

## LOCAL LEGISLATION BILL, 1934.

### EXPLANATORY NOTES.

#### *County Councils.*

Clause 2: Extending period of appointment of Commissioner for County of Matakaoa (I.A. 1933/222/1).—In terms of section 10 of the Local Legislation Act, 1932–33, the Matakaoa County has been placed under the control of a Commissioner until May, 1935. The Commissioner was appointed on the 1st May, 1933, and he has already done a considerable amount of work towards rehabilitating the county. It is, however, apparent that he will not be able to accomplish the work for which he has been appointed by May, 1935, and it will be necessary for him to have an extended term of office. The object of the clause is to extend the period of Commissioner control of the county until May, 1938.

Clause 3: Provision respecting expenditure by Buller County Council on repair of earthquake and flood damage (I.A. 1934/97/3).—At the 31st March, 1934, the overdraft of the Buller County Council was in excess of its statutory limit by £5,338. Such excess was caused mainly by expenditure incurred by the Council in connection with repair and reconstruction work in the county consequent upon the earthquake which occurred in 1929. The expenditure on this work could have been authorized under the Local Government Loans Board Act, 1926, and section 7 of the Local Bodies' Finance Act, 1921–22. Under the latter section the Minister of Internal Affairs is authorized to consent to a local authority borrowing moneys for the purpose of, *inter alia*, flood and earthquake damage. The amount authorized to be raised is in addition to the ordinary legal overdraft limit of the local authority. The Buller County Council, however, omitted to take advantage of this provision, and consequently the whole of the expenditure became a charge upon its ordinary overdraft account. It is desired to provide relief for the Council in respect of the amount expended on flood and earthquake damage, and the clause validates the borrowing of the excess overdraft, notwithstanding that the Council omitted to obtain the necessary sanction and consents under the above-mentioned provisions relating to the raising of money for the purpose of repairing extraordinary damage.

Clause 4: Validating allocation of interest-charges on bridges loan of £209,000 raised by Patangata County Council (I.A. 1933/120/85).—In 1921 the Patangata County Council was authorized by a poll of ratepayers to raise a loan of £209,000 for the purpose of reconstructing and renewing bridges and culverts throughout the county. Of the amount authorized the sum of £60,000 has been raised and expended. In order to provide for the annual charges on the loan a special rate was levied over the whole of the county, but the Council had, when placing its proposals before the ratepayers, stated that such charges would be apportioned to the various ridings in proportion to the amount of loan-money expended in each riding. The Council has been allocating the annual charges in this manner since 1922, and proposes to do so for the current financial year. The clause validates the action of the Council in levying the annual charges in the above-mentioned manner and authorizes the continuance thereof during the present year. This position will not arise after the present financial year, as the Council has taken steps to abolish the system of separate riding finance in the county.

Clause 5: Fixing boundaries of Sounds County (I.A. 1934/198/18).—The purpose of this clause is to define the boundaries of the County of Sounds. For some years past there has been considerable doubt as to what the actual boundaries are, particularly on account of the number of bays and inlets in or adjacent to the county, and of the islands in the vicinity thereof. For practical purposes it is generally regarded that the county comprises all the mainland within a certain area, together with all adjacent islands such as D'Urville Island, Arapawa Island, and others. The description as contained in this clause fixes the appropriate part of the mainland above mean high-water mark and all adjacent islands above mean high-water mark, as the county, thereby removing any possible doubts.

Clause 6: Legalizing a special loan of £4,000 raised by Waitotara County Council in respect of the Ahu Ahu Special-rating District (I.A. 1934/120/5).—In 1912 the Waitotara County Council raised a loan of £4,000 over a special-rating area for the purpose of contributing towards the cost of constructing a road through such district. The procedure for raising the loan was carried out by the Council without the aid of legal assistance, and certain irregularities in such procedure have now been discovered. Such irregularities occur in certain resolutions passed by the Council for the purpose of striking special rates as security for the loan. Such resolutions did not include one property which should have been included, and wrongly described another property. One of the resolutions also purported to strike a special rate of 2½d. in the pound, when a rate of ¾d. in the pound only should have been struck. It is desirable that such irregularities should be validated, and the clause provides accordingly.

Clause 7: Validating certain payments of interest by Waiapu County Council (I.A. 1934/120/33).—The Waiapu County Council entered into an agreement to purchase a workman's cottage. The terms agreed upon were that the purchase-money could be paid over when convenient to the Council, and interest to be paid at bank rate on the unpaid purchase-money. The capital sum owing was repaid out of loan-moneys on 24th April, 1931. Certain payments of interest made in the financial years ended on 31st March, 1931 and 1932, were without lawful authority, and it is desired to validate such payments. The clause provides accordingly.

#### *City and Borough Councils.*

Clause 8: Authorizing Auckland City Council to raise special loan not exceeding £29,000 (I.A. 1934/120/41).—Certain leases granted by the Auckland City Council or its predecessors in title have recently expired and other leases will shortly expire. Such leases were granted many years ago and some contain a provision that compensation for improvements will be payable on the expiration of the leases. Such compensation is to be computed at one-third of the total value of the improvements. The Council has carried out substantial improvements and alterations to some of the buildings acquired or to be acquired by the Council under expired leases, and certain of the expenditure necessary for carrying out such work and meeting compensation claims has been advanced out of the General Account of the Council. It will be necessary for the Council also to carry out alterations, &c., to the buildings affected by other leases which will shortly expire. The Council desires to obtain legislative authority to raise a loan of £29,000 for the purpose of meeting the compensation payable under the leases above-mentioned, refunding to the General Account the amount expended therefrom and carrying out the further alterations, &c., necessary to buildings. Such loan will be raised under the ordinary provisions relating to loans—*i.e.*, by a poll of ratepayers, consent of the Local Government Loans Board, &c.

Clause 9: Special provisions with respect to sinking funds of certain original and renewal loans raised by the Auckland City Council (I.A. 1934/120/24).—On 1st January, 1934, a sum of £100,000, being portion of a loan known as Additional Loan, 1883, of £200,000, which was raised in London, fell due. On the above date a further sum of £100,000, being portion of a loan known as the Streets Improvement Loan, 1913, of £225,000, also fell due. By an Order in Council dated 13th November, 1933, consent was given to the raising of two redemption loans of £100,000 each. These respective sums were in the first place raised from the Bank of New Zealand by way of hypothecation of the debentures of the loans and were applied towards repayment of the loans falling due. Portions of these loans were repayable in London and the balances in New Zealand. The balance of the first-mentioned loan falls due at various times between the years 1935 and 1938. The balance of the second-mentioned loan falling due has been included in the Auckland City Conversion Loan, 1934. The Auckland City Sinking Fund Commissioners have been authorized to retain the sum of £100,000 of the accumulated sinking fund held by them in respect of the first-mentioned loan for the purpose of repaying the new loan of £100,000 at maturity. Authority has also been granted the Commissioners to retain the whole of the accumulated sinking fund held by them in

respect of the second-mentioned loan for the purpose of repaying the new loan of £100,000 at maturity. The totals of the respective sinking funds are now £223,483 and £108,773 respectively. The Council, therefore, desires that the net interest received by the Commissioners from the sinking funds during the current financial year should be paid to the Council for the purpose of meeting the interest on the outstanding balance of the debentures of the first-mentioned loan and the interest on the repayment loans. Legislative authority is also desired in order to allow the Council to utilize the sinking funds immediately to the extent necessary to reimburse the Council in respect of debentures which were presented and paid in New Zealand.

Clause 10: Authorizing remission of rates by Gisborne Borough Council (I.A. 1933/100/10).—The clause authorizes the Gisborne Borough Council to remit rates due and payable by the Gisborne and East Coast Young Men's Christian Association in respect of the property of the Association in the Borough of Gisborne, and declares such property to be absolved from liability for such rates accordingly, for the financial year ending on the 31st March, 1935.

Clause 11: Provision with respect to encroachment of Druids Building on Lambton Quay and Woodward Street (I.A. 1934/120/16).—After the erection of the Druids Building in 1924 it was discovered that encroachment had taken place on the Lambton Quay and Woodward Street frontages. An agreement has now been arrived at between the Wellington City Council and the trustees of the United Ancient Order of Druids, whereby the trustees will dedicate to the Council a triangular piece of land at the intersection of the two streets for the purpose of a footpath on the understanding that the Council will then license the trustees to occupy the parts of the above-mentioned streets to the extent of the encroachment of Druids Building thereon during the life of the present building. The clause authorizes the Wellington City Council to grant such a license.

Clause 12: Authorizing Taihape Borough Council to expend certain moneys held in trust for purchase of land (I.A. 1934/120/12).—Section 20 of the Local Legislation Act, 1930, authorized the Taihape Borough Council to sell a certain municipal reserve, provided that the net proceeds from the sale of such land should be applied to the purchase of other land which should then become vested in the Corporation in trust for municipal purposes. In pursuance of such authority the Council sold the land for the sum of £850, which was then placed in a special trust account for the purchase of other land. In March of the present year the Council purchased a valuable site situated in the business area of the town for the sum of £475. This price is less than the Government valuation by £190. It is proposed to erect a rest-room, Plunket rooms, &c., on this section, and the Council desires to utilize the balance of the amount remaining in the trust account towards the erection of a building for this purpose. The clause authorizes accordingly.

Clause 13: Extension of time for construction of Evans Bay reclamation (I.A. 1934/120/17).—The Wellington City Council was authorized by section 7 of the Wellington City Reclamation and Empowering Act, 1906, to reclaim certain land from the sea at Evans Bay. A period of seven years was allowed by that section for the work to be completed. This time has been extended by various enactments, the last extension being granted in 1929 to a period of twenty-nine years. The Council now desires that the period shall be further extended to thirty-six years. The clause provides for an extension of seven years accordingly.

Clause 14: Authorizing transfer of cemetery and maintenance fund to Corporation of City of Nelson (I.A. 1933/120/87).—Certain trustees have vested in them an area of land situated in the City of Nelson on trust as a burial-ground for members of the Society of Friends. Such society has, however, no organization or branch in the City of Nelson, and the area has become untidy and neglected. The trustees, therefore, desire to transfer the area to the Nelson City Council upon trust to maintain as a burial-ground, together with a sum of £100, realized from the sale of other land, as a fund for the future maintenance of the area being transferred. The clause enables the transfer of the burial-ground and maintenance fund to be effected.

Clause 15 : Authorizing Hawera Borough Council to erect hotel and other business premises on certain Corporation land (I.A. 1934/120/30).—The purpose of this clause is to authorize the Hawera Borough Council to erect an hotel and other business premises on the land more particularly referred to in the clause. The Borough Council owns such land, and at the present time the Commercial Hotel and certain other buildings stand thereon. Originally the Council granted a ground lease of part of the property to a tenant for a long term. The tenant erected an hotel and stables to be used in connection therewith. In due course of time the term of the lease expired and the land reverted to the lessor Corporation, together with the hotel building and the license. The Council thereupon leased the property as a licensed hotel to a new tenant, and this tenant was succeeded in due course by others. Such position obtains to the present time. The hotel is old and out of date. The Council is confronted with the position of renovating same, but it is found that the cost of renovation would be so great that it would be a better proposition to erect an entirely new building. In the event of the Council rebuilding the hotel it would also be an advantage to rebuild the whole block of buildings or, at any rate, part of the same. There is no statutory authority for a Borough Council to erect an hotel or any other buildings for commercial purposes, unless specifically authorized to that end. The authorities which do exist do not cover the present proposal. Accordingly, in view of the present state of the Commercial Hotel, and the necessity for bringing the building up to date, the Council seeks statutory authority to embark on the building scheme referred to. It is not proposed that the Council should itself hold the license. This will be held by a suitable tenant as in the past. It is proposed that the funds for the building scheme be obtained by means of a loan, which will be sought in the usual manner—that is to say, with the prior sanction of the Loans Board, a poll of ratepayers, &c.

Clause 16 : Provision with respect to amalgamation of depreciation funds created by Eastbourne Borough Council in respect of transport undertakings (I.A. 1934/120/36).—The Eastbourne Borough Council has established depreciation funds in respect of its motor-omnibus passenger-service undertaking and steamer ferry-service undertaking. In view of the fact that the two undertakings are to all intents and purposes one general transport undertaking for the benefit of Eastbourne, the Council desires to merge the two separate depreciation funds, thereby making the total funds available for the combined transport undertaking. The clause declares the two undertakings to be one trading undertaking for depreciation purposes as on and from 1st April, 1934, and provides for the amalgamation of the existing funds.

Clause 17 : Authorizing Akaroa Borough Council to take poll *re* weekly half-holiday (I.A. 1934/120/39).—This clause provides for a special poll being taken as soon as practicable in the Borough of Akaroa on the proposal to determine the statutory half-holiday in that Borough, instead of waiting until the 1st May, 1935.

#### *Town Boards.*

Clause 18 : Authorizing Mount Maunganui Town Board to pay costs of Commission in connection with the constitution of Mount Maunganui Town District (I.A. 1933/120/17).—In 1930 a Commission was set up to consider a proposal to constitute the Mount Maunganui Town District, and in accordance with its recommendations the district was duly constituted. In pursuance of the powers vested in the Commission it made an order specifying that the costs of the Commission should be paid by the petitioners. It was found impossible, however, to collect the costs from individual petitioners, and the Board has now agreed to take over the liability. The clause confers the necessary authority on the Board.

#### *Harbour Boards.*

Clause 19 : Authorizing sale of certain land by Timaru Harbour Board (I.A. 1934/120/20).—The Timaru Harbour Board is the owner of an area of approximately 35 acres taken under the Public Works Act for the purpose of obtaining stone for its harbour-works and to preserve access to certain quarries by means of a tramway constructed over the above-mentioned area. The Board will not be taking any more stone from this area, but wishes to retain the right to use the tramway, which still remain on the land, in case more stone is required for harbour purposes from other lands in the vicinity. The Timaru Borough Council is desirous of purchasing this area in order to fit in with a scheme for constructing a recreation area. The two bodies are,

however, debarred from entering into an agreement with respect to the sale of the area, as the Harbour Board cannot dispose of the freehold of the land until it has ceased to require the land for the purpose of retaining access, and the Borough Council has no power to grant an easement, in this case the right to use the tramway, over land which is used for a recreation reserve. The clause authorizes the Harbour Board to sell and the Borough Council to purchase the area concerned, subject to certain encumbrances already existing thereover and the right of the Harbour Board to use for harbour purposes the tramway now constructed on the land.

Clause 20: Validating payment of certain costs relating to renewal loans by New Plymouth Harbour Board out of sinking funds (I.A. 1934/120/27).—In 1919 the New Plymouth Harbour Board raised a loan of £300,000 in three instalments, of which the first instalment of £128,000 matured on 1st February, 1932. The Board had created a sinking fund for the purpose of the repayment of the main loan of £300,000, and at 30th September, 1931, the amount of the sinking fund accrued stood at approximately £16,876. The Board obtained the sanction of the Local Government Loans Board to the raising of a repayment loan of £120,000 for the purpose of meeting the instalment falling due, and utilized a sum of £8,000 out of the sinking fund in order to make up the balance required. The Board also paid out of the sinking fund a sum of £8,000 towards the cost of raising the renewal loan and repaying the instalment of £128,000. The action of the Board in this respect was without authority of law, and the clause validates the payment of £8,000 out of the sinking fund above referred to.

Clause 21: Section 70 of the Local Legislation Act, 1928, amended (I.A. 1934/120/28).—Section 70 of the Local Legislation Act, 1928, authorizes, *inter alia*, the Wellington Harbour Board to contribute a sum of £5,000 towards the erection of a building or buildings for the “Dominion Museum and the Dominion Art Gallery.” Pending the letting of a contract for the erection of the whole building, the Board is authorized to deposit its contribution of £5,000 in the manner provided by the Harbours Act, 1923. Under subsection (5) of section 70 the interest accruing from any moneys so deposited is to be applied either towards the cost of the erection of the building or for the purchase of works of art for the Dominion Art Gallery, as the Board by resolution determines. The wording of subsection (5) is such that the Harbour Board is precluded from using any of the interest for the purpose of providing exhibits of historical, geographical, and marine interest, &c., for the museum section of the institution. It is desired to rectify this position by providing that the Board may assist the museum section. It is also desired to make it clear that the Dominion Museum and the Dominion Art Gallery referred to in section 70 is the Dominion Museum and the National Art Gallery directed to be established under the National Art Gallery and Dominion Museum Act, 1930. The clause provides for the above two points accordingly.

Clause 22: Authorizing payments of remuneration by Wellington Harbour Board to any Sinking Fund Commissioner (I.A. 1934/120/40).—This clause is intended to legalize what has been the practice of the Wellington Harbour Board for upwards of thirty years in paying an allowance to the Board's Sinking Fund Commissioners. Such practice is not authorized by law.

Clause 23: Empowering Lyttelton Harbour Board to sell certain property at Sumner to Sumner Borough Council (I.A. 1934/120/42).—Owing to the effect of high tides and wave action the beach at Sumner has of recent years been constantly altering and the Borough Council, to minimize the damage and for stability purposes, has erected a retaining wall along the beach above high-water mark. The wall at the eastern end of the beach passes through Reserve 4344, containing 1 rood 28 perches, which is vested in the Lyttelton Harbour Board. In order to facilitate matters relating to the maintenance of the said wall and owing to the fact that the value of the endowment to the Harbour Board is so small, it is the wish of the local bodies that the reserve should be transferred to the Borough Council. The clause authorizes the sale of the endowment by the Harbour Board, but subject to the Borough Council taking over the existing lease of the land and buildings thereon.

Clause 24 : Validating proceedings in connection with certain loans raised by Otago Harbour Board (I.A. 1934/120/37).—By an Order in Council, dated 10th July, 1933, the Otago Harbour Board was authorized to raise a Redemption Loan of £608,800 for the purpose of meeting a portion of the debentures falling due on the 1st January, 1934, and totalling £728,800. A further Order in Council was issued on the 6th December, 1933, authorizing the Board to raise a renewal loan of £728,800 for the purpose of meeting the total amount of the debentures falling due on the 1st January, 1934. A condition of the Order in Council was that certain reserve funds, amounting to £120,000, should, if not utilized in New Zealand for meeting debentures presented there, be paid into the Sinking Fund of the redemption loan. In each case the rate of interest authorized was 4 per cent., and the term  $24\frac{1}{2}$  years. An Order in Council issued on the 10th January, 1934, varied the terms of the loan of £608,800 authorized by the Order in Council of the 10th July, 1933, by increasing the term of the loan to 25 years and the rate of interest to  $4\frac{1}{2}$  per cent. Prior to the issue of the last-mentioned Order in Council, the Board had issued a prospectus in London for the raising of a loan of £600,000 stated to be part of a loan of £700,000 bearing interest at  $4\frac{1}{2}$  per cent. and maturing on 1st January, 1959. When this prospectus was issued and the loan was raised, the Board had no authority to raise money on the terms set out in the prospectus as the Order in Council authorizing such terms had not then been issued. In view, therefore, of the fact that the prospectus stated that the loan of £600,000 was part of a loan of £700,000, it must be concluded that the loan was raised under the authority of the Order in Council of 6th December, 1933. This being so, the terms of the loan and the rate of interest did not comply with the requirements of the Order in Council of that date. The Order in Council of 6th December, 1933, required that a sum of £120,000 should be paid from reserve funds into the Sinking Fund to be created in respect of the loan authorized thereunder. The prospectus, however, made no mention of this fact, so that the debenture-holders were unaware of the proposal. The Board arranged with the Bank of New Zealand, pending the raising of a further issue of the loans authorized by the Orders in Council, for advances sufficient to meet debentures presented in London in excess of those repaid out of the loan of £600,000, and for expenses incurred in London in connection with the repayment of the matured loans and the raising of the renewal loans. The reserve funds of £120,000 required to be paid into the Sinking Fund have been utilized by the Board for the purpose of paying off the overdraft incurred in London as a result of the arrangement with the bank and meeting the cost of the exchange on remittances to London in repayment of the sums advanced by the bank. A further loan of £10,000 has been authorized by an Order in Council, dated 17th September, 1934, and such loan has been applied towards repayment of the balance of the overdraft incurred in London for the purpose of meeting maturing debentures. Such overdraft was, however, arranged without lawful authority. Legislation is therefore necessary for the purpose of validating the various loan transactions of the Board and the debentures issued by the Board in respect of the loans referred to in the clause. Provision is made accordingly.

Clause 25 : As to payment of interest, &c. on Thames Harbour Board Loans for year ending 30th September, 1935 (I.A. 1933/120/4).—The principal purpose of this clause is to authorize the Thames Harbour Board to pay  $4\frac{1}{4}$  per cent. instead of  $4\frac{3}{4}$  per cent. interest on its loans for the financial year ending on 30th September, 1935. Practically all the debenture-holders have agreed thereto. In addition, the clause provides that the rates shall be payable in two equal instalments with one demand, and accelerates the 10 per cent. penalty date, the object being to enable sufficient revenue to be obtained to meet each half-yearly payment of interest. The legislation is in substantially similar terms to that contained in section 45 of the Local Legislation Act, 1933, which conferred similar powers with respect to the last financial year.

Clause 26 : Validating demand for Thames Harbour Board rates for year ended 30th September, 1934 (I.A. 1934/120/4).—Section 45 of the Local Legislation Act, 1933, empowered the Thames Harbour Board, *inter alia*, to demand its rates for the year ended on 30th September, 1934, in two equal instalments. In terms of that

section the Board should have issued a separate demand in respect of each instalment. Actually, only one demand was issued at the outset, fixing the two days on which the instalments were payable. The purpose of this clause is to validate the action of the Board in issuing only one demand.

Clause 27: Authorizing Whangarei Harbour Board to borrow a sum of £2,000 (I.A. 1934/120/38).—The principal purpose of this clause is to enable the Whangarei Harbour Board to raise a loan of £2,000 without a poll in order that the Board may pay certain arrears of interest wrongly deducted in respect of a loan raised in Australia. If this money is raised now the Board will be able to take advantage of a generous offer on the part of the lenders to accept repayment now and raise another loan at a much lower rate of interest.

#### *Hospital Boards.*

Clause 28: Removing doubts as to purposes of expenditure by Hawke's Bay Hospital Board of Kelly bequest (I.A. 1934/120/18).—In terms of the will of the late Miss Henrietta Lavinia Kelly, of Hastings, her residuary estate, valued at approximately £35,000, is bequeathed to the Hawke's Bay Hospital Board for the benefit of the Fallen Soldiers Memorial Hospital at Hastings. It is held that the phraseology of the will is such that the Hospital Board is limited in the use of the moneys to "rebuilding, enlarging, altering, reinstating, repairing, and maintaining" the fabric of the hospital and providing and maintaining equipment and furniture. It is desired, however, and apparently was the intention of the testatrix, that the purposes of expenditure of the moneys should cover the wider range of general maintenance of the hospital—that is to say, payment of salaries, purchase of drugs and provisions, and other regularly recurring expenses of a hospital. Legislation to this end, as embodied in the clause, was agreed upon at a recent conference with the Minister of Health, of representatives of the Hawke's Bay Hospital Board, Hastings Borough Council, and others affected.

Clause 29: Vesting hospital-site in Wairoa Hospital Board (I.A. 1934/120/22).—At the time of the constitution of the Wairoa Hospital Board the title of the land on which the Wairoa Hospital is situated was in the Wairoa County Corporation. The transfer of the land to the Hospital Board has never been effected, and the purpose of the clause is to vest the area in the Hospital Board as a site for a public hospital.

#### *Electric-power Boards.*

Clause 30: Authorizing Waimea Electric-power Board to borrow a sum of £2,400 by way of overdraft (I.A. 1934/120/13).—During last year the Waimea Electric-power Board took over the electrical undertaking of the Waimea Electric Supply and Manufacturing Company, Limited, at the price of £22,000. In accordance with the terms of the purchase the vendor was to provide some additional machinery and plant. When such machinery came to be installed it was found that certain rebuilding would require to be carried out and the Board was put to an expense of £2,500 on this account. This expenditure took the Board's overdraft up to its statutory limit as provided by the Local Bodies' Finance Act, 1921-22, and extended by the Electric-power Boards Act, 1925. In June, 1933, the Power Board was authorized to raise a special loan of £55,000 over the special area of the Motueka district for the purpose of installing electrical works for that district. The annual interest for such loan is £2,125, but as no revenue is yet being received from this area the Board is unable to raise the necessary finance for the payment of this year's interest. It is unable to borrow on its overdraft account as the statutory limit was reached by the provision of money for payment of the additional works required in the Waimea area. It is necessary that the Board should be able to obtain finance for the purpose of meeting this year's interest, and the clause authorizes the borrowing of a sum up to £2,400 by way of overdraft for this purpose. The period during which the Board may have an additional overdraft is limited, and the amount of overdraft is subject in each year to review by the Local Government Loans Board.

Clause 31: Authorizing Wairoa Electric-power Board to capitalize certain arrears of interest (I.A. 1934/120/31).—The Wairoa Electric-power Board has borrowed certain sums from time to time for the purpose of erecting electric transmission-lines and other electrical works, which loans were as follows: (1) £20,000 from the Public Trustee; (2) £21,500 from the Dunedin City Sinking Fund Commissioners; (3) £20,000 from the Government Insurance Commissioner. The finances of the Board are not in a very satisfactory condition, and arrears of interest amounting to approximately £1,440, £1,483 10s., and £1,661 5s. 10d. respectively are owing in respect of the above-mentioned loans. The Board is endeavouring to effect a conversion of its loans under the Local Authorities Interest Reduction and Loans Conversion Act, 1932-33, and the three lenders have agreed, on such conversion taking place, that the aforementioned arrears of interest shall be added to, and form part of, the principal sum to be secured by the new debentures. The conversion scheme has, however, been delayed temporarily pending settlement of the question of arrears of interest. The purpose of the clause is to give legislative effect to the agreement arrived at between the Board and its lenders as to the capitalization of arrears of interest.

Clause 32: Validating certain judgments for rates obtained by Marlborough Electric-power Board (I.A. 1933/120/86).—During the financial year ended on 31st March, 1930, the Marlborough Electric-power Board levied an availability rate under the powers conferred by section 64 of the Electric-power Boards Act, 1925, and a further rate was levied for the financial year ended on 31st March, 1931. An amount of £1,857 is outstanding in respect of the first levied rate and an amount of £387 in respect of the second levied rate and judgments have been obtained for same in the Magistrate's Court at Blenheim. The Board resolved to collect each rate itself, and the provisions of the Rating Act, 1925, as to the collection and recovery of rates, therefore applied. Section 61 of the Rating Act requires that a demand for any rate due shall be made in writing purporting to be signed by any person duly appointed by the local authority to collect rates. The Board has, however, never by resolution or in any other way appointed any person to collect rates, and the demands for the above-mentioned rates were sent out over the printed signature of the Board's Secretary, although he has not, in any way, been appointed a rate collector. A doubt has now been raised as to whether the judgments obtained are valid in view of the fact that the demands were defective in the above-mentioned manner. The Board has collected the majority of the rates levied in each year, and the purpose of the clause is to validate the judgments obtained for the outstanding rates.

#### *River and Drainage Boards.*

Clause 33: Authorizing Taupiri Drainage and River Board to raise loan of £10,000 for contribution towards certain drainage works (I.A. 1934/120/29).—The Public Works Department is engaged in carrying out a comprehensive drainage scheme for the Taupiri Drainage and River District. By the terms of an agreement entered into with the Minister of Public Works the Taupiri Drainage and River Board has agreed to contribute a sum of £10,000 towards the cost of the work. The scheme is being carried out with the aid of unemployed labour, and the Board made application to the Local Government Loans Board, pursuant to the Local Authorities Empowering (Relief of Unemployment) Act, 1926, for authority to raise the amount of its contribution without taking a poll of ratepayers. The raising of the amount involved was sanctioned by the Loans Board on the 15th December, 1932, but the Drainage Board has not yet been in a position to raise the sum authorized. The Local Authorities Empowering (Relief Unemployment) Act, 1926, expired on the 31st July, 1933, and consequently the authority for the Board to raise the sum required without a poll also lapsed on that date. In view of the circumstances, it is desired to place the Board in the same position as it was prior to the expiry of the legislation of 1926, and the clause accordingly authorizes the Board to raise the amount of £10,000 required as its proportion of the cost of the work without a poll of ratepayers, but subject to the sanction of the Local Government Loans Board.

*Affecting Two or More Classes of Public Bodies.*

Clause 34 : Authorizing certain local authorities to contribute to Wellington Branch of the New Zealand Free Ambulance Transport Service (I.A. 1933/120/48).—The clause authorizes the local authorities mentioned therein to each contribute a certain sum towards the Wellington Free Ambulance Service during the present financial year.

Clause 35 : Validating certain terms of agreement between Hastings Borough Corporation and Hawke's Bay Electric-power Board (I.A. 1934/120/9).—The Hastings Borough Council and the Hawke's Bay Electric-power Board have entered into an agreement whereby the Electric-power Board is to purchase the electrical undertaking of Hastings which has been conducted by the Hastings Borough Council for some years. The terms of the agreement provide, amongst other things, that the purchase price of the undertaking will be approximately £128,000, but this sum will be varied according to the book-values of certain assets and liabilities as at the date of possession—viz., 1st October, 1934. It is further provided that the purchase-money will be paid by instalments extending over a period of twenty-six years, and the Electric-power Board has, by the terms of the agreement, given security to the Borough Council for the payment of the unpaid purchase-money and interest by means of a mortgage over the revenues to be derived from the Electric-power Board's undertaking and operations within the Borough of Hastings. There is no legal authority for the Electric-power Board to enter into an agreement to pay the purchase-money and interest by means of instalments, nor to give the aforementioned mortgage as security. The local authorities accordingly desire that these two terms of the agreement shall be validated, and the clause provides accordingly.

Clause 36 : Revesting in the Masterton Trust Lands Trustees certain pieces of land vested in Masterton Borough Corporation (I.A. 1934/120/26).—Section 28 of the Masterton Trust Lands Act, 1889, vests certain land, being formerly the property of the Masterton Trust Lands Trustees, in the Corporation of the Borough of Masterton for street purposes. In various cases the vesting of these lands had the effect of widening the streets concerned to a greater width than the statutory 100 links, and at the same time of leaving the relative street boundaries out of alignment. The pieces of land exceeding the statutory width of 100 links have remained in the occupation of the Trustees, and have not been used for street purposes nor has public money been expended on such areas. It is now desired that the various strips of land concerned should be revested in the Trustees, and the clause provides accordingly.

Clause 37 : Authorizing dedication by the Masterton Trust Lands Trustees of certain land for street purposes in the Borough of Masterton (I.A. 1934/120/26).—The Masterton Trust Lands Trustees are the owners of Lots 27 and 29, being parts of Section 6, Masterton Small Farm Settlement, and for the purpose of enabling a subdivision of these lands to be carried out the Trustees wish to dedicate as a street a strip of land 100 links wide. Such dedication would have the effect of making a continuation of an existing street known as Macara Street, which at present is a cul-de-sac. The Trustees have, however, no power of alienation enabling them to effect the dedication. The clause authorizes the Trustees to dedicate the land in question as a street.

Clause 38 : Validating expenditure incurred by Hastings Borough Council and Bluff and Lyttelton Harbour Boards in connection with relief of distress (I.A. 1933/120/29).—The clause validates the action of certain local authorities in contributing to funds which have been established in their districts for the relief of distress caused by unemployment.

*Miscellaneous.*

Clause 39 : Validating issue of certain debentures by Motunau Rabbit Board (I.A. 1934/120/6).—The Pyne, Gould, Guinness Provident and Superannuation Association, Limited, held three debentures for £100 each issued by the Motunau Rabbit Board which were payable respectively on the 28th March of the years 1933, 1938, and 1943. The Board came to an agreement with the association in the purported exercise of the power conferred by section 58 of the Local Bodies' Loans Act, 1926, for an extension of the date of maturity of the debentures. The association thereupon sur-

rendered the debentures to the Board, and the Board issued three further debentures payable as to two of them on the 28th March, 1944, and as to the third on the 28th March, 1945. The procedure adopted by the Board in regard to the compromise was, however, without lawful authority, and the association's security has been imperilled. Validation is desired in order that the interests of the association may be safeguarded.

Clause 40: Abolishing the Blackstone Hill Rabbit District (I.A. 1934/120/19).—The clause provides for the abolition of the Blackstone Hill Rabbit District, as no Board of Trustees has been established to control the district.

Clause 41: Authorizing Masterton Trust Lands Trustees to borrow a sum not exceeding £3,000 for the purpose of repairing earthquake damage (I.A. 1934/120/11).—During the earthquake which occurred on the 5th March, 1934, certain buildings belonging to the Masterton Trust Lands Trustees were extensively damaged and, as most of such buildings are let as business premises, urgent repairs became necessary to put them in a sound condition for occupation. Owing to the nature of the work carried out by the Trustees—*i.e.*, the furthering of the interests of education in the Masterton district—there are no funds available for the purpose of meeting such a large expenditure as that necessary to restore the damage caused by the earthquake. Such expenditure is estimated at £3,000. Had the Trustees been a "local authority" within the meaning of the Local Bodies' Finance Act, 1921-22, the amount required could have been raised under the provisions of section 7 thereof, which section authorizes the Minister of Internal Affairs to consent to a local authority borrowing money for the purpose of repairing extraordinary damage. The provisions of this section are, however, not available to the Trustees, nor have they any power to incur an overdraft in anticipation of revenue. It is necessary that the Trustees should be in a position to obtain finance for the purpose of effecting the necessary repairs to buildings and the clause, which is made retrospective to the 5th March, 1934, authorizes the Trustees to borrow a sum of £3,000 for this purpose. In terms of the legislation the Trustees will require to obtain the consent of the Minister of Internal Affairs and the sanction of the Local Government Loans Board in all respects as if they were a local authority within the meaning of the Local Bodies' Finance Act, 1921-22.

Clause 42: Authorizing Cornwall Park Trustees to grant an extended lease of portion of Cornwall Park to the Auckland Metropolitan Agricultural and Pastoral Association, Incorporated (I.A. 1934/120/15).—A certain portion of Cornwall Park, Auckland, has for many years been leased by the Trustees to the Auckland Agricultural and Pastoral Association for the purposes of a showground. The Agricultural and Pastoral Association is now desirous of erecting substantial buildings on portion of the area occupied by it, but desires that it should be given the security of a long lease. The Trustees have agreed to grant a lease to the Association for a period of forty years at a rental of £100 per annum. The Trustees are, however, doubtful as to whether the terms of the Trust Deed are such that the leasing of the area at the above-mentioned rental is within the discretion of the Trustees. Legislation is therefore desired in order to place the matter beyond doubt and the clause provides accordingly.

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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,  
9th November, 1934.*

*Hon. Mr. Young.*

## LOCAL LEGISLATION.

### ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p style="text-align: center;"><i>County Councils.</i></p> <p>2. Extending period of appointment of Commissioner for County of Matakaoa.</p> <p>3. Provision respecting expenditure by Buller County Council on repair of earthquake and flood damage.</p> <p>4. Validating allocation of interest charges on bridges loan of £209,000 raised by Patangata County Council.</p> <p>5. Fixing boundaries of Sounds County.</p> <p>6. Legalizing a special loan of £4,000 raised by the Waitotara County Council in respect of the Ahu Ahu Special-rating District.</p> <p>7. Validating certain payments of interest by Waiapu County Council.</p> <p style="text-align: center;"><i>City and Borough Councils.</i></p> <p>8. Authorizing Auckland City Council to raise special loan not exceeding £29,000.</p> <p>9. Special provisions with respect to sinking funds of certain original and renewal loans raised by the Auckland City Council.</p> <p>10. Authorizing remission of rates by Gisborne Borough Council.</p> <p>11. Provision with respect to encroachment of Druids building on Lambton Quay and Woodward Street.</p> <p>12. Authorizing Taihape Borough Council to expend certain moneys held in trust for purchase of land.</p> | <p>13. Extension of time for construction of Evans Bay reclamation.</p> <p>14. Authorizing transfer of cemetery and maintenance fund to Corporation of the City of Nelson.</p> <p>15. Authorizing Hawera Borough Council to erect hotel and other business premises on certain corporation land.</p> <p>16. Provision with respect to amalgamation of depreciation funds created by Eastbourne Borough Council in respect of transport undertakings.</p> <p>17. Authorizing Akaroa Borough Council to take poll <i>re</i> weekly half-holiday.</p> <p style="text-align: center;"><i>Town Boards.</i></p> <p>18. Authorizing Mount Maunganui Town Board to pay costs of Commission in connection with the constitution of Mount Maunganui Town District.</p> <p style="text-align: center;"><i>Harbour Boards.</i></p> <p>19. Authorizing sale of certain land by Timaru Harbour Board.</p> <p>20. Validating payment of certain costs relating to renewal loans by New Plymouth Harbour Board out of sinking funds.</p> <p>21. Section 70 of Local Legislation Act, 1928, amended.</p> <p>22. Authorizing payments of remuneration by Wellington Harbour Board to any Sinking Fund Commissioner.</p> |
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| <p>23. Empowering Lyttelton Harbour Board to sell certain property at Sumner to Sumner Borough Council.</p> <p>24. Validating proceedings in connection with certain loans raised by Otago Harbour Board.</p> <p>25. As to payment of interest, &amp;c., on Thames Harbour Board loans for year ending 30th September, 1935.</p> <p>26. Validating demand for Thames Harbour Board rates for year ended 30th September, 1934.</p> <p>27. Authorizing Whangarei Harbour Board to borrow a sum of £2,000.</p> <p style="text-align: center;"><i>Hospital Boards.</i></p> <p>28. Removing doubts as to purposes of expenditure by Hawke's Bay Hospital Board of Kelly bequest.</p> <p>29. Vesting hospital-site in Wairoa Hospital Board.</p> <p style="text-align: center;"><i>Electric-power Boards.</i></p> <p>30. Authorizing Waimea Electric-power Board to borrow a sum of £2,400 by way of overdraft.</p> <p>31. Authorizing Wairoa Electric-power Board to capitalize certain arrears of interest.</p> <p>32. Validating certain judgments for rates obtained by Marlborough Electric-power Board.</p> <p style="text-align: center;"><i>River and Drainage Boards.</i></p> <p>33. Authorizing Taupiri Drainage and River Board to raise loan of £10,000 for contribution towards certain drainage works.</p> | <p><i>Affecting Two or More Classes of Public Bodies.</i></p> <p>34. Authorizing certain local authorities to contribute to Wellington Branch of the New Zealand Free Ambulance Transport Service.</p> <p>35. Validating certain terms of agreement between Hastings Borough Corporation and Hawke's Bay Electric-power Board.</p> <p>36. Revesting in the Masterton Trust Lands Trustees certain pieces of land vested in Masterton Borough Corporation.</p> <p>37. Authorizing dedication by the Masterton Trust Lands Trustees of certain land for street purposes in the Borough of Masterton.</p> <p>38. Validating expenditure incurred by Hastings Borough Council and Bluff and Lyttelton Harbour Boards in connection with relief of distress.</p> <p style="text-align: center;"><i>Miscellaneous.</i></p> <p>39. Validating issue of certain debentures by Motunau Rabbit Board.</p> <p>40. Abolishing the Blackstone Hill Rabbit District.</p> <p>41. Authorizing Masterton Trust Lands Trustees to borrow a sum not exceeding £3,000 for the purpose of repairing earthquake damage.</p> <p>42. Authorizing Cornwall Park Trustees to grant an extended lease of portion of Cornwall Park to the Auckland Metropolitan Agricultural and Pastoral Association, Incorporated.</p> |
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## A BILL INTITULED

Title.

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

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority 5  
of the same, as follows:—

Short Title.

1. This Act may be cited as the Local Legislation Act, 1934.

*County Councils.*

Extending period of appointment of Commissioner for County of Matakaoa.

2. Subsection eleven of section ten of the Local 10  
Legislation Act, 1932-33, is hereby amended by omitting the words "nineteen hundred and thirty-five", and substituting the words "nineteen hundred and thirty-eight".

3. Whereas during the financial year ended the thirty-first day of March, nineteen hundred and thirty-four, the Buller County Council (hereinafter called the Council) borrowed moneys from its bankers by way of
- 5 overdraft in excess of the limits prescribed by section three of the Local Bodies' Finance Act, 1921-22 (hereinafter referred to as the said Act): And whereas such excess overdraft was occasioned primarily by reason of
- 10 repair and reconstruction work in the County of Buller consequent upon the earthquake which occurred in the month of June, nineteen hundred and twenty-nine, and the consequent flooding of various rivers: And whereas such extraordinary expenditure could have been autho-
- 15 rized pursuant to the provisions of the Local Government Loans Board Act, 1926, and section seven of the said Act, but the Council omitted to obtain the necessary sanction and consents thereunder: Be it therefore enacted as follows:—
- 20 (1) Any moneys at any time heretofore expended by the Council for the purpose of repairing damage to roads and rivers in the County of Buller caused by reason of the aforesaid earthquake and consequent flooding of
- 25 the said sum) equal to the amount of the overdraft as at the thirty-first day of March, nineteen hundred and thirty-four, in excess of the statutory limit fixed by section three of the said Act, shall be deemed to have been lawfully borrowed under section seven of the said
- 30 Act in all respects as if the Council had obtained the necessary sanction and consents as aforesaid to borrow such moneys.
- (2) The said sum shall be repaid by the Council by seven equal payments out of the moneys credited
- 35 to the General Account of the County Fund, one such payment to be made in each year of the period of seven years commencing on the first day of April, nineteen hundred and thirty-four:
- Provided that the Council may in any year repay
- 40 an amount greater than such seventh part.
- (3) The said sum shall not at any time heretofore be deemed to have been taken into account nor shall any amount at any time hereafter lawfully owing under

Provision  
respecting  
expenditure by  
Buller County  
Council on repair  
of earthquake  
and flood  
damage.

this section be taken into account in determining the amount that may be borrowed or that may be owed by the Council pursuant to section three of the said Act.

Validating  
allocation of  
interest charges  
on bridges loan  
of £209,000  
raised by  
Patangata  
County Council.

4. Whereas the Patangata County Council (hereinafter called the Council) pursuant to a proposal carried by the ratepayers of the Patangata County on the twenty-second day of March, nineteen hundred and twenty-one, was authorized to raise a loan of two hundred and nine thousand pounds (hereinafter called the said loan) for the purpose of re-erecting and renewing all the bridges and culverts in the said county, the sum of one hundred and seventy-one thousand nine hundred and ninety-two pounds being allocated to the several ridings of the said county, and the remainder to the general purposes of the county: And whereas of the amount authorized the sum of sixty thousand pounds has been raised and expended: And whereas the security for the said loan was stated in the proposal as set out in the voting-paper to be an annual special rate of three farthings in the pound, to be made and levied on the capital value of all rateable property in the Patangata County, such rate to be an annual-recurring rate until the said loan is repaid: And whereas the Council passed a special order on the seventh day of February, nineteen hundred and twenty-two, providing that in lieu of a special rate of three farthings in the pound on the capital value of all rateable property in the Patangata County, special rates to the extent necessary to meet interest, sinking fund, and other charges upon the amount of the said loan expended in each riding be struck and levied on the capital value of each riding: And whereas the action of the Council was without authority of law: And whereas it is now desired that such unlawful action be validated in respect of the period up to and including the thirty-first day of March, nineteen hundred and thirty-four, and that authority be given to strike similar special rates over the several ridings for the year ending on the thirty-first day of March, nineteen hundred and thirty-five: Be it therefore enacted as follows:—

(1) The action of the Council hitherto in paying the annual charges on the said loan out of riding funds in proportion to the amounts of the said loan expended in the respective ridings is hereby validated.

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(2) The Council may make and levy special rates to the extent necessary to provide for the annual charges on the said loan for the year ending on the thirty-first day of March, nineteen hundred and thirty-five, upon the basis set out in the *last preceding* subsection.

5 **5.** Whereas doubts have arisen as to the boundaries of the County of Sounds: And whereas it is desirable to remove such doubts and to fix the boundaries of the said county: Be it therefore enacted as follows:—

Fixing  
boundaries of  
Sounds County.

10 The County of Sounds is hereby declared to consist of—

All those areas of land above mean high-water mark situated in the Nelson and Marlborough Land Districts, including the mainland and islands lying within an area bounded by a line commencing at a point on the sea-  
15 coast at Pukerau Point; thence along a right line running due north to its intersection with the parallel of latitude  $40^{\circ} 30'$  south; thence due east along that parallel of latitude to its intersection with the meridian of longitude  $174^{\circ} 30'$  east; thence due south along that meridian to  
20 a point due east of the southernmost point of White's Bay; thence along a right line to the southernmost point of White's Bay; thence along the boundaries of the Marlborough County as described in the *Gazette* of the tenth day of March, nineteen hundred and thirty-two,  
25 page 473, to North Castor Peak; thence along a right line from North Castor Peak to Pukerau Point, the place of commencement.

**6.** Whereas on the seventeenth day of November, nineteen hundred and eleven, the Waitotara County  
30 Council (hereinafter called the Council) was, pursuant to section fifteen of the Local Bodies' Loans Act, 1908, authorized by ratepayers of portion of the County of Waitotara to raise a special loan of four thousand pounds (hereinafter referred to as the said loan) on  
35 the security of a special rate over a portion of the county known for the purposes of the said loan as the Ahu Ahu Special-rating District (hereinafter referred to as the Ahu Ahu District): And whereas the Ahu Ahu District was incorrectly defined by the Council: And  
40 whereas such special rate was made as a rate of twopence and one farthing in the pound on the rateable value of all rateable property in the Ahu Ahu District: And whereas

Legalizing a  
special loan of  
£4,000 raised by  
the Waitotara  
County Council  
in respect of the  
Ahu Ahu  
Special-rating  
District.

the said loan was raised under the New Zealand State-guaranteed Advances Act, 1909, as to portion thereof at one rate of interest and as to another portion thereof at a higher rate of interest than that contemplated when such special rate was made and levied: 5  
 And whereas it accordingly became necessary to make provision in addition to such special rate to meet the increased annual payments in respect of the said loan: And whereas in making such additional provision pursuant to section three of the New Zealand State-guaranteed Advances Amendment Act, 1912, the Council mistakenly made a special rate of twopence and three-eighths of a penny instead of one-eighth of a penny in the pound on the rateable value of all rateable property in the Ahu Ahu District: And whereas 10  
 it is expedient to make provision as hereinafter appears to legalize the said loan: Be it therefore enacted as follows:— 15

(1) It is hereby declared that the said loan shall for all purposes be deemed to have been lawfully raised by the Council. 20

(2) The Ahu Ahu District is hereby declared to consist, and at all relevant times heretofore to have consisted, of—

Section 1, Block II, Waipakura Survey District: 25

One thousand six hundred and eighty acres three roods thirty-four perches;

Puketotara 2D 2B 2, Block 9, Tauakira Survey District: Two thousand three hundred and thirty-nine acres and twenty-nine perches; 30

Section 3, Block 12, Momahaki Survey District: One thousand three hundred and forty-one acres one rood;

Section 3, Block 13, Tauakira Survey District: One thousand nine hundred and eighteen acres; 35

Section 2, Block 13, Tauakira Survey District: One thousand eight hundred and twenty acres three roods nineteen perches;

Section 1, Block 14, Tauakira Survey District: One thousand and fifty-eight acres; 40

Section 1, Block 12, Momahaki Survey District: One thousand nine hundred and forty-six acres;

Section 2, Block 14, Tauakira Survey District :

One thousand nine hundred and sixteen acres ;

Section 3, Block 14, Tauakira Survey District :

One thousand two hundred and seventy acres ;

5 and

Section 1, Block 9, Tauakira Survey District : One thousand two hundred and two acres.

(3) The Council shall for all purposes be deemed to have duly made—

10 (a) On the eighth day of January, nineteen hundred and twelve, a special rate of twopence and one farthing in the pound on the rateable value of all rateable property in the Ahu Ahu District for the purposes of the said loan ; and

15 (b) On the third day of March, nineteen hundred and thirteen, pursuant to subsection one of section three of the New Zealand State-guaranteed Advances Amendment Act, 1912, a special rate of one-eighth of a penny in the pound on the rateable value of all such rateable property as aforesaid to meet the increased annual payments in respect of the said loan consequent on part thereof having been raised at such higher rate of interest as aforesaid.

20 (4) All relevant resolutions of the Council and notices in the *Gazette* and other relevant instruments, documents, and papers in respect of the said loan shall be read as at all times defining the Ahu Ahu District to consist of the lands mentioned in subsection *two* hereof, and as  
30 mentioning the said rate of one-eighth of a penny instead of a rate of twopence and three-eighths of a penny as aforesaid.

(5) The raising by the Council of an additional loan of ten per centum of the said loan and the making of a  
35 special rate of one farthing in the pound on the rateable value of all rateable property in the Ahu Ahu District in connection with such additional loan shall not be questioned in any Court on any ground whatever.

40 7. The payments made by the Waiapu County Council, amounting to the sum of fifty pounds four shillings and fourpence in the financial year ended the thirty-first day of March, nineteen hundred and thirty-one, and amounting to the sum of twenty-five pounds two shillings and two-

Validating  
certain payments  
of interest by  
Waiapu County  
Council.

pence in the financial year ended the thirty-first day of March, nineteen hundred and thirty-two, for interest on purchase-money payable in respect of the purchase of a cottage, which was required for county purposes, are hereby respectively validated and declared to have been lawfully made. 5

*City and Borough Councils.*

Authorizing  
Auckland City  
Council to raise  
special loan not  
exceeding  
£29,000.

8. Whereas certain leases granted by the Auckland City Council (hereinafter called the Council) or its predecessors in title, have recently expired and other leases will shortly expire: And whereas under some of such leases compensation is payable or has already been paid by the Council in respect of buildings erected in terms of such leases: And whereas it became necessary for the Council to commence certain substantial alterations, improvements, and repairs to some of the buildings acquired by the Council under such expired leases, and it will be necessary for the Council to carry out alterations, improvements, and repairs to the buildings affected by the leases shortly to expire: And whereas part of the compensation under such expired leases and part of the expenditure on such buildings has already been advanced by the Council out of its General Account: And whereas the Council is desirous of raising a loan for the purpose of providing the moneys required for such further works and compensation and for the purpose of repaying to the General Account the moneys already advanced thereout by the Council as aforesaid: Be it therefore enacted as follows:—

(1) The Council is hereby authorized to borrow by way of special loan a sum or sums not exceeding in the aggregate twenty-nine thousand pounds for the following purposes:—

- (a) Providing funds for the payment of compensation payable under any leases granted by the Council or its predecessors in title which have already expired or will expire during the period from the first day of April, nineteen hundred and thirty-three, to the thirty-first day of March, nineteen hundred and thirty-five:
- (b) Providing funds for the cost of alterations, improvements, and repairs to buildings the leases of which have already expired or will expire during the aforesaid period, including the buildings known as the Victoria Arcade in the City of Auckland.

(2) The Council is hereby authorized and empowered to refund to its General Account from the proceeds of any such loan all moneys heretofore or hereafter paid or advanced by the Council on account of the compensation and works aforesaid.

9. Whereas on the first day of January, nineteen hundred and thirty-four, the sum of one hundred thousand pounds, being portion of a loan known as Additional Loan, 1883, £200,000 (hereinafter referred to as the first original loan), raised in London by the Auckland City Council (hereinafter called the Council) under the City of Auckland Additional Loan Act, 1883, fell due: And whereas on the first day of January, nineteen hundred and thirty-four, the sum of one hundred thousand pounds, being portion of a loan known as Streets Improvement Loan, 1913, £225,000 (hereinafter referred to as the second original loan), raised by the Council under the Local Bodies' Loans Act, 1908, fell due: And whereas by an Order in Council under the Local Government Loans Board Act, 1926, dated the thirteenth day of November, nineteen hundred and thirty-three (and subject to the determinations as to borrowing and repayment therein set out), consent was given to the raising by the Council of the following loans (hereinafter referred to as the repayment loans), namely—Additional Loan 1883 Redemption Loan, 1934, £100,000; Streets Improvement 1913 (£225,000) Redemption Loan, 1934, £100,000: And whereas pursuant to an Order in Council under the Local Government Loans Board Act, 1926, dated the fourth day of December, nineteen hundred and thirty-three, consenting to the borrowing of the sum of two hundred thousand pounds (pending the raising thereof by way of special loans) by the hypothecation or mortgage of the debentures authorized to be issued in respect of the repayment loans, the Council borrowed the said sum of two hundred thousand pounds from the Bank of New Zealand, and the moneys so borrowed by the Council from the said bank were applied in repayment of the said sum of one hundred thousand pounds under the first original loan and of the sum of one hundred thousand pounds under the second original loan, of which portions were paid in London and the balances in New Zealand: And whereas the balance of the first original loan falls due

Special provisions with respect to sinking funds of certain original and renewal loans raised by the Auckland City Council.

as follows—twenty-five thousand pounds on the first day of January, nineteen hundred and thirty-five; twenty-five thousand pounds on the first day of January, nineteen hundred and thirty-six; twenty-five thousand pounds on the first day of January, nineteen hundred and thirty-seven; twenty-five thousand pounds on the first day of January, nineteen hundred and thirty-eight: And whereas the balance of the second original loan amounts to one hundred thousand pounds and the maturity date thereof was fixed for the first day of August, nineteen hundred and thirty-five, but such balance or sum of one hundred thousand pounds has now been converted and included in the Auckland City Conversion Loan, 1934: And whereas the Auckland City Sinking Funds Commissioners (hereinafter called the Commissioners), pursuant to a sanction of the Local Government Loans Board, granted on the third day of November, nineteen hundred and thirty-three, have retained the sum of one hundred thousand pounds of the accumulated sinking fund held by them in respect of the first original loan for the purpose of repaying the Additional Loan 1883 Redemption Loan, 1934, £100,000, at maturity: And whereas the Commissioners, pursuant to a sanction of the Local Government Loans Board, granted on the third day of November, nineteen hundred and thirty-three, have retained the whole of the accumulated sinking fund held by them in respect of the second original loan for the purpose of repaying the Streets Improvement 1913 (£225,000) Redemption Loan, 1934, £100,000, at maturity: And whereas the totals as at the thirty-first day of March, nineteen hundred and thirty-four, of the respective sinking funds established in respect of the first and second original loans were two hundred and twenty-three thousand four hundred and eighty-three pounds and one hundred and eight thousand seven hundred and seventy-three pounds respectively, and the Council is desirous that the interest on the said respective sinking funds should be paid to the Council: Be it therefore enacted as follows:—

(1) Notwithstanding anything contained in the Local Bodies' Loans Act, 1926, or in any other Act, the Commissioners shall pay to the Council the whole of the net interest received during the period from the first day of

January, nineteen hundred and thirty-four, to the thirty-first day of March, nineteen hundred and thirty-five, from the respective sinking funds held by the Commissioners in respect of the first and second original loans, 5 and the Council shall apply such interest in or towards paying the interest on the outstanding balance of the first original loan and the interest on the repayment loans.

(2) The Commissioners shall, on demand, pay to the Council, out of the said respective sinking funds, such 10 portions of the said two several sums of one hundred thousand pounds which fell due on the first day of January, nineteen hundred and thirty-four, as were paid in New Zealand respectively.

10. Whereas the Gisborne Borough Council (hereinafter 15 called the Council) is desirous of obtaining authority to remit rates amounting to thirty-six pounds three shillings and eightpence (hereinafter referred to as the said rates), being the rates for the current year ending on the 20 thirty-first day of March, nineteen hundred and thirty-five, levied by the Council, and 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 1 of 1 of 25 130 of 6A Fitzherbert Street, situated in the Borough of Gisborne, and numbered 2351 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.

30 The Council is hereby authorized to remit the said rates and to absolve the said association and the said lands from liability in respect thereof.

11. Whereas the building belonging to the trustees, Grand Lodge United Ancient Order of Druids, North 35 Island of New Zealand (hereinafter called the trustees), situate on part of Section 487 in the City of Wellington, encroaches in two places on Lambton Quay as aligned at that part of such street for spaces varying in width from six one-hundredths of a link to ten one-hundredths of a link and also encroaches in six places on Woodward 40 Street as aligned at that part of such street for spaces

Provision with respect to encroachment of Druids building on Lambton Quay and Woodward Street.

varying in width from ten one-hundredths of a link to twenty-two one-hundredths of a link, which encroachments have existed since the erection of the building in or about the year nineteen hundred and twenty-five: And whereas the trustees have applied to the Wellington City Council to license them to continue the said encroachments during the life of the present building: Be it therefore enacted as follows:— 5

The Wellington City Council is hereby empowered to grant to the trustees and their privies a license to occupy the parts of the said streets so occupied as aforesaid during such period as the said building at present existing shall remain. 10

Authorizing  
Taihape Borough  
Council to  
expend certain  
moneys held in  
trust for  
purchase of  
land.

12. Whereas by section twenty of the Local Legislation Act, 1930, the Taihape Borough Council (hereinafter called the Council) was authorized to sell the land therein described, being land vested as a reserve in the Corporation of the Borough of Taihape (hereinafter called the Corporation) in trust for municipal purposes, the net proceeds of such sale to be applied to the purchase of other land which should then become vested in the Corporation in trust for municipal purposes, subject to the provisions of the Public Reserves, Domains, and National Parks Act, 1928: And whereas the Council sold such first-mentioned land for the sum of eight hundred and fifty pounds: And whereas the Council has purchased, out of the proceeds of such sale, for the sum of four hundred and seventy-five pounds, all that area of land (hereinafter referred to as the said land) situated in the Wellington Land District, containing by admeasurement one rood, more or less, being Section 1, Block VII, Town of Taihape, to be held by the Corporation in trust for municipal purposes, subject to the provisions of the Public Reserves, Domains, and National Parks Act, 1928: And whereas the Council is now desirous of having certain buildings erected upon the said land and desires to expend upon such buildings the unexpended balance of the said sum of eight hundred and fifty pounds: Be it therefore enacted as follows:— 15 20 25 30 35

The Council may expend in the erection of permanent buildings on the said land the unexpended balance of the said sum of eight hundred and fifty pounds, and such unexpended balance is for such purpose only hereby freed from the trust created by section twenty of the Local Legislation Act, 1930. 40

13. Subsection one of section seven of the Wellington City Reclamation and Empowering Act, 1906, as amended by section five of the Wellington City Empowering and Amendment Act, 1929, is hereby amended by omitting the word "twenty-nine", and substituting the word "thirty-six".

Extension of time for construction of Evans Bay reclamation.

14. Whereas Robert Lindsey, late of Brighouse, near Halifax, in the County of York, in England, duly made his last will and testament bearing date the twenty-eighth day of August, eighteen hundred and fifty-six, and duly made a codicil to such will bearing date the twenty-eighth day of July, eighteen hundred and fifty-seven, and by such codicil devised and bequeathed all that parcel of land, being Town Acre Number 667 on the plan of the City of Nelson, in New Zealand, with the buildings then used as a meeting-house by the Society of Friends, unto certain persons therein described so long as they should continue members of the Society of Friends, according to the regulations of the yearly meeting, and to their heirs and assigns respectively to hold the same upon trust for the same purposes for which the same were then held or used, and gave power to such trustees to appoint new trustees so qualified by membership and of conveying such property to new trustees: And whereas the before-mentioned meeting-house no longer exists on the said lands and the said Society of Friends has no organization or branch of the Society in the City of Nelson: And whereas by section forty-six of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1922, the trustees for the time being of the said lands, acting under the trusts of the said codicil, were empowered to sell the said acre, with the exception of a small portion thereof (hereinafter referred to as the said burial-ground) wherein certain former members of the said society are buried: And whereas, in pursuance of such powers, the trustees for the time being of the said lands have sold the whole of the said acre, with the exception of the said burial-ground: And whereas such trustees are now desirous of transferring the said burial-ground to the Corporation of the City of Nelson (hereinafter called the Corporation) upon trust to maintain the said burial-ground, and are also desirous of paying to the Nelson City Council (hereinafter called the Council) the sum of one hundred pounds

Authorizing transfer of cemetery and maintenance fund to Corporation of the City of Nelson.

as a fund for the future maintenance of the said burial-ground: And whereas the Council has expressed its willingness to accept a transfer of the said burial-ground and the payment of the said sum of one hundred pounds upon the terms aforesaid: Be it therefore enacted as follows:— 5

(1) The trustees for the time being of the said burial-ground are hereby authorized to transfer, and the Corporation is hereby authorized to accept, the said burial-ground, being Lot 6 on a plan deposited in the Land Transfer Office at Nelson under Number 1571, upon trust to maintain the same as a burial-ground vested in the Corporation. 10

(2) Upon such transfer as aforesaid the trustees shall pay to the Council the aforesaid sum of one hundred pounds upon trust as a fund to provide for the future maintenance of the said burial-ground. 15

Authorizing  
Hawera Borough  
Council to erect  
hotel and other  
business premises  
on certain  
corporation  
land.

15. Whereas the Corporation of the Borough of Hawera is the proprietor of Allotments 1, 2, 3, 4, 5, 6, 7, and 8 on deposited plan Number 52, part Section 19, Town of Hawera, being all the land in certificate of title, Volume 132, folio 112 (Taranaki Registry), on which are situated the Commercial Hotel and other buildings: And whereas the Hawera Borough Council is desirous of erecting new buildings on the said land: Be it therefore enacted as follows:— 20

The Hawera Borough Council is hereby empowered and authorized— 25

- (a) To erect, construct, and maintain on the said land, or part thereof, a building or buildings to be used as an hotel; and also to erect, construct, and maintain on the said land or part thereof such shops, offices, or other suitable business premises as the Council shall think fit: 30
- (b) To utilize the said hotel, shops, offices, or business premises for such purposes as the Council shall think fit: 35
- (c) To let or lease in the manner prescribed by the Public Bodies' Leases Act, 1908, the said hotel, shops, offices, or business premises, or any of them: 40
- (d) To raise a special loan or loans under the Local Bodies' Loans Act, 1926, with the consent of the ratepayers first had and obtained, for such amount or amounts as the Council shall think

fit, and to expend the money so raised in the erection and construction of such building or buildings.

16. (1) For all purposes of sections one hundred and  
 5 seventeen to one hundred and twenty-seven of the  
 Municipal Corporations Act, 1933, the steamer ferry-  
 service and the motor omnibus passenger-service  
 undertakings of the Eastbourne Borough Council shall,  
 on and from the first day of April, nineteen hundred and  
 10 thirty-four, be deemed to be one trading undertaking.

Provision with  
 respect to  
 amalgamation  
 of depreciation  
 funds created  
 by Eastbourne  
 Borough Council  
 in respect of  
 transport  
 undertakings.

(2) The separate depreciation funds established by the  
 Council for each of the said undertakings are hereby  
 amalgamated as one fund and declared to be the  
 Depreciation Fund for the one trading undertaking  
 15 aforesaid, and all moneys forming part of or payable to the  
 said separate funds at the passing of this Act are hereby  
 declared to be moneys belonging to the Depreciation  
 Fund of such one trading undertaking, and shall accord-  
 20 ingly be transferred or paid, as the case may be, to such  
 Fund. The Public Trustee is hereby discharged from  
 office as the sole Commissioner of each of the said separate  
 funds and declared to be the sole Commissioner of the  
 Depreciation Fund of the one trading undertaking  
 25 aforesaid, to hold office as such until duly removed  
 therefrom by the Council.

17. Notwithstanding anything in any Act to the  
 contrary, the Akaroa Borough Council is hereby authorized  
 to take a poll at any date after the passing of this  
 Act on the matter of changing the weekly half-holiday  
 30 from Saturday to any other week day.

Authorizing  
 Akaroa Borough  
 Council to take  
 poll re weekly  
 half-holiday.

#### *Town Boards.*

18. Whereas the Mount Maunganui Town District  
 was duly constituted by Proclamation dated the twenty-  
 fifth day of August, nineteen hundred and thirty, and  
 35 published in the *Gazette* of the twenty-eighth day of the  
 same month: And whereas prior to the constitution  
 of the said Mount Maunganui Town District a Commission  
 was duly set up to inquire into and report upon the  
 petition praying for the constitution of the said town  
 40 district, and the objections thereto: And whereas the  
 said Commission made an order pursuant to the pro-  
 visions of section eleven of the Commissions of Inquiry  
 Act, 1908, charging the petitioners for the constitution  
 of the said town district with the costs of the said  
 45 Commission, amounting to twenty-four pounds fifteen

Authorizing  
 Mount  
 Maunganui  
 Town Board to  
 pay costs of  
 Commission in  
 connection with  
 the constitution  
 of Mount  
 Maunganui  
 Town District.

shillings and elevenpence: And whereas the said petitioners have been called upon to pay the said costs: And whereas the Mount Maunganui Town Board is desirous of paying the said costs on behalf of the said petitioners out of the general funds of the said Board: 5  
Be it therefore enacted as follows:—

The Mount Maunganui Town Board is hereby empowered, notwithstanding anything to the contrary in any Act, to pay out of its general funds the said costs amounting to the sum of twenty-four pounds fifteen 10 shillings and elevenpence.

*Harbour Boards.*

Authorizing sale  
of certain  
land by Timaru  
Harbour Board.

**19.** Whereas the Timaru Harbour Board (hereinafter called the Board) is possessed of an estate in fee-simple for harbour purposes in the land hereinafter described: 15  
And whereas the Timaru Borough Council (hereinafter called the Council) desires to purchase the said land for the purposes of pleasure-grounds, gardens, or for any other purposes of enjoyment or recreation, and the Board desires to sell the said land to the Council, re- 20 serving, nevertheless, the right to use the tramway now constructed on the said land for so long as the Board shall desire: And whereas the Board has no power to sell the said land: Be it therefore enacted as follows:—

(1) Notwithstanding anything contained in any Act, 25 the Board is hereby empowered to sell and transfer the land hereinafter described to the Council on behalf of the Corporation of the Borough of Timaru free of encumbrances other than—

(a) The easements over part of the said land 30 created by memorandum of transfer registered Number 192703; and

(b) The right of the Board to use for harbour purposes the tramway now constructed on the said land 35 so long as the Board shall desire.

(2) The land to which this section relates is particularly described as follows:—

All that piece of land situated in Block X of the Arowhenua Survey District, containing thirty-five acres two roods nineteen perches, more or less, being Lots 14, 40 17, 18, and part of Lot 13 on plan deposited in the Land Registry Office at Christchurch as Number 8445, part

of Lot 2 on plan deposited in the said Registry Office as Number 9476, being parts of Rural Sections 4497, 6296, 6859, 8258, and 8259, and being the whole of the land comprised and described in certificates of title, Register-  
 5 book Volume 431, folios 77, 78, and 79 (Canterbury Registry), subject to easements over parts of the above-described land created by memorandum of transfer registered Number 192703.

20. Whereas a loan of one hundred and twenty-eight  
 10 thousand pounds, being an instalment of a loan known as the Number 2 Loan, 1919, of three hundred thousand pounds, raised in London by the New Plymouth Harbour Board (hereinafter called the Board) pursuant to the New Plymouth Harbour Board Empowering Act, 1918,  
 15 matured on the first day of February, nineteen hundred and thirty-two, and was paid off at maturity partly by means of a loan of one hundred and twenty thousand pounds raised by the Board with the sanction of the Local Government Loans Board and partly by pay-  
 20 ment of a sum of eight thousand pounds out of the sinking fund created for the repayment of the instalments of the said loan of three hundred thousand pounds: And whereas the Board has also paid out of the said sinking fund the costs of raising the said loan  
 25 of one hundred and twenty thousand pounds and repaying the said instalment of one hundred and twenty-eight thousand pounds, but such expenditure was without lawful authority: Be it therefore enacted as follows:—

30 The payment by the Board out of the said sinking fund of a sum of eight thousand pounds towards the said costs is hereby validated.

21. (1) Subsection five of section seventy of the Local  
 Legislation Act, 1928, is hereby amended by inserting,  
 after the words "Art Gallery", the words "or articles  
 35 or exhibits for the Dominion Museum".

(2) The Dominion Museum and the Dominion Art  
 Gallery for the purposes of the said section shall mean  
 and include the Dominion Museum and the National  
 Art Gallery directed to be established under the National  
 40 Art Gallery and Dominion Museum Act, 1930.

(3) Subject to the aforesaid amendment and inter-  
 pretation, and notwithstanding section eleven of the said  
 National Art Gallery and Dominion Museum Act, 1930,  
 or any other enactment, the said section seventy shall  
 45 have and be deemed always to have had full force and  
 effect according to the tenor thereof.

Validating  
 payment of  
 certain costs  
 relating to  
 renewal loans by  
 New Plymouth  
 Harbour Board  
 out of sinking  
 funds.

Section 70 of  
 Local Legislation  
 Act, 1928,  
 amended.

Authorizing  
payments of  
remuneration by  
Wellington  
Harbour Board  
to any Sinking  
Fund  
Commissioner.

**22.** Such annual remuneration and allowance, not exceeding one hundred pounds, as the Wellington Harbour Board thinks reasonable may be paid out of the Harbour Fund to and retained by any Sinking Fund Commissioner appointed by the Board. No member of the Board or officer or servant of the Board shall be paid or receive any such remuneration or allowance. 5

Empowering  
Lyttelton  
Harbour Board  
to sell certain  
property at  
Sumner to  
Sumner Borough  
Council.

**23.** Whereas the land hereinafter described is vested in the Lyttelton Harbour Board (hereinafter called the Board) as an endowment: And whereas the Sumner Borough Council (hereinafter called the Council) desires to purchase the said land and buildings thereon for borough purposes, and the Board desires to sell the said land and buildings to the Council: And whereas the Board has no power to sell the said land and buildings thereon: Be it therefore enacted as follows:— 10

(1) Notwithstanding anything contained in any Act, the Board may sell, convey, transfer, and assign the land hereinafter described and deliver possession thereof to the Council on behalf of the Corporation of the Borough of Sumner, subject to the existing tenancy of the buildings erected on the said land. 20

(2) The contract entered into between the Board and the present tenant of the said property providing for the repayment of the sum of eighty pounds and interest thereon by the said tenant to the Board for moneys advanced by the Board for sewerage works on the said property shall be transferred and assigned to the Council, and the Council shall be entitled to demand and recover payment of the said sum and interest from the said tenant as provided by the said contract. 25 30

(3) The land to which this section relates is particularly described as follows:—

All that area in the Canterbury Land District, situate at Sumner, containing one rood and twenty-eight perches, being Reserve 4344, and being the whole of the land comprised in certificate of title, Volume 439, folio 43. 35

Validating  
proceedings in  
connection with  
certain loans  
raised by Otago  
Harbour Board.

**24.** Whereas by an Order in Council (hereinafter referred to as the First Order), made under the Local Government Loans Board Act, 1926 (hereinafter referred to as the said Act), on the tenth day of July, nineteen hundred and thirty-three, consent was given by the Governor-General to the raising by the Otago Harbour Board (hereinafter called the Board) of a loan up to 40 45

six hundred and eight thousand eight hundred pounds, to be known as the Redemption Loan, 1934, subject to the conditions stated in the First Order: And whereas by an Order in Council (hereinafter referred to as the Second Order), made under the said Act on the sixth day of December, nineteen hundred and thirty-three, consent was given by the Governor-General, subject to the conditions stated in the Second Order, to the raising by the Board of a loan up to the amount of seven hundred and twenty-eight thousand eight hundred pounds for the purpose of redeeming the outstanding liability in respect of three loans of four hundred and ninety-eight thousand eight hundred pounds, one hundred thousand pounds, and one hundred and thirty thousand pounds, maturing on the first day of January, nineteen hundred and thirty-four: And whereas by Order in Council made under the said Act on the tenth day of January, nineteen hundred and thirty-four (hereinafter referred to as the Third Order), certain of the determinations made in and by the First Order were varied: And whereas the Board, in purported pursuance of the powers conferred by the First, Second, and Third Orders, has raised in London as a first issue thereunder a loan of six hundred thousand pounds (hereinafter referred to as the First Issue) for the purposes set out in the First, Second, and Third Orders, and has applied the proceeds of such loan towards such purposes, and pending the raising of a further issue under the First, Second, and Third Orders has made arrangements with the Bank of New Zealand for advances sufficient to meet the repayment of debentures presented in London in excess of those repaid out of the proceeds of the First Issue, and for the expenses incurred in London in connection with the repayment of the matured loans and the raising of the new loans: And whereas the Board prior to the tenth day of July, nineteen hundred and thirty-three, undertook to apply the proceeds of all its then existing reserve funds towards the repayment of the debentures which matured on the first day of January, nineteen hundred and thirty-four, and towards the expenses incurred in connection therewith, including the cost of raising the new loans, and has applied the proceeds of such funds towards such purposes, including

the exchange on remittances to London in repayment of the advances made by the Bank of New Zealand and interest thereon: And whereas the sum of one hundred and twenty thousand pounds referred to in the Second Order, decreased as provided for in the Second Order, has not been transferred to the sinking fund of the Redemption Loan, 1934, as required by the Second Order, but the whole of such reserve funds has been applied as hereinbefore recited: And whereas by an Order in Council made under the said Act on the seventeenth day of September, nineteen hundred and thirty-four (hereinafter referred to as the Fourth Order), certain of the determinations made in and by the Second Order were varied and added to by authorizing the raising of a further loan of ten thousand pounds in addition to the loan of six hundred thousand pounds already raised, and such further loan has been raised and applied towards the repayment of advances made by the Bank of New Zealand in London as aforesaid: And whereas doubts have arisen as to the validity of certain of the above proceedings and matters, and it is expedient to validate all proceedings in connection with the raising of the said loans of six hundred thousand pounds and ten thousand pounds and the acts of the Board before recited: Be it therefore enacted as follows:—

(1) All the proceedings in connection with the said loans of six hundred thousand pounds and ten thousand pounds, and all the acts of the Board before recited, and all other matters and acts done in connection therewith are hereby validated.

(2) The debentures issued in respect of the said loan of six hundred thousand pounds shall be absolutely valid and binding on the Board according to their tenor.

(3) The debentures issued or to be issued in respect of the said loan of ten thousand pounds shall be absolutely valid and binding on the Board according to their tenor if issued in terms of the Fourth Order.

As to payment  
of interest, &c.,  
on Thames  
Harbour Board  
loans for year  
ending 30th  
September, 1935.

**25.** Whereas a majority in value of the debenture-holders of the loans of the Thames Harbour Board (hereinafter referred to as the said loans) have agreed to accept for the year ending the thirtieth day of September, nineteen hundred and thirty-five (hereinafter referred to as the said year), interest at the rate of four pounds five shillings per centum (hereinafter called the said rate): And whereas it is expedient to provide that

all debenture-holders of the said loan shall for the said year be paid interest at the same rate: Be it therefore enacted as follows:—

5 (1) The Thames Harbour Board shall, not later than the twentieth day of January, nineteen hundred and thirty-five, resolve to collect for the said year only so much of the special rates made and levied as security for the said loans and directed to be levied in accordance with the terms of subsection three of section twenty-  
10 three of the Thames Harbour Board Loan and Empowering Act, 1920, as will suffice to provide for the payment of interest at the said rate to all debenture-holders of the said loans, and to provide sinking fund at the rate of one per centum on the balance of the said loans  
15 outstanding on the first day of October, nineteen hundred and thirty-four.

(2) The Thames Harbour Board, when demanding such rates, may make the same payable in two equal instalments on such dates as are fixed in that behalf in  
20 the demand, but the date for payment of the second such instalment shall not be earlier than the tenth day of July, nineteen hundred and thirty-five. Such rates shall thereupon become due and payable by such instalments and on the dates so fixed by the Board without  
25 any further demand for payment.

(3) Notwithstanding anything contained in the Rating Act, 1925, an additional charge of ten per centum may be added to so much of the rates demanded in respect of such first instalment as is not paid on or before the  
30 twentieth day of March, nineteen hundred and thirty-five, and to so much of the rates demanded in respect of such second instalment as is not paid on or before the twentieth day of September, nineteen hundred and thirty-five; and every such charge shall be payable and  
35 recoverable accordingly.

(4) All moneys collected pursuant to such resolution as aforesaid shall be applied in the first instance in payment of interest at the said rate to all debenture-holders, and the balance shall be paid to the Sinking  
40 Fund Commissioners of the said loans:

Provided that if the said balance exceeds an amount representing one per centum of the sum of the amounts of the said loans such excess shall be applied to the payment of interest due on the said loans in the following year.

5

(5) All payments of interest at the said rate to any debenture-holder in respect of any debenture of the said loans shall be accepted by him in full satisfaction of interest due under such debenture for the said year.

Validating demand for Thames Harbour Board rates for year ended 30th September, 1934.

26. The action of the Thames Harbour Board in making one demand for the payment in two instalments of the rates for the year ended on the thirtieth day of September, nineteen hundred and thirty-four, is hereby validated, and the said rates shall be payable in all respects as if the requirements of section forty-five of the Local Legislation Act, 1933, had been duly complied with.

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Authorizing Whangarei Harbour Board to borrow a sum of £2,000.

27. (1) The Whangarei Harbour Board may, by special resolution, and without taking the steps described in sections nine to thirteen of the Local Bodies' Loans Act, 1926, borrow a sum not exceeding two thousand pounds, and shall apply such sum towards payment of arrears of interest wrongly deducted since the month of May, nineteen hundred and thirty-two, in respect of a loan of one hundred thousand pounds raised by the said Board in Australia.

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25

(2) This section shall be deemed to be a special Act within the meaning of the Harbours Act, 1923.

#### *Hospital Boards.*

Removing doubts as to purposes of expenditure by Hawke's Bay Hospital Board of Kelly bequest.

28. Whereas the trustees under the will of Henrietta Lavinia Kelly, of Hastings, Spinster (deceased), dated the thirteenth day of May, nineteen hundred and twenty-nine (hereinafter referred to as the said trustees), were directed to hold her residuary estate on trust to pay the same to the duly constituted Board or authority for the time being having the care and control of the Fallen Soldiers Memorial Hospital at Hastings aforesaid

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35

(hereinafter referred to as the said Hospital), to be applied and expended by such Board or authority for or towards building, rebuilding, enlarging, altering, reinstating, repairing, and maintaining the said hospital  
 5 or any additions thereto, or any buildings adjacent thereto and used in connection with the said hospital, and in providing equipment and furniture and in any other manner for the benefit of the said hospital and the said building as the said Board or authority may in its un-  
 10 controlled discretion deem proper: And whereas the Board referred to in the said will is the Hawke's Bay Hospital Board (hereinafter referred to as the said Board): And whereas doubts have arisen as to whether the said Board has power under the said will to utilize any part  
 15 of the said estate in or towards payment of the general maintenance expenditure incurred by the said Board in the care and treatment of patients in the said hospital: And whereas it is desirable to remove such doubts: Be it therefore enacted as follows:—

20 The said trustees may, and shall be deemed at all relevant times heretofore to have been empowered to, pay to the said Board, and the said Board may and shall be deemed to have had authority to accept any part of the said estate and the income arising therefrom  
 25 upon the conditions that the said Board may apply the same and any part thereof in or towards any purpose of or incidental to the general maintenance of the said hospital by the said Board, including payment of—

- 30 (a) Fees, salaries, wages, and other lawful remuneration of any kind whatever:  
 (b) The cost of provisions, drugs, and all other requisites for the care and treatment of patients:  
 35 (c) Such other expenses as may be incurred by the Board in the lawful execution of its powers, duties, or functions under any Act whatsoever in relation to the said hospital.

40 **29.** Whereas the Wairoa Hospital Board was duly constituted by section six of the Hospitals and Charitable Institutions Amendment Act, 1910: And whereas the Wairoa County Corporation was at the time of the constitution of the Wairoa Hospital Board the registered proprietor of an estate in fee-simple in all that piece of

Vesting hospital-site in Wairoa Hospital Board.

land situate in the Provincial District of Hawke's Bay containing four acres and one perch, being portion of Suburban Sections Numbers 30 and 31, Class II, Township of Clyde, and being the land shown on plan deposited in the Land Transfer Office at Napier as Number 1475, and being the land in certificate of title, Hawke's Bay, Volume 32, folio 52, as a site for a public hospital at Wairoa: And whereas it is deemed necessary and expedient that the said land be vested in the Wairoa Hospital Board: Be it therefore enacted as follows:—

The vesting of the said land in the Corporation of the County of Wairoa is hereby cancelled, and the said land is hereby vested in the Wairoa Hospital Board as a site for a public hospital in accordance with the provisions of the Hospitals and Charitable Institutions Act, 1926, and the District Land Registrar at Napier is hereby empowered without further authority than this section to register a memorial on the said certificate of title to give effect to this enactment.

*Electric-power Boards.*

Authorizing  
Waimea Electric-  
power Board to  
borrow a sum of  
£2,400 by way of  
overdraft.

**30.** Whereas the Waimea Electric-power Board (hereinafter called the Board) was, by a poll of the ratepayers of the special district of the Borough of Motueka and the surrounding districts of Riwaka, Lower Moutere, Mariri, and Tasman (hereinafter called the special district), taken on the twenty-first day of June, nineteen hundred and thirty-three, authorized to raise a special loan under the Local Bodies' Loans Act, 1926, of fifty-five thousand pounds to be expended for the special district: And whereas the sum of fifty thousand pounds, being part of the said special loan, has been raised: And whereas interest upon such sum of fifty thousand pounds at the rate of four pounds five shillings per centum per annum will fall due on the first day of August, nineteen hundred and thirty-four, and on the first day of February, nineteen hundred and thirty-five: And whereas, in order to meet unforeseen expenditure in necessary construction and maintenance works in other parts of the Board's district, the Board has borrowed moneys by way of overdraft up to the limits allowed by section three of the Local Bodies' Finance Act, 1921-22, as extended by section seventy of the Electric-power Boards Act, 1925, and is unable to meet the sum of two thousand one hundred and twenty-five

pounds, being the amount of interest on the said sum of fifty thousand pounds to become due during the financial year ending on the thirty-first day of March, nineteen hundred and thirty-five: And whereas it is desirable  
 5 to provide for the borrowing of the said sum of two thousand one hundred and twenty-five pounds and of the further sum of two hundred and seventy-five pounds for the general purposes of the Board, making in all the sum of two thousand four hundred pounds by way of  
 10 overdraft in excess of the limits prescribed as aforesaid: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in the Local Bodies' Finance Act, 1921-22, the Electric-power Boards Act, 1925, or any other Act, it shall be lawful for  
 15 the Board, during the period of seven complete financial years after the financial year in which the Board commenced the supply of electrical energy, to borrow by way of overdraft in excess of the limits prescribed as aforesaid such amount as may be approved by the Local Govern-  
 20 ment Loans Board, but so that the total amount borrowed pursuant to this section in any financial year shall not exceed two thousand four hundred pounds.

31. Whereas the Wairoa Electric-power Board (hereinafter called the Board), under the provisions of the  
 25 Local Bodies' Loans Act, 1926, and the Electric-power Boards Act, 1925, and for the purpose of the erection of electric transmission-lines and other electrical works borrowed certain sums, including the sum of twenty thousand pounds from the Public Trustee, the sum of  
 30 twenty-one thousand five hundred pounds from the Dunedin City Sinking Fund Commissioners, and the sum of twenty thousand pounds from the Government Insurance Commissioner, and issued debentures providing for the payment of the said sums and interest thereon:  
 35 And whereas the Board intends pursuant to the Local Authorities Interest Reduction and Loans Conversion Act, 1932-33, to issue new securities in conversion of the existing securities in respect of the said sums so borrowed: And whereas it is intended that the said conversion  
 40 shall take effect as from the thirty-first day of March, nineteen hundred and thirty-five: And whereas the Board has agreed with each of the aforesaid lenders that interest due and to accrue due to each of them up to the proposed date of conversion, amounting in the

Authorizing  
 Wairoa  
 Electric-power  
 Board to  
 capitalize certain  
 arrears of  
 interest.

case of the Public Trustee to the sum of one thousand four hundred and forty pounds, in the case of the Dunedin City Sinking Fund Commissioners to the sum of one thousand four hundred and eighty-three pounds ten shillings, and in the case of the Government Insurance Commissioner to the sum of one thousand six hundred and sixty-one pounds five shillings and tenpence, shall be added to and form part of the principal sum to be secured by the new debentures: Be it therefore enacted as follows:—

The Board is hereby authorized and empowered on the said conversion to add the said sums of one thousand four hundred and forty pounds, one thousand four hundred and eighty-three pounds ten shillings, and one thousand six hundred and sixty-one pounds five shillings and tenpence respectively, to so much of the said respective principal sums of twenty thousand pounds, twenty-one thousand five hundred pounds, and twenty thousand pounds as shall be included in the said conversion, and to issue new securities accordingly.

Validating  
certain  
judgments for  
rates obtained  
by Marlborough  
Electric-power  
Board.

**32.** Whereas the Marlborough Electric-power Board (hereinafter called the Board) made and levied certain rates for the years ended on the thirty-first day of March, nineteen hundred and thirty, and the thirty-first day of March, nineteen hundred and thirty-one: And whereas a large percentage of the said rates have been paid by divers ratepayers: And whereas the Board has obtained judgments against certain ratepayers for such of the said rates as are unpaid and outstanding: And whereas doubts have arisen as to the validity of such judgments in that the demand for such rates when due was made by the Secretary of the Board without being specially appointed to make such demand pursuant to section sixty-one of the Rating Act, 1925: And whereas it is advisable in the public interest and to prevent injustice to validate the said judgments: Be it therefore enacted as follows:—

No judgment obtained by the Board and duly recorded in the Record-book in the Magistrate's Court office at Blenheim in respect of rates made and levied by the Board for the years ended on the thirty-first day of March, nineteen hundred and thirty, and the thirty-first day of March, nineteen hundred and thirty-one, respectively, shall be questioned in any Court on any ground whatever.

*River and Drainage Boards.*

33. Whereas in pursuance and exercise of the powers vested in him by section twenty-eight of the Finance Act, 1931 (No. 4), the Minister of Public Works (hereinafter called the Minister), for the purpose of providing works in relief of unemployment, has undertaken certain drainage works in the watershed of the Mangawara River and its tributaries, which area is within the district of the Taupiri Drainage and River Board (hereinafter called the Board): And whereas the Board has agreed with the Minister to contribute the sum of ten thousand pounds towards the cost of such drainage works: And whereas prior to the expiry of the Local Authorities Empowering (Relief of Unemployment) Act, 1926, the Local Government Loans Board sanctioned the raising of a loan of ten thousand pounds by the Board under that Act for the purpose of enabling the Board to pay the said sum in terms of the said agreement, but the Board did not then raise the said loan: And whereas it is desirable that the Board should now be empowered to borrow the said sum of ten thousand pounds without taking the steps described in sections nine to thirteen of the Local Bodies' Loans Act, 1926: Be it therefore enacted as follows:—

Authorizing  
Taupiri Drainage  
and River  
Board to raise  
loan of £10,000  
for contribution  
towards certain  
drainage works.

The Board is hereby empowered to borrow the sum of ten thousand pounds agreed to be paid by the Board to the Minister as a contribution towards the cost of the drainage works undertaken by the Minister in the watershed of the said Mangawara River and its tributaries without taking the steps described in sections nine to thirteen of the Local Bodies' Loans Act, 1926, and to pay the moneys so borrowed to the Minister.

*Affecting Two or More Classes of Public Bodies.*

34. The local authorities mentioned hereunder are hereby authorized and empowered to pay to the New Zealand Free Ambulance Transport Service (Wellington Branch), Incorporated, in the year ending on the thirty-first day of March, nineteen hundred and thirty-five, 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.

40 The Hutt County Council, one hundred and fifty pounds ;  
The Makara County Council, eighty-six pounds ;

The Wellington Harbour Board, three hundred pounds; and

The Wellington Hospital Board, nine hundred pounds.

Validating  
certain terms  
of agreement  
between  
Hastings  
Borough  
Corporation and  
Hawke's Bay  
Electric-power  
Board.

35. Whereas by an agreement bearing date the 5  
twentieth day of August, nineteen hundred and thirty-  
four, made between the Corporation of the Borough of  
Hastings (hereinafter called the Corporation) of the  
one part and the Hawke's Bay Electric-power Board  
(hereinafter called the Board) of the other part, a copy 10  
of which agreement is recorded in the Department of  
Internal Affairs at Wellington as I.A. 1934/120/9, the  
Corporation agreed to sell to the Board and the Board  
agreed to purchase the electric works of the Corporation  
at the purchase price therein set out: And whereas it is 15  
provided, *inter alia*, in the said agreement—(a) That the  
said purchase price and interest as hereinafter provided  
shall be paid as follows—That the amount of the purchase  
price in excess of one hundred and twenty-five thousand  
pounds shall be paid in cash, and the said sum of one 20  
hundred and twenty-five thousand pounds together with  
interest thereon or on the amount thereof for the time  
being unpaid at the rate of four per centum per annum  
calculated from the date of possession, shall be paid by  
fifty-two equal half-yearly instalments over a period of 25  
twenty-six years; (b) that the Board will give to the  
Corporation as security for payment of the said purchase-  
money and interest by the instalments aforesaid a mort-  
gage over the revenues to be derived from the Board's  
undertaking and operations within the Borough of Hastings 30  
as constituted at the date of the said agreement: And  
whereas it is desirable that the said terms of payment of  
the said purchase price and interest and the said provisions  
for security for the payment of the same should be  
validated: Be it therefore enacted as follows:— 35

(1) The Corporation and the Board shall be deemed  
to have been duly empowered to agree in and by the said  
agreement to the said terms of payment of the said  
purchase price and interest which shall have effect and be  
binding according to the tenor thereof. 40

(2) The Board shall be deemed to have been and to  
be duly empowered to give security to the Corporation  
for securing payment of the said sum of one hundred and

twenty-five thousand pounds, part of the said purchase price, and interest in manner aforesaid as provided in the said agreement.

(3) Nothing herein contained shall be deemed to affect the provisions of section seventy-six of the Electric-power Boards Act, 1925.

36. Whereas by section twenty-eight of the Masterton Trust Lands Act, 1889, and the Second Schedule to that Act, the several pieces of land hereinafter described, being then the property of the Masterton Trust Lands Trustees (hereinafter called the Trustees), were vested for street purposes in the Corporation of the Borough of Masterton: And whereas the streets concerned, without the inclusion therein of the said several pieces of land or any of them, are respectively of the full width of one chain, and the said several pieces of land are not required, and have never been used, for street purposes, but have remained in the possession and occupation of the Trustees notwithstanding such vesting, and the inclusion of the said several pieces of land in the said streets throws the boundaries of the said streets out of alignment: And whereas the Masterton Borough Council and the Trustees accordingly desire that the said several pieces of land be re-vested in the Trustees, but there is no authority at law for effecting such re-vesting: And whereas it is expedient that such re-vesting should be effected: Be it therefore enacted as follows:—

Re-vesting in the Masterton Trust Lands Trustees certain pieces of land vested in Masterton Borough Corporation.

(1) The several pieces of land hereinafter described shall, on the passing of this Act, re-vest without transfer or conveyance in the Trustees, upon the trusts declared in the Masterton Trusts Lands Act, 1889, and as though the same had never been vested in the Corporation of the Borough of Masterton by section twenty-eight of the Masterton Trust Lands Act, 1889.

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

(a) A strip of land measuring seven hundred and eighty-five and four-tenths links by twenty-five links, containing thirty-one and forty-one hundredths perches, being parts of Town Acres 42, 44, 46, and 48 of the Town of Masterton, and lying along the Chapel Street frontage of the said Town Acre:

- (b) A strip of land measuring two hundred links by twenty-five links, containing eight perches, being part of Town Acre 43 of the Town of Masterton, and lying along the Dixon Street frontage of the said Town Acre : 5
- (c) A strip of land measuring one hundred and seventy-seven links by twenty-five links, containing seven and eight-hundredths perches, being part of Town Acre 47 of the Town of Masterton, and lying along the Dixon Street frontage of the said Town Acre : 10
- (d) A strip of land measuring seven hundred and twenty-seven and seven-tenths links by twenty-five links, containing twenty-nine and eleven-hundredths perches, being parts of Town Acres 49, 51, 53, and 55 of the Town of Masterton, and lying along the Dixon Street frontage of the said Town Acres : 15
- (e) A strip of land measuring two hundred links by twenty-five links, containing eight perches, being part of Town Acre 111 of the Town of Masterton, and lying along the Albert Street frontage of the said Town Acre : 20
- (f) A strip of land measuring one hundred links by twenty-five links, containing four perches, being part of Town Acre 119 of the Town of Masterton, and lying along the Albert Street frontage of the said Town Acre : 25

all situate in the Borough of Masterton.

Authorizing  
dedication by  
the Masterton  
Trust Lands  
Trustees of  
certain land for  
street purposes  
in the Borough  
of Masterton.

37. Whereas the Masterton Trust Lands Trustees (hereinafter called the Trustees) are the owners, pursuant to the Masterton Trust Lands Act, 1889, of the land included in certificate of title, Volume 44, folio 166 (Wellington Registry): And whereas for the betterment of the Borough of Masterton, and to facilitate the subdivision of the said land for building purposes, the Trustees and the Masterton Borough Council desire the dedication for street purposes of the strip of land hereinafter described, being part of the land aforesaid, as and for a continuation of an existing street called Macara Street, so that such street may cease to be a cul-de-sac: And whereas there is no authority at law for such dedication, and it is expedient that such dedication

should be authorized: Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary in the Masterton Trust Lands Act, 1889, or elsewhere contained, 5 the Trustees shall have authority to dedicate as a public street, and for that purpose to transfer without consideration to the Corporation of the Borough of Masterton, the piece of land hereinafter described.

(2) The land to which the *last preceeding* subsection 10 relates is particularly described as follows:—

All that piece of land, containing two roods and thirty and ninety-two hundredths perches, more or less, being the lot numbered 11 on the plan deposited in the District Land Registry Office at Wellington as plan 15 Number 10641, and being part of Section Number 6 of the Masterton Small Farm Settlement, and being part of the land included in certificate of title, Volume 44, folio 166 (Wellington Registry).

38. The expenditure incurred by the undermentioned 20 public bodies during the financial year ending on the thirty-first day of March, nineteen hundred and thirty-five, of the following amounts in contributing to funds established for the relief of distress is hereby validated and declared to have been lawfully incurred: Hastings 25 Borough Council, five hundred pounds; Bluff Harbour Board, one hundred pounds; Lyttelton Harbour Board, one thousand pounds.

Validating expenditure incurred by Hastings Borough Council and Bluff and Lyttelton Harbour Boards in connection with relief of distress.

#### Miscellaneous.

39. Whereas the Motunau Rabbit Board (hereinafter 30 called the Board), in purported exercise of the power to compromise with creditors given to local authorities by section fifty-eight of the Local Bodies' Loans Act, 1926, on or about the seventh day of December, nineteen hundred and thirty-two, issued and delivered to 35 Pyne, Gould, Guinness Provident and Superannuation Association (Limited), (hereinafter called the creditor), three several debentures for one hundred pounds each numbered 31, 32, and 33, repayable as to Numbers 31 and 32 on the twenty-eighth day of March, nineteen 40 hundred and forty-four, and as to Number 33 on the twenty-eighth day of March, nineteen hundred and forty-five, in substitution for three several debentures for one hundred pounds each which were then surrendered

Validating issue of certain debentures by Motunau Rabbit Board.

by the creditor to the Board, which three several debentures were respectively repayable on the twenty-eighth day of March, nineteen hundred and thirty-three, the twenty-eighth day of March, nineteen hundred and thirty-eight, and the twenty-eighth day of March, nineteen hundred and forty-three: And whereas, although such compromise and exchange of debentures was made in good faith, it was without authority of law and it is desirable to validate it: Be it therefore enacted as follows:—

The action of the Board in issuing to the creditor three several debentures, numbered 31, 32, and 33, for one hundred pounds, each repayable respectively as to Numbers 31 and 32 on the twenty-eighth day of March, nineteen hundred and forty-four, and as to Number 33 on the twenty-eighth day of March, nineteen hundred and forty-five, is hereby validated, and such three several debentures declared to have been lawfully issued.

Abolishing the  
Blackstone Hill  
Rabbit District.

**40.** Whereas, by Order in Council dated the twenty-fourth day of May, nineteen hundred and twenty-two, and published in the *Gazette* of the first day of June of the same year, the Governor-General constituted the Blackstone Hill Rabbit District under Part III of the Rabbit Nuisance Act, 1908: And whereas the said district enures for the purposes of Part II of the Rabbit Nuisance Act, 1928, and it is deemed to have been constituted thereunder: And whereas a Board of Trustees for the said district has never been established according to law, and it is deemed desirable to abolish the said district: Be it therefore enacted as follows:—

The Blackstone Hill Rabbit District is hereby abolished.

Authorizing  
Masterton Trust  
Lands Trustees  
to borrow a sum  
not exceeding  
£3,000 for the  
purpose of  
repairing  
earthquake  
damage.

**41.** Whereas by reason of damage caused by earthquake it is necessary for the Masterton Trust Lands Trustees (hereinafter referred to as the Trustees), a body corporate incorporated by the Masterton Trust Lands Act, 1889, during the financial year ending on the thirty-first day of March, nineteen hundred and thirty-five, to provide moneys to an exceptional amount beyond the expenditure estimated by the Trustees for that year: And whereas the Trustees are not a "local authority" as defined in the Local Bodies' Finance Act, 1921-22: And whereas it is expedient that the Trustees be authorized to borrow moneys in the manner provided

by the said Local Bodies' Finance Act: Be it therefore enacted as follows:—

- (1) The Trustees may, for the purpose of providing funds for the purpose of effecting to buildings, the property of the Trustees, repairs necessitated by the earthquake of the fifth day of March, nineteen hundred and thirty-four, borrow from their bankers or any other person or persons moneys not exceeding in the aggregate the sum of three thousand pounds.
- (2) The authority to borrow hereby conferred shall be read and construed as an authority to borrow conferred by section seven of the Local Bodies' Finance Act, 1921–22, and all the provisions of that section shall apply to the borrowing hereby authorized, and be deemed to be incorporated in this section.
- (3) For the purposes of the *last preceding* subsection the Masterton Trust Lands Trustees shall be deemed to be a local authority within the meaning of the Local Bodies' Finance Act, 1921–22.
- (4) This section shall for all purposes be deemed to have come into force on the *fifth* day of March, nineteen hundred and *thirty-four*, and any authority or consent given under this section after the passing of this Act shall, if so specified in the instrument containing the same, take effect on a day not earlier than that day.

42. Whereas the land hereinafter described is portion of an area vested in James Hall, Settler, James Henry Gunson, Knight, Albert Ernest Bollard, Company Secretary, and Edward Robert Nolan Russell, Solicitor, all of Auckland in New Zealand (hereinafter called the Trustees), upon the trusts declared by a certain declaration of trust bearing date the tenth day of June, nineteen hundred and one, and made between John Logan Campbell, of the one part, and David Limond Murdock, Arthur Mielziener Myers, Robert Hall, and Alfred Seymour Bankart, of the other part, and known as the Cornwall Park trust deed and a certain deed of trust bearing date the seventh day of April, nineteen hundred and eight, and made between the same parties as aforesaid: And whereas the Auckland Metropolitan Agricultural and Pastoral Association, Incorporated (hereinafter called the association) has requested the Trustees to grant to it a lease of the said land for a term of forty years at an annual rental of one hundred pounds: And

Authorizing  
Cornwall Park  
Trustees to  
grant an  
extended lease  
of portion  
of Cornwall  
Park to the  
Auckland  
Metropolitan  
Agricultural  
and Pastoral  
Association,  
Incorporated.

whereas the Trustees, having in mind the keen interest displayed by the late Sir John Logan Campbell in the work of the association's kindred predecessors, and the fact that during his lifetime he gave ample evidence of his desire to assist such predecessors of the association, and also having in mind that the said land has been in the occupation of the association and its kindred predecessors for approximately eighty years, are desirous of leasing the said land to the association for the term and at the rental hereinbefore mentioned and upon such further terms and conditions as may be agreed upon between the Trustees and the association: And whereas it is desirable that the Trustees should be empowered to lease the said land for such period and upon such terms and conditions: Be it therefore enacted as follows:—

(1) The Trustees are hereby authorized to grant a lease to the association of the land hereinafter described for a period of forty years at an annual rental of one hundred pounds, and upon such further terms and conditions as may be agreed upon between the Trustees and the association.

(2) The land to which this section relates is particularly described as follows:—

All that piece of land, containing eight acres and three perches, more or less, being part of Allotments 19 and 21 of Section 11 of the Suburbs of Auckland, and being part of the land comprised and described in certificate of title, Volume 153, folio 248, of the register-book in the Land Registry Office at Auckland.