

New Zealand.

ANALYSIS.

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| <p>Title. Preamble. 1. Short Title. 2. Interpretation. 3. Board indemnified for certain expenditure.</p> | <p>4. Validation of accounts. 5. Mode in which accounts to be hereafter kept. 6. Board may arrange for overdraft with bankers. 7. Certain lands vested in Board. Schedule.</p> |
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1888, No. 21.—*Local.*

- Title.** AN ACT to validate certain Payments made by the Otago Harbour Board and the Manner in which the Accounts of the said Board have been heretofore kept, and to specify how such Accounts are to be kept hereafter, and to vest certain Lands in the said Board. [28th August, 1888.]
- Preamble.** WHEREAS differences have arisen between the Controller and Auditor-General and the said Harbour Board as to the method of keeping the accounts and of the bringing to account of certain charges of past expenditure: And whereas it is desirable that a proper title should be issued to the said Otago Harbour Board to certain lands occupied as a signal-station at Port Chalmers, and lands occupied by the pilot-houses and signal-station at Taiaroa Heads; also sand-hills and lands adjacent to the Board's works at North Otago Heads:
- BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—
- Short Title.** 1. The Short Title of this Act is "The Otago Harbour Board Indemnity and Lands Vesting Act, 1888."
- Interpretation.** 2. The term "the Board" means the Otago Harbour Board.
- Board indemnified for certain expenditure.** 3. The Board is hereby indemnified for the following expenditure, which the Controller and Auditor-General has taken exception to as being beyond the provision of law:—
- (1.) Ten pounds donation to a school building for its workmen's children at Otago Heads works;
 - (2.) Three hundred pounds (one year's salary) to the widow of Pilot Kelly (twenty-six years' service), in accordance with Provincial Government regulations;
 - (3.) Eighty-seven pounds seven shillings and sixpence expenses of periodical visits of the Board to the Heads works.

4. The following provisions shall apply to the Board :—

- (1.) For the purpose of auditing the accounts of such Board, "The Harbours Act 1878 Amendment Act, 1886," shall not be deemed to have come into operation till the first day of January, one thousand eight hundred and eighty-seven :
- (2.) The premium of eleven thousand and thirty-one pounds and ninepence obtained by the Board on the sale of one hundred and fifty thousand pounds of debentures shall be deemed to have been and be treated as ordinary revenue of the Board :
- (3.) The Board shall be entitled to charge against the moneys which were required to be expended in the Lower Harbour, and for the improvement of the bar at the Otago Heads—
- (a.) Moneys so expended in anticipation of loans which were authorised to be applied for such purposes :
- (b.) Such portion (if any) of the price of the dredge purchased by the Board, and of the expenses of working the same respectively, as the Auditor-General may consider just and reasonable.

Validation of accounts.

5. The accounts of the Board shall, as from the first day of January, one thousand eight hundred and eighty-seven, be kept in accordance with the provisions of "The Harbours Act 1878 Amendment Act, 1886," saving and except that the words "or received for harbour improvement rates" in subsection two, clause ten, of the said Act shall not be applicable to the Board.

Mode in which accounts to be hereafter kept.

6. The Board may, in anticipation of its current revenue, from time to time borrow moneys from the bank by way of overdraft; but the amount of such overdraft shall at no time exceed the amount of the previous six months' revenue, not including any moneys received by way of grant, loan, or special rates for special purposes; and the Board may hypothecate its dredges and other plant by way of security for the moneys so borrowed. Such hypothecation shall be made by a proper bill of sale, with all such powers of sale, and otherwise, as are usual and suitable to render the said security effective.

Board may arrange for overdraft with bankers.

7. The lands described in the Schedule to this Act are hereby vested in the Board, but such lands shall not be capable of being charged with the payment of any borrowed moneys, or with the debts of the Board.

Certain lands vested in Board.

SCHEDULE.

Schedule.

FIRST, Sections 142 and 409, Town of Port Chalmers.

Secondly, all that parcel of land situated in Block V., North Harbour and Blueskin District, in the Provincial District of Otago, containing by admeasurement 580 acres, more or less: Bounded towards the north-west by the road forming the south-eastern boundaries of Sections Nos. 40, 41, 42, 43, 44, 45, 46, 47, 48, and 49 of the said block, 4750 links, and the south-eastern side of that road produced in a north-easterly direction, 2200 links; towards the north by a right line, 1150 links, bearing due east; towards the west by a right line, 3400 links, bearing due north; again towards the north-west by a right line, 1050 links, bearing N. 52° 20' E.; towards the north-east by right lines, 1060 links bearing S. 65° 50' E., 300 links, bearing S. 34° E., and 400 links, bearing

S. $73^{\circ} 30'$ E. to high-water mark of the ocean, thence by high-water mark, 5200 links, a right line, 1300 links, bearing S. $29^{\circ} 20'$ E., again by high-water mark, 1000 links, and a right line, 2000 links, bearing S. $39^{\circ} 15'$ E.; towards the south-east by a right line, 1950 links, bearing S. $36^{\circ} 45'$ W.; towards the south-west by a right line, 6000 links, bearing N. $53^{\circ} 15'$ W. to high-water mark of Otago Harbour; thence again towards the south-east and south by the high-water mark of Otago Harbour to a point opposite the western boundary of Section No. 40; be all the aforesaid distances and bearings more or less, reserving nevertheless a right to lay out and take such roads within the said area as may be required for public use.

Thirdly, all that parcel of land in the Provincial District of Otago at Taiaroa Head occupied by pilot-houses, and containing by admeasurement 3 acres 1 rood, more or less: Bounded towards the north-east by the sea; towards the south-east by land taken for defence purposes (*New Zealand Gazette*, 31st May, 1888), 940 links; towards the south-west by said land taken for defence purposes and the north-eastern boundary of that land, produced 350 links; and towards the north-west by a right line parallel to the south-eastern boundary, 960 links, to the sea: be all the aforesaid distances more or less, excepting thereout such roads or rights of way as may be required over the said area. Also all that parcel of land at Taiaroa Head, occupied as a signal-station, and containing by admeasurement 1 acre, more or less: Bounded towards the north-east by a right line, 250 links, bearing S. 53° E.; towards the south-east by a right line, 400 links, bearing S. 47° W.; towards the south-west by a right line, 250 links, bearing N. 53° W.; and towards the north-west by a right line, 400 links, bearing N. 47° E., Trig. Station N. (the Flagstaff), being the centre of the said area.