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This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

House of Representatives,  
15th August, 1907.

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

Mr. Kidd.

AUCKLAND HOSPITAL ACTS AMENDMENT.

[LOCAL BILL.]

ANALYSIS.

Title.	5. Board to have powers formerly vested in Public Trustee.
Preamble.	6. Board to have power to borrow.
1. Short Title.	7. Public Trustee may advance money.
2. Lands in Schedule vested in Board.	8. Auckland Hospital Acts Amendment Act, 1905, amended.
3. Certificates of title to be issued in name of Board.	9. All acts done by Public Trustee deemed valid.
4. Title - deeds, &c., to be handed over to Board.	Schedule.

A BILL INTITLED

AN ACT to amend the Auckland Hospital Reserves Acts.

Title.  
Preamble.

WHEREAS it is desirable for the purpose of facilitating the administration of the trusts upon which the same are held that the 5 properties now vested in the Public Trustee under and by virtue of the aforesaid Acts should be vested in the Auckland Hospital and Charitable Aid Board: And whereas it is desirable for the purpose of carrying out and extending the work and operations of the said Board that the authority of the said Board to borrow money for the 10 purposes of the said Board shall be increased:

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

1. This Act may be cited as the Auckland Hospital Acts 15 Amendment Act, 1907, and shall come into operation on the first day of January, nineteen hundred and *eight*.

Short Title.

2. All the properties described in the Schedule hereto for the time being vested in the Public Trustee by virtue of the Auckland Hospital Reserves Act, 1883, and the Acts amending the same are 20 hereby vested in the Auckland Hospital and Charitable Aid Board (hereinafter called the Board) constituted under the Hospitals and Charitable Institutions Act, 1885, in fee-simple upon trust to abide the terms imposed by the said Acts and this Act, and subject to all leases, charges, and incumbrances now affecting the same.

Lands in Schedule vested in Board.

3. The District Land Registrar at Auckland, upon being requested so to do by the Board, shall, upon being satisfied that the requirements of the Land Transfer Act, 1885, and its amendments 25 have been complied with, issue certificates of title for the said properties in the name of the Board, or in case certificates of title therefor have already been issued in the name of the Public Trustee shall 30 note thereon the fact of the same having been vested in the Board by virtue of this Act.

Certificates of title to be issued in name of Board.

Title-deeds, &c., to  
be handed over  
to Board.

4. The Public Trustee, upon being requested so to do by the Board, shall hand over to the Board all title-deeds, leases, and paid debentures in his possession exclusively connected with or relating to the aforesaid properties or the execution or performance of the trusts, powers, and duties vested in or imposed upon him by the aforesaid Acts, and will also hand over to the Board any moneys of the Board which may be in his possession or under his control under the authority of the said Acts. 5

Board to have  
powers formerly  
vested in  
Public Trustee.

5. The Board shall have all the rights, powers, privileges, and authorities, and shall be subject to all the duties, obligations, and restrictions, heretofore vested in, or imposed upon, or created by the Public Trustee with relation to the said properties; and the aforesaid Acts and all other enactments relating to the Auckland Hospital reserves shall be read and construed, where consistent with the context and so far as the same are applicable, as though the words "the Board" as herein described were inserted therein in lieu of the words "the Public Trustee" wherever the latter occur. 10 15

Board to have  
power to borrow.

6. The Board shall have the same powers of borrowing money on the security of the said properties which the Public Trustee had prior to this Act, provided that the sum of twenty-five thousand pounds (which is the limit imposed by section seven of the Auckland Hospital Acts Amendment Act, 1905) shall be and the same is hereby extended to the sum of fifty thousand pounds, and the said section is hereby amended accordingly and shall be read and construed as if the words "fifty thousand pounds" had been inserted therein instead of the words "twenty-five thousand pounds": 20 25

Provided that any security given for moneys borrowed by the Board under the statutory authority hereof shall be made and given subject to the repayment of the moneys mentioned in the first proviso to the said section seven, and next of any moneys borrowed by the Public Trustee under the authority of the said Act, or such balance or balances thereof as shall from time to time remain due or owing in respect thereof; and that any security given by the Board for any moneys borrowed by it under this Act shall rank only as security subject to the final repayment of the aforesaid moneys, but that thereafter the security intended to be given by the Board under the powers embodied in this Act shall be and rank as a first security upon the lands referred to in the said section: 30 35

*New paragraph.*

Provided further that no money shall be borrowed under the authority of this Act which shall produce to the lender a higher rate of interest than five per centum per annum. 40

Public Trustee may  
advance money.

7. Nothing in this Act contained shall in any way affect or prejudice the authority conferred upon the Public Trustee by section twenty-one of the Auckland Hospital Acts Amendment Act, 1905, to advance money to the Board upon the security of the aforesaid properties. 45

Auckland Hospital  
Acts Amendment  
Act, 1905, amended.

8. Section eight of the Auckland Hospital Acts Amendment Act, 1905, is hereby amended by striking out the words "two hundred and fifty," and inserting in lieu thereof the words "five hundred." 50

9. Nothing contained in this Act shall prejudicially affect anything already done by, or any lease, contract, deed, writing, or other instrument already entered into by or with the Public Trustee acting under the authority of the aforesaid Acts, but the same shall be as  
5 valid and binding in all respects as though done by or entered into with or by the Board.

All acts done by  
Public Trustee  
deemed valid.

10. Section seven of the Reserves, Endowments, and Crown and Native Lands Exchange, Sale, Disposal, and Enabling Act, 1898, is hereby amended by inserting between the figures "1883" and the  
10 word "except," in the third line thereof, the words "or this Act"; and by inserting between the words "the" and "lessee," where they occur in the eighth line of subsection one of the said section seven, the words "then or any preceding"; and by inserting after the word  
15 "existing," where it occurs at the end of the eighth line of subsection three of the said section seven, the words "together with the right of further renewal and all other rights hereby conferred, and so from time to time at the expiration of each further or renewed term on the same terms and conditions on which the original lease may have been granted hereunder or thereunder, but subject nevertheless to the  
20 fixing as herein provided at the end of each term of the rent payable during such further or renewed term."

## SCHEDULE.

Schedule.

### CITY OF AUCKLAND.

1. ALLOTMENT No. 12 of Section 4, containing 1 rood 1 perch.
2. Allotment No. 16 of Section 7, containing 1 rood 37 perches.
3. Allotment No. 8 of Section 15, containing 1 rood 3 perches.
4. Allotments Nos. 7, 8, 9, and 10 of Section 9, containing 1 rood 36 perches.
5. The western portion of Allotment No. 17A of Section 4, containing 13 perches.
6. Allotment No. 1 of Section 31, containing 2 roods 16 perches, situated in Mechanics Bay.
7. The eastern portion of Lot No. 17A of Section 4, containing 13 perches.

### SUBURBS OF AUCKLAND.

8. Allotment No. 21A of Section 11, containing 7 acres 1 rood.
- 9. Part of Allotment No. 13 of Section 12, containing 14 acres and 36 perches.
10. Allotment No. 17A of Section 12, containing 27 acres and 23 perches.
11. Allotment No. 14A of Section 12, containing 4 acres 1 rood.
12. Allotment No. 24 of Section 6, containing 40 acres (excepting the portion thereof now dedicated as a road.)
13. Part of Section No. 98 and part of Allotment No. 1 of Section 99, containing 6 acres and 24 perches (excepting the portion thereof conveyed to the Crown under the Public Domains Act, and the portion thereof taken by Proclamation for railway purposes.)
14. Allotment No. 41 of Section 3, containing 12 acres and 16 perches, excepting such portion thereof as may be conveyed by law to His Majesty the King for the purposes and subject to the provisions of the Public Domains Act, 1860.
15. Part of Allotment No. 20 of Section 11, containing 1 acre 1 rood 16 perches.
16. Part of Lot No. 19, and Lots 20 and 21, being part of Allotment No. 22 of Section 11, containing 6 acres and 3·5 perches.
17. Part of Lot No. 6A of Section 17, containing 28 acres 1 rood.

### PARISH OF TAKAPUNA.

18. Allotments Nos. 14, 15, 16, 17, and 20, containing 102 acres 1 rood 24 perches.