situate in the City of Wellington containing two perches and six-tenths of a perch, more or less, being part of Lot 307 on Deposited Plan 1087, part Section 29, Karori District, being part of the land comprised in certificate of title, Volume 177, folio 137 (as the same is delineated on the plan marked P.W.D. 74758, deposited in the office of the Minister of Public Works at Wellington, and thereon coloured neutral), was taken for street-widening purposes and vested in the Mayor, Councillors, and Citizens of the City of Wellington (hereinafter called the Corporation) as from the sixteenth day of April, nineteen hundred and twenty-nine: And whereas the owner of the fee-simple of the said land, Ellen Louisa Hunt, wife of Albert Henry Hunt, of Wellington, Railway Officer, has failed to make a claim for compensation within the period limited in that behalf by the Public Works Act, 1928, and all her right and title to any compensation in respect of such land or for damage arising out of the street works for which such land was taken has absolutely ceased by reason of the provisions of that Act: And whereas an agreement has been made between the said Ellen Louisa Hunt and the Corporation that the Wellington City Council shall on the passing of this Act pay to the said Ellen Louisa Hunt the sum of one hundred and eight pounds, and that the Corporation shall be freed and discharged from all actions, suits, proceedings, claims, and demands in respect of the said taking: Be it therefore enacted as follows:—

(1) The Wellington City Council is hereby directed and empowered to pay to the said Ellen Louisa Hunt the said sum of one hundred and eight pounds.

(2) The Corporation is hereby freed and discharged from all actions, suits, proceedings, claims, and demands whatsoever in respect of the taking of the said piece of land.

See Reprint of Statutes, Vol. VII, p. 622

9. The expenditure by the Huntly Borough Council during the financial year ended on the thirty-first day of March, nineteen hundred and forty, of the sum of fifty pounds in contributing to a fund established for the relief of dependants of persons killed in an accident at the Glen Afton Collieries is hereby validated and declared to have been lawfully made.

Validating grant of £50 made by the Huntly Borough Council to the Glen Afton Relief Fund.

10. Whereas that piece of land containing nine acres one rood and eight and seven-tenths perches, more or less, being Lots 1 and 3 on Deposited Plan Number 11949, being Allotments 186, 186A, 187, 187A, 188, 188A, 189, 189A, 190, 190A, 191, 191A, 192, 193, 193A, 195, and 195A and part of Allotments 192A, 194, and 194A of the Town of Cambridge East, and part of the land comprised in certificate of title, Volume 48, folio 27, Auckland Registry, is vested in the Corporation of the Borough of Cambridge (hereinafter called the Corporation) as an endowment in aid of the borough funds: And whereas by memorandum of lease dated the twenty-eighth day of September, nineteen hundred and seventeen, and registered in the said Registry under Number 8386, the Corporation leased to the New Zealand Loan and Mercantile Agency Company, Limited, the Farmers' Co-operative Auctioneering Company, Limited, and Dalgety and Company, Limited (hereinafter called the lessees) all the said land for the term of twenty-one years commencing the first day of July, nineteen hundred and seventeen, with a right of renewal for a further period of twenty-one years: And whereas, relying on such right of renewal, the lessees made certain permanent improvements to the said land: And whereas, in pursuance of such right of renewal, the Corporation, by memorandum of lease dated the eleventh day of March, nineteen hundred and forty, gave to the lessees a new lease of the said land for a further term of twenty-one years commencing on the first day of July, nineteen hundred and thirty-eight: And whereas doubts have arisen as to the validity of the said right of renewal and the validity of the said lease dated the eleventh day of March, nineteen hundred and forty: Be it therefore enacted as follows:—

Validating lease of certain land by Cambridge Borough Council.

The memorandum of lease dated the eleventh day of March, nineteen hundred and forty, made between the Corporation as lessor and the lessees affecting the said land is hereby validated.

Authorizing
transfer of
certain credit
balances to the
General Account
of Cromwell
Borough
Council.

11. Whereas the statement of balances of the Cromwell Borough Council (hereinafter called the Council) as at the thirty-first day of March, nineteen hundred and thirty-eight, disclosed that the Borough of Cromwell was indebted in respect of three loans—namely, No. 1 Loan, known as the Water Works Loan, raised under the Local Bodies' Loans Act, 1908, and inscribed on the first day of February, nineteen hundred and nine; No. 2 Loan, known as the Water Works Loan, raised under the Local Bodies' Loans Act, 1913, for a term of forty-two years from the twenty-first day of December, nineteen hundred and sixteen; No. 3 Loan, known as the Water Works Loan, raised under the Local Bodies' Loans Act, 1913, for a term of thirty-six and one-half years from the twenty-fifth day of July, nineteen hundred and twenty-one: And whereas the special rate collected by the said borough up to the thirty-first day of March, nineteen hundred and thirty-nine, in respect of the said loans had provided funds in excess of the amounts required for principal and interest in respect of the said loans to the following extent—namely, No. 1 Loan, two thousand and twenty-two pounds and one penny; No. 2 Loan, six pounds two shillings and tenpence; No. 3 Loan, six hundred and eighty-eight pounds seventeen shillings: And whereas such excess collections were shown in the books of the Council as credit balances in the interest accounts of the respective loans: And whereas No. 1 Loan has been repaid in full and No. 2 Loan and No. 3 Loan have been converted by means of a conversion loan of seventeen hundred and forty pounds from the State Advances Corporation for a term of twenty years from the fifteenth day of December, nineteen hundred and thirty-eight, and such repayment and conversion respectively were completed prior to the thirty-first day of March, nineteen hundred and thirty-nine: And whereas the balances hereinbefore recited of special rates in respect of the said loans are now no longer required for the service of the said loans: Be it therefore enacted as follows:—

It shall be lawful for the credit balances of No. 1 Loan Interest Account, No. 2 Loan Interest Account, and No. 3 Loan Interest Account, together with any

further additions thereto which may accrue in the future through collection of arrears of rates, to be transferred to the General Account of the Council.

12. (1) The lease dated the twenty-seventh day of November, nineteen hundred and thirty-nine, registered under number 22181 in the Land Transfer Office at Wellington from the Mayor, Councillors, and Citizens of the City of Wellington to the De Havilland Aircraft Company of New Zealand, Limited, of the land described in subsection three of this section, a copy of which lease is deposited in the office of the Minister of Internal Affairs at Wellington, under No. I.A. 105/80, is hereby validated.

Validation of lease of portion of Rongotai Aerodrome to the De Havilland Aircraft Co. of New Zealand, Ltd., and authorization of new lease.

(2) The Wellington City Council is hereby authorized to lease to the De Havilland Aircraft Company of New Zealand, Limited, the land described in subsection four of this section for a term of twenty years, with a right of renewal for one period of twenty-one years, at a rental of seventy-four pounds per annum for the first term of twenty years, but otherwise on the same terms and conditions as the lease mentioned in subsection one hereof.

(3) The land referred to in subsection one hereof is more particularly described as follows:—

All that piece of land situate in the City of Wellington, containing two roods twelve perches and fifty-six one-hundredths of a perch, be the same a little more or less, being part of Lot 1 on Deposited Plan Number 2481, being part Section 13, Watts Peninsula District, being also part of the land comprised in certificate of title, Volume 428, folio 268, as the said piece of land is delineated on the plan deposited in the office of the Chief Surveyor at Wellington (S.O. 20339), and being thereon coloured red.

(4) The land referred to in subsection two hereof is more particularly described as follows:—

All that piece of land situate in the City of Wellington, containing one rood fourteen perches and thirty-six one-hundredths of a perch, be the same a little more or less, being part of Lot 1 on Deposited Plan Number 2481, being parts Sections 13 and 14, Watts Peninsula District, being also part of the land comprised in certificate of title, Volume 428, folio 268, as the said

piece of land is delineated on a plan deposited in the office of the Chief Surveyor at Wellington (S.O. No. 20339), and being thereon coloured neutral.

Validating certain expenditure incurred by Newmarket Borough Council.

13. The expenditure by the Newmarket Borough Council, out of its General Fund, of the sum of one hundred and fourteen pounds nineteen shillings and ninepence in connection with the official opening of the Olympic Swimming Pool at Newmarket is hereby validated and declared to have been lawfully incurred.

Authorizing Invercargill City Council to set aside certain land as a site for a museum and art gallery.

14. Whereas by conveyance dated the twenty-fifth day of January, eighteen hundred and eighty, and registered as number 14805 in the office of the Registrar of Deeds at Invercargill, Her Majesty the Queen conveyed to the Mayor, Councillors, and Burgesses of the Borough of Invercargill (hereinafter called the Corporation) all that parcel of land containing one hundred and ninety-five acres three roods six perches, more or less, being Section 22, Block I, Invercargill Hundred, and being the land usually known as Queen's Park, to be held by the Corporation in trust as a public park: And whereas the Town of Invercargill has been declared a city, and the Invercargill City Council (hereinafter called the Council) desires to set apart portion of the said lands as a site for a public museum and art gallery: And whereas doubts have arisen as to the power of the Council to use the said lands for this purpose: Be it therefore enacted as follows:—

The Council is hereby empowered to set aside and use as a site for a museum and art gallery all that parcel of land containing one rood thirty-nine and forty-three hundredths of a perch, more or less, being that portion of the said Section 22, Block I, Invercargill Hundred: commencing at a point 886 links east and 76.5 links north from the south-western corner of said Section 22; and bounded thence on the south by other part of the said Section 22 in a line running due east for a distance of 252 links; bounded thence on the east by other portion of the said Section 22 in a line running north for a distance of 197 links; thence on the north by other portion of the said Section 22 in a line running west for a distance of 252 links; and thence again on the west by other part of the said Section 22 in a line running due south a distance of 197 links to the point of commencement.

15. Whereas the Gisborne Borough Council (hereinafter called the Council) is desirous of obtaining authority to remit arrears of rates amounting to forty-five pounds five shillings and fivepence, being the rates for the year ended on the thirty-first day of March, nineteen hundred and thirty-nine, and also rates amounting to forty pounds nineteen shillings and fivepence, being the rates for the year ended on the thirty-first day of March, nineteen hundred and forty (hereinafter collectively referred to as the said rates), the said rates being levied by the Council and being due and payable by the Gisborne and East Coast Young Men's Christian Association, Incorporated, in respect of that piece of land situated in the Borough of Gisborne, containing one rood thirty-six perches, being Lot 1, D.P. 3003, of 6A Fitzherbert Street, situated in Fitzherbert Street, in the Borough of Gisborne, and numbered 3228 on the district valuation roll for that borough: And whereas the Council has no legal authority to make such remission: Be it therefore enacted as follows:—

Authorizing remission of rates by Gisborne Borough Council.

The Council is hereby authorized to remit the sum of eighty-six pounds four shillings and tenpence, being the total amount of the said rates, and to absolve the said association and the said lands from liability in respect thereof.

16. Whereas the Gisborne Borough Council (hereinafter called the Council) holds sums of money amounting to seventy-six pounds fifteen shillings and threepence (hereinafter referred to as the said moneys) in trust for the purpose of the relief of distress occasioned by earthquake in nineteen hundred and thirty-one: And whereas the said moneys are not now required for the purpose for which they were received: And whereas the several donors of the said moneys cannot now be ascertained and it is impracticable to make refunds to such donors: And whereas it is expedient that the Council should be authorized to expend the said moneys for a purpose other than that for which the said moneys are held in trust: Be it therefore enacted as follows:—

Authorizing diversion of certain moneys by Gisborne Borough Council.

The existing trust for which the said moneys are held by the Council is hereby discharged and the Council is authorized to expend the said moneys in or

towards such purposes as the Council may deem fit relating to any scheme or schemes in connection with the taking of emergency precautions by the Council.

Authorizing Westport Borough Council to raise a special loan of £3,000.

17. Whereas the Westport Borough Council (hereinafter called the Council) has raised by way of special loan the sum of eleven thousand five hundred pounds, together with a further sum of one thousand one hundred and fifty pounds (being an additional ten per centum of the original loan) for the purpose of providing for the erection of a new Town Hall and Municipal Offices for the use of the Corporation of the Borough of Westport and the purchase of a certain piece of land being Section 1003, Town of Westport, adjoining the site of the said new Town Hall and Municipal Offices and to enlarge such site: And whereas it is found that the total of the hereinbefore-mentioned sums of eleven thousand five hundred pounds and one thousand one hundred and fifty pounds will not be sufficient to enable the Council to complete the works for which the said loans were raised: Be it therefore enacted as follows:—

See Reprint of Statutes, Vol. V, p. 360

The Council is hereby authorized to raise a further special loan not exceeding three thousand pounds under the Local Bodies' Loans Act, 1926, by special order and without taking the steps prescribed by sections nine to thirteen of that Act, for the purpose of meeting the cost of completing the erection of a new Town Hall and Municipal Offices, and furnishing of same, and the purchase of Section 1003 adjoining the present Town-hall site.

Authorizing the proceeds of the sale or lease of certain lands in the Borough of Hamilton to be credited to the account of the Hamilton Borough Council Garden Place Loan, 1938.
1933, No. 30
1935 (Local), No. 14

18. Whereas under the powers conferred on it by the Municipal Corporations Act, 1933, and the Hamilton Borough Council Empowering Act, 1935, the Hamilton Borough Council (hereinafter called the Council) has carried out the work of levelling and forming the street known as Garden Place in the Borough of Hamilton, and the levelling of certain lands adjacent thereto: And whereas there was included in such adjacent lands an area of closed street being originally portion of Garden Place: And whereas under the aforementioned powers the Council acquired certain adjacent lands with dwellings and other buildings thereon, and removed and re-erected such buildings and

dwelling on other lands vested in the Corporation of Hamilton, and otherwise improved such other lands: And whereas the Council intends to close certain portions of Garden Place and to dedicate in lieu thereof other portions of the adjacent lands acquired as aforesaid: And whereas the whole of the cost of the above-mentioned work has been paid out of the account of the Hamilton Borough Council Garden Place Loan, 1938: And whereas it is just and expedient that the proceeds of the sale or the rents received from the lease of the area of closed street above mentioned, and of the portions of street intended to be closed, should be used for the purpose of reimbursing the said loan account or to meet the interest and sinking-fund charges on the said loan: And whereas it is also just and expedient that the revenues to be derived from the dwellings and other buildings removed and re-erected as aforesaid should be used to meet the interest and sinking-fund charges in respect of the said loan account: And whereas doubts have arisen as to the powers of the Council to use the moneys derived as aforesaid to reimburse the said loan account or to meet the interest and sinking-fund charges thereon: Be it therefore enacted as follows:—

(1) The Council is hereby empowered and authorized to sell or to lease in the manner provided by the Municipal Corporations Act, 1933, or the Public Bodies' Leases Act, 1908, such portions of the street known as Garden Place, heretofore closed or hereafter closed, and to pay the proceeds of such sale to the credit of the account of the Garden Place Loan, 1938, and to pay the rents received from the leasing of such portions of closed street to the credit of the Garden Place Loan 1938 Interest Account.

See Reprint
of Statutes,
Vol. IV, p. 1031

(2) The Council is hereby empowered and authorized to pay the revenue heretofore or hereafter received in respect of the dwellings and other buildings removed from the lands adjacent to Garden Place and re-erected on other lands the property of the Corporation as aforesaid to the Garden Place Loan 1938 Interest Account, and all such payments heretofore made are hereby validated.

Authorizing Levin Borough Council to raise a loan of £16,000 for extending water-supply system.

See Reprint of Statutes, Vol. V, p. 360

Authorizing diversion of moneys received in respect of taking of land by Wanganui City Council.

1933, No. 30

19. For the purpose of developing, improving, and extending the water-supply system of the Levin Borough Council and extending the water-mains thereto, the Levin Borough Council is hereby authorized to borrow an amount or amounts not exceeding in the aggregate a sum of sixteen thousand pounds by way of special loan under the Local Bodies' Loans Act, 1926, by special order and without taking the steps prescribed by sections nine to thirteen of that Act.

20. Whereas all that piece or parcel of land situate in the City of Wanganui and being part of Reserve L, Town of Wanganui, Block V, Westmere Survey District, and part of the land comprised and described in certificate of title, Volume 463, folio 187 (Wellington Registry), and containing two acres two roods and ninety-four hundredths of a perch, more or less, forming part of the Town Belt of the City of Wanganui, is being taken by the Crown for housing purposes. And whereas the said land is held by the Corporation of the City of Wanganui in trust for municipal purposes: And whereas by section one hundred and fifty-six of the Municipal Corporations Act, 1933, it is provided that where land is vested in a Municipal Corporation in trust for any particular purpose or purposes, whether by or pursuant to any Act or any deed of trust or otherwise howsoever, all moneys paid on the sale of such land and received as the purchase-money thereof must be applied in or towards the purchase of other lands to be held for the same purposes as affected the land taken or sold: And whereas the Corporation is desirous of expending the whole or part or parts of the purchase-money in respect of the said land, amounting to the sum of eight hundred pounds paid or payable in respect of the said land, for various purposes in and about the City of Wanganui and for the improvement thereof, and not wholly in acquiring other lands for municipal purposes as provided by the said Act: And whereas it is desired that certain powers in respect of the application of the purchase-money of the said lands should be given to the Corporation: Be it therefore enacted as follows:—

Notwithstanding the provisions of any Act, the Wanganui City Council may expend the whole or

such part or parts of the purchase-money paid on the taking of the said land in such of the following ways as the Council shall by resolution determine:—

- (a) In the purchase or acquisition of lands for municipal purposes:
- (b) In the purchase or acquisition of recreation-grounds, sports grounds, and playgrounds in addition to or in extension or enlargement of recreation-grounds, sports grounds, or playgrounds at present existing in the City of Wanganui:
- (c) In the purchase of public gardens, ornamental or other grounds in addition to or in enlargement or extension of public gardens, ornamental or other grounds at present existing in the City of Wanganui:
- (d) In the purchase of grounds or lands for public reserves, domains, or national parks pursuant to the provisions of the Public Reserves, Domains, and National Parks Act, 1928, in addition to or in extension or enlargement of any public domains, reserves, or national parks now existing in the City of Wanganui:
- (e) In the erecting, constructing, and completely furnishing of pavilions, hutments, grandstands, dressing-sheds, shelter-sheds, appointments, lighting appliances, or other conveniences on any lands now held by the Corporation for recreation, enjoyment, or sport, and whether held by the Corporation under the Public Reserves, Domains, and National Parks Act, 1928, or otherwise howsoever.

See Reprint
of Statutes,
Vol. VI, p. 1134

21. Whereas the Westport Borough Council (hereinafter called the Council) has entered into a certain agreement bearing date the twenty-fifth day of July, nineteen hundred and forty, with the Westport Coal Company, Limited (hereinafter called the company), a copy of which agreement is recorded in the office of the Department of Internal Affairs at Wellington under No. I.A. 105/155: And whereas the said agreement provides for the supply of electrical energy

Special
provision with
respect to
agreement made
between the
Westport
Borough
Council and the
Westport Coal
Company,
Limited, for
the supply of
electricity.

by the company to the Council upon the terms and conditions therein set forth: And whereas, pursuant to the said agreement, the company is to erect a power-transmission line from Denniston to Westport at a cost not exceeding nine thousand pounds: And whereas it is provided by the said agreement that the cost of the said power-transmission line and of certain other equipment, with interest thereon at the rate of four pounds five shillings per centum per annum computed with half-yearly rests, shall be repaid by the Council to the company by thirty equal half-yearly payments over the period of fifteen years: And whereas it is provided by the said agreement that on completion of the payments aforesaid the said power-transmission line and equipment shall become the property of the Council: And whereas it is further provided by the said agreement that the cost of the said power-transmission line and equipment, with interest thereon at the rate aforesaid, shall be secured to the company by a series of debentures issued by the Council and a special rate to be pledged for the purpose: And whereas it is desirable to make provision in manner hereinafter appearing: Be it therefore enacted as follows:—

(1) The action of the Council in entering into the said agreement is hereby validated and declared to have been lawful.

(2) The action of the Council in incurring the liability not exceeding the sum of nine thousand pounds and interest thereon as aforesaid is hereby validated, and the said moneys shall for all purposes be deemed to have been lawfully borrowed and owing by the Council.

(3) All payments heretofore made or hereafter to be made by the Council in pursuance of the said agreement are hereby declared to be valid and within the powers of the Council.

(4) The Council is hereby authorized to borrow for the purpose of meeting its obligations under the said agreement by way of special loan under the

Local Bodies' Loans Act, 1926, but without taking the steps prescribed by sections nine to thirteen of that Act, a sum not exceeding nine thousand pounds in accordance with the provisions of the said agreement.

(5) Notwithstanding anything to the contrary contained in any Act, the Council is hereby authorized and empowered to issue a series of debentures for an amount not exceeding the sum of nine thousand pounds and interest thereon at four pounds five shillings per centum per annum and repayable by thirty equal half-yearly instalments over a period of fifteen years for the purpose of securing to the company the payment of the moneys aforesaid, and to make and levy a special rate as security for the said debentures.

22. The Lyttelton Borough Council is hereby authorized and empowered to expend the sum of one hundred pounds in payment of a compassionate allowance to the widow of the late Hugh Henry Joseph Barnard, formerly engineer of the Council.

23. Notwithstanding anything to the contrary in any Act, it shall be deemed to have been lawful for the Patea Borough Council to sell all that land, being Section 16, Block XL, Borough of Patea, being part of the land contained in Crown grant, Volume 68, folio 116, in the Taranaki Registry, and to dispose of the proceeds of such sale in the manner provided in subsection two of section four of the Patea Borough Council Empowering Act, 1930.

24. Whereas the Whakatane Borough Council (hereinafter called the Council) is seised of an estate in fee-simple as a site for workers' dwellings under the provisions of Part XXVII of the Municipal Corporations Act, 1933, of certain lands situated within the Borough of Whakatane being all that parcel of land containing three acres, more or less, and being Lot Number 2 and Part Lot Number 6 on a plan deposited in the Land Registry Office at Auckland under Number 9758, which said parcel of land is portion of Allotment Number 288, Parish of Waimana: And whereas the Council has offered to transfer such land without consideration to the Crown for the purposes of the Housing Act, 1919, and the Crown has accepted such offer and has entered into possession of the said land: And whereas it is expedient that the Council be

See Reprint
of Statutes,
Vol. V, p. 360

Authorizing
payment of
compassionate
allowance by
Lyttelton
Borough
Council.

Validating sale
of land by
Patea Borough
Council.

1930 (Local),
No. 14

Authorizing
Whakatane
Borough
Council to
transfer
certain land.
1933, No. 30

See Reprint
of Statutes,
Vol. III, p. 798

authorized to transfer the said land to the Crown for the purposes aforesaid: Be it therefore enacted as follows:—

(1) The Council is hereby empowered to transfer to His Majesty the King the whole of the land hereinbefore described without consideration for the purposes of the Housing Act, 1919.

(2) No duty, fee, or charge payable under any Act shall be payable in respect of such transfer.

Town Board.

25. Whereas the Nightcaps Town Board (hereinafter called the Board) having raised, under the provisions of the Local Bodies' Loans Act, 1926, a loan of eight hundred pounds for the purpose of providing the Board's share of the cost of sealing main highways in the Board's district and constructing a concrete bridge over the Wairio Stream and a loan of one thousand pounds for the purpose of making extensions and improvements to the Coronation Hall, Nightcaps, found that each of such loans was insufficient for carrying out the purpose thereof: And whereas it is necessary for the Board to provide in the meantime and until payments are made to it by the Main Highways Board the whole of the cost of the sealing of such main highways: And whereas as a consequence of the foregoing the Board, during its financial year ended on the thirty-first day of March, nineteen hundred and forty, borrowed by way of overdraft an amount in excess of that authorized by section three of the Local Bodies' Finance Act, 1921-22, with the result that the Board at the end of such financial year owed to its bankers the sum of one thousand three hundred and sixty pounds fourteen shillings and elevenpence, being four hundred and sixteen pounds fourteen shillings and elevenpence in excess of the amount authorized by the said Act to be then owing: And whereas it is expedient that such excess borrowing should be validated, and that the Board should be empowered to borrow by way of overdraft such further moneys as are required for the purpose of completing the work of sealing such main highways, and that, until the Board is enabled by receiving from the Main Highways Board the share

Provision with respect to overdraft incurred by Nightcaps Town Board. See Reprint of Statutes, Vol. V, p. 360

Ibid., p. 354

payable by that Board of the cost of such work and from its ordinary revenues, to reduce its overdraft to an amount within the limits prescribed by the Local Bodies' Finance Act, 1921-22, the Board should be authorized to owe to its bankers by way of overdraft an amount in excess of the limit prescribed by that Act: Be it therefore enacted as follows:—

(1) Notwithstanding anything contained in the Local Bodies' Finance Act, 1921-22, or in any other Act—

(a) The excess overdraft incurred by the Board during the financial year ended on the thirty-first day of March, nineteen hundred and forty, and during the period from the end of that financial year to the passing of this Act, shall be deemed to have been at all times lawfully incurred, and the action of the Board in incurring such excess overdraft is hereby validated:

(b) The Board shall be deemed to have been authorized to owe at the end of the financial year ended on the thirty-first day of March, nineteen hundred and forty, to its said bankers by way of overdraft the sum of one thousand three hundred and sixty pounds fourteen shillings and elevenpence.

(2) The Board is hereby authorized during the remainder of the financial year ending on the thirty-first day of March, nineteen hundred and forty-one, and during any of the financial years ending on the thirty-first day of March, nineteen hundred and forty-two, and the thirty-first day of March, nineteen hundred and forty-three, respectively, to borrow from its bankers by way of overdraft and to owe to its bankers an amount in excess of that authorized by section three of the Local Bodies' Finance Act, 1921-22:

Provided that the amount owing by the Board to its bankers under the authority of this section shall at no time exceed the amount authorized by the said Act from time to time to be borrowed or owing by the Board on overdraft by more than one thousand seven hundred pounds.

(3) The Board shall repay any moneys owing or borrowed by it under the authority of this section on or before the thirty-first day of March, nineteen hundred and forty-three.

(4) Any excess overdraft authorized by this section shall not at any time heretofore be deemed to have been taken into account, nor shall any amount at any time lawfully owing under this section hereafter be taken into account, in determining the amount that may be borrowed or that may be owed by the Board pursuant to section three of the Local Bodies' Finance Act, 1921-22.

Road Boards.

Authorizing
Mount Roskill
Road Board to
borrow for
erection of
buildings.

See Reprint
of Statutes,
Vol. V, p. 180

26. Whereas the Mount Roskill Road Board (hereinafter called the Board) desires to erect within the Mount Roskill Road District a municipal building and to include therein suitable office accommodation for the purposes of the Board and its officers, a public hall, and shops, offices, and business premises: And whereas doubts have arisen as to the extent of the powers conferred upon the Board by sections ninety-six and one hundred and ninety-eight of the Counties Act, 1920: And whereas it is desirable that the Board should have the powers hereinafter set forth: Be it therefore enacted as follows:—

The Board is hereby empowered and authorized—

(a) To erect, construct, provide, and maintain within its district a municipal building and to provide therein—

- (i) Public offices with suitable furniture for the same for holding the meetings and transacting the business of the Board, and for the use of its officers:
- (ii) A public hall adapted for cinematograph requirements, public amusements, and meetings, together with suitable furniture therefor:
- (iii) Shops, offices, and other suitable business premises, with all necessary fittings and fixtures as the Board shall think fit:

Provided that this section shall not be deemed to authorize the Board to erect, construct, and provide shops, offices, and business premises to such an extent

as to render the said building less suitable for the requirements of the Board and its officers or otherwise to make its principal purpose the provision of shops, offices, and business premises.

(b) To let or lease the aforesaid public hall and the aforesaid shops, offices, and business premises, or any of them, at such rental for such term or terms upon such conditions and to such person or persons as it thinks fit.

(c) With the consent of the ratepayers, to raise a special loan or loans under the Local Bodies' Loans Act, 1926, for such amount or amounts as the Board shall think fit, and to expend the money so raised in the erection and construction of such building and in providing all necessary fittings, fixtures, and furniture therefor.

(d) To make by-laws from time to time as it thinks fit governing the control, use, and management of the said building.

27. The expenditure by the Mount Roskill Road Board of the sum of ten pounds, being membership subscription to the Municipal Association of New Zealand, Incorporated, in respect of the financial year ended on the thirty-first day of March, nineteen hundred and thirty-nine, and of the sum of thirty-nine pounds thirteen shillings and threepence on account of the expenses of the representatives of the Board in attending the annual conference of such association in the month of March, nineteen hundred and thirty-nine, is hereby validated and declared to have been lawfully made.

See Reprint
of Statutes,
Vol. V, p. 360

Validating
certain
expenditure
incurred by
Mount Roskill
Road Board.

Harbour Boards.

28. The payment made by the Lyttelton Harbour Board of the sum of fifty pounds to John Kenneth McAlpine, a member of the said Board, as a compassionate allowance for injuries received by him as a result of a motor accident which occurred on the fifth day of April, nineteen hundred and thirty-nine, while travelling from Craigieburn to Christchurch to attend a meeting of the Board is hereby validated and declared to have been lawfully made.

Validating
payment of
compassionate
allowance by
Lyttelton
Harbour Board.

Validating
certain
expenditure
incurred by
Auckland
Harbour Board.

29. The expenditure of the sum of one hundred and twenty-nine pounds ten shillings incurred by the Auckland Harbour Board during the financial year ending on the thirtieth day of September, nineteen hundred and forty, in providing a luncheon to commemorate the inauguration of the Empire and Pan-American Airways Services to Auckland is hereby validated and declared to have been lawfully incurred.

Authorizing
Oamaru
Harbour Board
to grant certain
leases.

30. Whereas the Oamaru Harbour Board (hereinafter called the Board) is the registered proprietor of the lands described in subsection three of this section: And whereas leases of the said lands have been heretofore granted or agreed to be granted or may hereafter be granted by the Board: And whereas portion of the said lands has no frontage to a public street, but has a frontage to land used for access purposes and called Harbour Street, the fee-simple to which is vested in the Board: And whereas doubts have arisen as to whether such leases and agreements are valid, and it is desirable that such doubts be removed: Be it therefore enacted as follows:—

See Reprint
of Statutes,
Vol. VII, p. 622

(1) Notwithstanding anything to the contrary in the Public Works Act, 1928, or in any other Act, the Board may lease the said lands to any person for any period not exceeding twenty-one years, notwithstanding any portion of the said land has no frontage to a public street.

(2) The District Land Registrar of the District of Otago shall accept for registration any lease authorized by this section of the said lands or part thereof.

(3) The lands to which this section relates are particularly described as follows:—

All that parcel of land containing three acres one rood and thirty-seven perches, more or less, being allotments numbered one to twenty-nine, both inclusive, and Harbour Street and two ways as delineated on the plan deposited in the said Lands Registry Office at Dunedin as Number 88, the said land being the whole of the land comprised and described in certificates of title, Volume 294, folio 243, and Volume 295, folio 33, and part of the land comprised and described in certificate of title, Volume 181, folio 298, Otago Registry.

31. Whereas by virtue of section two of the Napier Harbour Board Act, 1878, the lands described in subsection two of this section were vested in the Napier Harbour Board (hereinafter called the Board) for the use and benefit of the Harbour of Napier: And whereas in or about the month of March, nineteen hundred and twenty-seven, the Board contracted and agreed with the Mayor, Councillors, and Burgesses of the Borough of Napier (hereinafter called the Corporation) for the sale to the Corporation of, *inter alia*, the said parcel of land for the sum of one thousand nine hundred pounds: And whereas the said purchase-money has been paid by the Napier Borough Council to the Board: And whereas doubts have since arisen as to whether the said parcel of land is included in the area of land over which by virtue of section four of the Napier Harbour Board Amendment and Endowment Improvement Act, 1899, the Board has power of sale: And whereas it is expedient that such doubts should be removed and the Board be given such power of sale as is hereinafter contained: Be it therefore enacted as follows:—

(1) The Board may sell and the Corporation may purchase the parcel of land described in subsection two of this section at the price already agreed upon and paid by the said Council to the Board.

(2) The land to which the last preceding subsection relates is more particularly described as follows:—

All that parcel of land situated in the Provincial District of Hawke's Bay, containing by admeasurement one acre six perches, more or less, part of the Inner Harbour (Ahuriri Lagoon Reserve), in the Town of Napier, being also part of Lot 1 on Deposited Plan Number 2219, and being all the land in certificate of title, H.B. Volume 87, folio 243 (Hawke's Bay Registry), as shown edged in green on plan marked M.D. 8010, and deposited in the office of the Marine Department at Wellington.

32. Whereas by virtue of section four of the Napier Harbour Board Empowering Act, 1932-33 (hereinafter referred to as the said Act), the Napier Harbour Board (hereinafter called the Board) is empowered to sell, *inter alia*, portion of the lands secondly described in the

Authorizing
Napier Harbour
Board to sell
certain land.
1878 (Local),
No. 39

Provision with
respect to
disposal of
certain lands by
Napier Harbour
Board.

1932-33
(Local), No. 7

First Schedule to the said Act and to apply the purchase-moneys arising from any such sale for the purposes in the said Act more particularly set forth: And whereas upon development of the said lands for the purposes of sale or lease it has been found expedient to exclude from the aforesaid power of sale certain lands having an area of thirty-eight acres three roods and six-tenths of a perch, being the lands more particularly described in subsection three hereof, and to include in the said power of sale certain adjoining lands having an area of twenty-five acres not now included therein, being the lands more particularly described in subsection four hereof: Be it therefore enacted as follows:—

(1) There shall be excluded from the power of sale conferred upon the Board by section four of the Napier Harbour Board Empowering Act, 1932-33, all that parcel of land more particularly described in subsection three hereof.

(2) There shall be included within the power of sale conferred upon the Board by section four of the said Act all that parcel of land more particularly described in subsection four hereof.

(3) The lands to which subsection one hereof relate are more particularly described as follows:—

Firstly, the whole of that area within the Napier Borough, being part of the Te Whare-o-Maraenui Block, and being Lot 209 on Deposited Plan Numbered 6598, and containing two acres and one and six-tenths of a perch, shown in blue on plan marked M.D. 8009, and deposited in the office of the Marine Department at Wellington.

Secondly, all that area within the Napier Borough, being part of the Te Whare-o-Maraenui Block, and being the whole of that part of Lot 210 on Deposited Plan Numbered 6598 as is comprised within the boundaries of Lot 2 on Deposited Plan Numbered 6187, and containing seventeen acres and three roods, more or less, shown in blue on plan marked M.D. 8009 and deposited in the office of the Marine Department at Wellington.

Thirdly, all that piece or parcel of land situated in the Borough of Napier, and being Lot 4 and part

of the Lot Numbered 2 on Deposited Plan Numbered 6187, containing nineteen acres, more or less, and bounded as follows: Commencing at the southernmost corner of the said Lot 2 on Deposited Plan Numbered 6187; thence towards the south-west by the south-western boundary of the said Lot 2 to the intersection with the south-eastern boundary of Lot 246 on Deposited Plan Numbered 6421; thence towards the north-west by a right line to the easternmost corner of Lot 233 on the said Deposited Plan 6421; thence towards the south-west by the north-eastern boundary of the said Lot 233, and by that line extended across Kennedy Road, and by the north-eastern boundaries of Lots 25 and 68 on Deposited Plans 6391 and 6598 respectively, and by that line extended to the north-western side of Higgins Street; thence towards the north-west by that side of that street and by a right line, being that side extended to the north-eastern boundary of the said Lot 2 on Deposited Plan Numbered 6187; and thence towards the north-east and south-east by the north-eastern and south-eastern boundaries of the said Lot 2 to the commencing-point, shown in blue on plan marked M.D. 8009 and deposited in the office of the Marine Department at Wellington.

(4) The land to which subsection two hereof relates is more particularly described as follows:—

All that piece or parcel of land situated in the Napier Borough, and being parts of Lot 3 on Deposited Plan Numbered 6187 and parts of Sections 10_R and 13_R, Block IV, Heretaunga Survey District, containing twenty-five acres, more or less, and bounded as follows: Commencing at the westernmost corner of the said Lot 3 on Deposited Plan Numbered 6187; thence towards the north-west by the north-western boundary of the said Lot 3 to the westernmost corner of Lot 2 on Deposited Plan Numbered 6187; thence towards the north-east by the south-western boundary of the said Lot 2 to its intersection with the south-western boundary of Lot 210 on Deposited Plan Numbered 6598, thence again towards the north-east by that boundary of the said Lot 210 to the north-western side of Herrick Street; thence towards the north-west by that side of that street to the south-western boundary of the said Lot 2 on Deposited Plan Numbered 6187; thence towards the north-east

by that boundary of the said Lot 2 to the south-eastern boundary of Lot 246 on Deposited Plan Numbered 6421; thence towards the south-east by the south-eastern boundaries of that lot and Lots 247 and 248 on Deposited Plan Numbered 6421, by that line extended across a road reserve, and by the south-eastern boundaries of Lots 249-250, 251, 252, and 253 on Deposited Plan Numbered 6421 to the southernmost corner of Lot 253; thence towards the south-west by the south-western boundary of the said Lot 253 and by a right line across Kennedy Road to the southernmost corner of Lot 47 on Deposited Plan Numbered 6391; thence towards the south-east by the north-western side of Kennedy Road to the boundary of the said Lot 5 on Deposited Plan Numbered 6187; and thence towards the south-west by the north-western boundary of that lot to the commencing-point, as shown edged in green on plan marked M.D. 8009 and deposited in the office of the Marine Department at Wellington.

Electric-power Board.

33. Whereas it is provided by section forty-seven of the Electric-power Boards Act, 1925, that an Electric-power Board may provide public offices within the electric-power district: And whereas the Borough of Whakatane is surrounded by the boundaries of the Bay of Plenty Electric-power District, but does not form part of the said district: And whereas it is expedient that subsidiary public offices of the said district be established within the Borough of Whakatane, and the Bay of Plenty Electric-power Board (hereinafter called the Board) seeks authority to purchase Sections 62, 63, and part Section 59 of Allotment 272, Waimana Parish, for the purpose of erecting subsidiary public offices within the Borough of Whakatane: Be it therefore enacted as follows:—

Notwithstanding the provisions of the Electric-power Boards Act, 1925, the Board is hereby authorized to purchase the land hereinbefore referred to and to provide thereon public offices, together with fitting furniture for the same for holding its meetings and transacting its business, and for the use of its officers, and for any other purposes.

Authorizing
Bay of Plenty
Electric-power
Board to
establish public
offices outside
the district.

See Reprint
of Statutes,
Vol. III, p. 26

River and Drainage Boards.

34. Whereas the Manawatu-Oroua River Board (hereinafter called the Board), constituted under the Manawatu-Oroua River District Act, 1923, is desirous of purchasing that parcel of land containing one hundred and thirty acres, more or less, being Part Lots 3 and 5, Deposited Plan Number 6290, Part Aratangata Number 4, Part Ohinekakeao Number 2, and Parekauwau Blocks, Block X, Mount Robinson Survey District, for the purpose of effecting drainage-works, river-works, and river-protection works in the Board's area upon terms providing for payment of the purchase-money by instalments over a period not exceeding seven years and for payment of interest on the unpaid purchase-money: And whereas the Board proposes to pay the instalments of purchase-money and interest out of its General Fund: And whereas it is expedient that the Board should be authorized to purchase the said land upon the aforesaid terms and to pay the purchase-money and interest thereon from its General Fund: Be it therefore enacted as follows:—

Authorizing purchase of land by Manawatu-Oroua River Board on the instalment system.

(1) Subject to the prior approval of the Minister of Internal Affairs, the Board is hereby authorized to purchase the land hereinbefore described for the purpose of its drainage-works, river-works, and river-protection works upon terms providing for the payment of the purchase-money by instalments extending over a period not exceeding seven years, and to pay interest at such rate as the Minister approves in respect of any portion of the purchase-money that may for the time being be unpaid.

(2) The Board may from time to time pay purchase-money amounting in all to two thousand two hundred and seventy-five pounds, together with interest as aforesaid and the costs and expenses incidental to the purchase of the said land, from its General Fund.

35. Whereas the Waipa Drainage Board (hereinafter called the Board) is indebted to the State Advances Corporation of New Zealand in respect of certain loans amounting to five thousand pounds, and also for certain arrears of interest owing in respect of those loans: And whereas the Board is desirous, in pursuance of the Local Authorities Interest Reduction

Authorizing Waipa Drainage Board to capitalize arrears of interest.

1932-33, No. 41

and Loans Conversion Act, 1932-33, of issuing new securities in conversion of the existing securities issued in respect of the said loans and of compounding the arrears of interest now owing and including the arrears in the principal sum secured by the new securities, but no authority in law exists for compounding the arrears of interest: And whereas it is expedient to authorize the compounding of the said arrears of interest: Be it therefore enacted as follows:—

The Board may in issuing new securities in conversion of the existing securities above referred to, with the consent of the holder of such securities, compound the arrears of interest owing in respect of the existing securities and include the arrears in the principal sum secured by the new securities.

Hospital Boards.

Authorizing payment of compassionate allowance by Waikato Hospital Board.

36. The Waikato Hospital Board is hereby empowered and authorized to pay out of its General Fund during the financial year ending on the thirty-first day of March, nineteen hundred and forty-one, the sum of six hundred pounds as a compassionate allowance to Martha Killock Hockin, widow of Munro May Hockin, formerly Medical Superintendent of the Waikato Hospital.

Authorizing Wellington Hospital Board to grant rights of way over certain land. See Reprint of Statutes, Vol. VII, p. 622

37. Whereas by a Proclamation of the fifteenth day of April, nineteen hundred and thirty-nine, and published in the *Gazette* of the twentieth day of April, nineteen hundred and thirty-nine, the lands therein described were taken under the provisions of the Public Works Act, 1928, for the purposes of a hospital and became vested in the Wellington Hospital Board (hereinafter called the Board): And whereas it is expedient that the Board should be enabled to grant rights of way over the said land in satisfaction or part satisfaction or mitigation of any claims for compensation in respect of the same: Be it therefore enacted as follows:—

Notwithstanding anything contained in section forty-one of the Public Works Act, 1928, it shall be lawful for the Board, in satisfaction or part satisfaction or mitigation of any claims for compensation in respect of the lands so taken, to grant irrevocable rights of way over the said lands.

Affecting Two or More Classes of Public Bodies.

38. All the local authorities mentioned hereunder are authorized to pay to the New Zealand Free Ambulance Transport Service (Wellington District), Incorporated, in the year ending on the thirty-first day of March, nineteen hundred and forty-one, such sums as they think fit, not exceeding in any case the respective amounts hereinafter specified, namely:—

Authorizing certain local authorities to contribute to Wellington Branch of the New Zealand Free Ambulance Transport Service, Inc.

The Wellington Hospital Board, one thousand six hundred pounds;

The Wellington Harbour Board, three hundred pounds;

The Hutt County Council, one hundred and fifty pounds; and

The Makara County Council, eighty-six pounds.

39. (1) Notwithstanding anything to the contrary in any Act, the Mayor, Councillors, and Burgesses of the Borough of Opunake may lease for a term of twenty-one years from the first day of March, nineteen hundred and forty, to the Chairman, Councillors, and Inhabitants of the County of Egmont for the purpose of a depot-site or other use by the Council of the County in the exercise of its public functions the land vested in the Corporation of the Borough, being all that parcel of land situate in the Provincial District of Taranaki, containing by admeasurement six acres, be the same a little more or less, being Section 31, Block IX, Town of Opunake, and part of the land comprised and described in certificate of title, Volume 81, folio 200 (Taranaki Registry), and may grant to the Corporation of the County such rights, easements, or privileges as they think fit affecting the land hereinbefore described, or any portion of the said land.

Authorizing Opunake Borough Council to lease certain land to Egmont County Council.

(2) The Corporation of the Borough of Opunake may accept a surrender of memorandum of lease, registered under number 12189, affecting the said land.

(3) Any lease granted under this section may contain such provisions for right of renewal for further terms, not exceeding twenty-one years at any one time, as shall be agreed upon between the parties hereto, and shall be at such rental (whether nominal or otherwise) and upon such terms and conditions as shall be agreed upon between the parties.