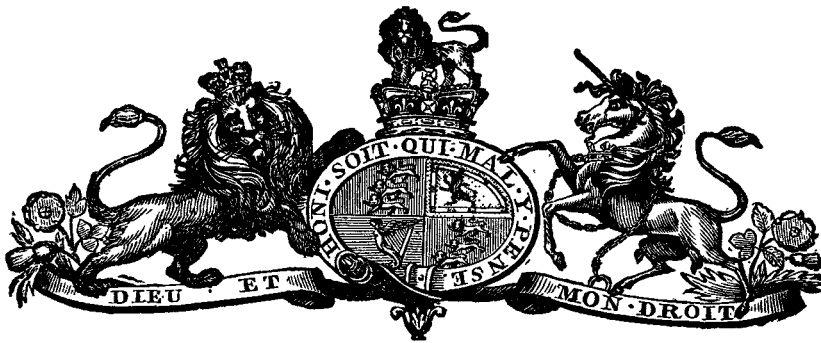


NEW ZEALAND.



TRICESIMO SEXTO

VICTORIÆ REGINÆ.

No. LXVI.

ANALYSIS.

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AN ACT to vest the Management of the Wanganui Hospital and the Property thereof in the Mayor Councillors and Burgesses of the Borough of Wanganui. Title.
[21st October, 1872.]

WHEREAS by a grant from the Crown bearing date the twenty-eighth day of March, one thousand eight hundred and seventy-two, the several parcels of land described in the Schedule hereto were granted to the Superintendent of the Province of Wellington and his successors, to hold upon trust for the purposes of a public Hospital for all races at Wanganui, and to pay and apply the rents issues and profits received or derived from the land thereby granted in and towards the maintenance and support of the said Hospital: Preamble.

And whereas the Provincial Council of the Province of Wellington, during the last Session thereof, passed certain resolutions in the terms following:—

“That His Honor the Superintendent be requested to procure the sanction of the Colonial Government and of the General Assembly to the passing of a Bill, during the next Session of the General Assembly, for the following purposes:—

“(1.) To enable the Corporation of Wanganui to raise by the issue of debentures a sum of twenty thousand pounds, the interest thereon and a sinking fund of two pounds per centum to be a first charge on the rents tolls and profits of the Wanganui Bridge and Public Wharf at Wanganui.

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“(2.) To release the said Bridge from all claims of the Colonial Government in respect of moneys advanced by them for the construction thereof, the Provincial Government remaining liable for such sum as a charge upon the capitation payment under ‘The Payments to Provinces Act, 1871.’

“(3.) Upon payment by the Corporation to the Superintendent of the sum of twenty thousand pounds, to vest the Wanganui Bridge and Wharf and the rents tolls and charges therefrom in the Corporation, subject to the charge for interest and sinking fund as corporate property.

“(4.) To transfer the whole management of the said Bridge and Wharf in the Corporation upon payment of the sum of twenty thousand pounds, and to give to the Corporation the same powers in respect thereof as are now vested in the Superintendent and his Executive Council, the Wanganui Bridge Committee, and the Colonial Treasurer.

“That upon payment of the said sum of twenty thousand pounds, the Hospital at Wanganui and the endowments thereof shall be transferred to the Corporation of Wanganui, who shall thenceforth have the entire control thereof, the Corporation first satisfying the Superintendent that they will maintain the Hospital in an efficient state and apply all the endowments for the benefit of the Hospital, it being part of the consideration for the transfer of the Wharf and Bridge that the Corporation shall take the responsibility of maintaining the Hospital.”

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 shall be “The Wanganui Hospital Act, 1872,” and it shall come into operation on the first day of January, one thousand eight hundred and seventy-three.

Repeal.

2. The Act of the Superintendent and Provincial Council of the Province of Wellington, shortly intituled “The Wanganui Hospital Act, 1872,” is hereby repealed.

Superintendent may convey land in Schedule to Corporation.

3. The Mayor Councillors and Burgesses of Wanganui, hereinafter called “the Corporation,” may accept from the Superintendent for the time being of the Province of Wellington a conveyance of all the lands and hereditaments described in the Schedule hereto, and the Superintendent may convey and transfer the said lands and hereditaments to the Corporation without consideration, to hold to them and their successors upon trust for the purposes of this Act.

Rents till transfer to be paid to Corporation.

4. Until the said lands and hereditaments shall have been conveyed and transferred to the Corporation, the Superintendent for the time being of the said Province shall pay over to the Corporation from time to time as they shall be received all rents and profits of the said lands and hereditaments.

Other endowments of Hospital to vest in Corporation.

5. All moneys and personal property of every description which shall at the coming into operation of this Act be held by or vested in the said Superintendent, or in any other person upon trust for the purposes of the said Hospital, shall immediately vest in the Corporation to be held used and applied by them for the purposes of this Act, and shall as soon as practicable be paid delivered transferred and assigned to the Corporation accordingly.

Powers of Corporation.

6. The Corporation shall have the following powers:—

(a.) To appoint with or without salary, and from time to time to remove, such medical or other officers and servants as

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they shall think expedient for the management of the Wanganui Hospital.

- (b.) To manage the Hospital already erected at Wanganui, and to regulate the admission of patients thereinto, and the payments to be made by all or any of such patients.
- (c.) To let for any term not exceeding forty-two years all or any part of the land herein mentioned on such terms and under such conditions as they shall think fit, but so that the best yearly rent that can reasonably be obtained be reserved, and that no fine premium or foregift be taken.
- (d.) To do all such things as shall be incidental to or necessary for the due exercise of the powers hereby given.

7. The Corporation shall hold all rents and profits of any of the said lands, and all moneys received by them in exercise of the powers given to them by this Act, or otherwise received by them for the purposes of the said Hospital, upon the following trusts:—

Application of rents, &c.

- (a.) To pay the expenses of the Corporation incurred by them in carrying out the provisions of this Act.
- (b.) To apply the residue to in or towards the maintenance and repair of the said Hospital, and providing nursing medicine food and attendance for patients receiving aid thereat or therefrom; and if there be any surplus after such application, to employ such surplus in increasing the efficiency or convenience of such Hospital.

8. The Eleventh Part of "The Municipal Corporations Act, 1867," shall extend and apply to the sums of money to be received and the accounts to be kept by the Corporation under this Act. The Corporation shall in every year, as soon as may be after the annual audit of their accounts, forward to the Superintendent for the time being of the Province of Wellington a balance sheet showing the state of the accounts relating to the said Hospital, together with a full report of their proceedings in relation to and of the progress and condition of the Hospital during the preceding year.

Accounts.

Audit.

Report.

9. If upon any such report of the Corporation forwarded to the said Superintendent or otherwise it shall appear to the Superintendent that the annual sums applied or to be applied by the Corporation for the purposes of the said Hospital, whether arising from the endowments thereof or not, are insufficient, or will during the next ensuing year prove insufficient for the due and efficient maintenance thereof, and the Corporation shall not consent to increase the same to a sufficient amount as hereinafter provided, he shall report the same to the Governor, and the Governor in Council shall thereupon appoint one or more Commissioners to inquire into and report concerning the matter, and the Governor in Council shall order the Corporation to contribute from the Borough Fund such annual sum (if any) as upon the report of such Commissioners he shall think fit.

If Superintendent thinks money spent on Hospital insufficient, and Corporation will not augment it, Governor to make order.

10. If the Corporation shall consent to increase the said annual sum by a stated amount, and the said Superintendent shall notify to the Corporation that he deems the same sufficient, the Corporation shall during the year next after the receipt of such notification, and in every year afterwards until the end of the current year in which they shall have signified to the said Superintendent their intention to discontinue the payment thereof, pay out of the Borough Fund of the Borough of Wanganui, for the purposes of the said Hospital, such stated sum as aforesaid.

Contribution to Hospital by Corporation voluntarily.

11. If the Governor in Council shall order the Corporation to contribute out of the Borough Fund any annual sum as aforesaid, the Corporation shall during the year next after the making of such order,

Contribution under Governor's order.

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and in every year afterwards until the end of the current year in which they shall have signified to the said Superintendent their intention to discontinue the payment thereof, pay out of the said Borough Fund, for the purposes of the said Hospital, the annual sum so ordered to be paid.

Corporation to transact Hospital business in same manner as general business.

12. All matters and things to be done by the Corporation in pursuance of the rights powers and duties conferred or imposed upon them by this Act, shall be done by the Council of the Borough of Wanganui, or by a Committee thereof, in the same manner as the ordinary business of the Corporation.

Schedule.

SCHEDULE.

ALL that parcel of land situated in the Town of Wanganui, in the Province of Wellington, in the Colony of New Zealand, containing four (4) acres, more or less, being town sections numbered 514, 515, 516, 517, 518, 519, 520, 521, 526, 527, 528, 529, 530, 531, 532, and 533 on the plan of the said town; bounded towards the North-east by Harrison Street, eight hundred (800) links; towards the South-east by town sections numbered 525 and 522, five hundred (500) links; towards the South-west by Bell Street, eight hundred (800) links; and towards the North-west by Plymouth Street, five hundred (500) links. Also all that piece or parcel of land situated in the Town of Wanganui aforesaid, containing three (3) acres and one (1) rood, more or less, being town sections numbered 474, 475, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, and 490 on the said plan; bounded towards the North-east by Tongariro Quay, five hundred (500) links; towards the South-east by Ingestre Street, one hundred and seventy-four (174) links, and by town sections numbered 479, 478, 477, and 476, four hundred and forty (440) links; again towards the North-east by town section number 476, one hundred and thirty-nine and a half (139½) links, and again towards the South-east by town section number 473, two hundred and seventy (270) links; towards the South-west by town section 489, two hundred and thirty-two and a half (232½) links, and by Harrison Street, four hundred and sixty-five links; and towards the North-west by Mathieson Street, one thousand and seventy (1070) links. Also all that piece or parcel of land situated in the Town of Wanganui aforesaid, containing one (1) acre and one (1) rood, more or less, being town sections numbered 127, 128, 129, 130, and 131 on the said plan; bounded towards the North-east by town sections numbered 125 and 126, four hundred (400) links; towards the South-east by Cameron Terrace, two hundred and fifty (250) links, and by town section number 132, one hundred and twenty-five (125) links; towards the South-west by the said section number 132, two hundred (200) links, and by Bell Street, two hundred (200) links; and towards the North-west by Guyton Street, three hundred and seventy-five (375) links. Also all that piece or parcel of land situated in the Town of Wanganui aforesaid, containing one (1) acre and two (2) roods, more or less, being town sections numbered 133, 134, 135, 136, 138, and 139 on the said plan; bounded towards the North-east by Bell Street, four hundred (400) links; towards the South-east by Cameron Terrace, two hundred and fifty (250) links, and by town sections numbers 137 and 140, two hundred and fifty (250) links; towards the South-west by town section number 137, two hundred (200) links, and by Campbell Street, two hundred (200) links; and towards the North-west by Guyton Street, five hundred (500) links. Also all that piece or parcel of land situated in the District of Wanganui, containing four (4) acres and three (3) roods, more or less, being suburban section numbered 33 on the plan of the said district; bounded towards the North-east by Tongariro Quay, two hundred and thirty (230) links, and two hundred and sixty (260) links; towards the South-east by Sydney Place, nine hundred and forty-five (945) links; towards the South-west by Bell Street, four hundred and forty (440) links; and towards the North-west by Liverpool Street, one thousand and one hundred (1100) links. And also all that piece or parcel of land situated in the said District of Wanganui, containing three (3) acres and one (1) rood, more or less, being suburban section numbered 34 on the plan of the said district; bounded towards the North-east and South-east by Tongariro Quay, five hundred and forty-five (545) links and five hundred and sixty (560) links respectively; towards the South-west by Bell Street, four hundred and sixty (460) links; and towards the North-west by Sydney Place, eight hundred and sixty-five (865) links; together with all the rights and appurtenances thereto belonging.

WELLINGTON, NEW ZEALAND:

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