

Palmerston North Hospital Vesting Act 1892

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An Act to vest in the District of Palmerston North Hospital and Charitable Aid Board certain Hospital Reserves within the Borough of Palmerston North, and Moneys, being the Proceeds of the Sales of certain Hospital Reserves within the said Borough heretofore sold, and Lands vested in the Corporation of the Town of Palmerston North for the Purposes of a Hospital, but which have been sold, subject to the Contracts for Sale; and also to validate certain Payments made out of such Sales.

Preamble

WHEREAS under the provisions of The Palmerston North Reserves Act 1879, the Governor was authorised to issue a Crown grant granting to the Mayor, Councillors, and Burgesses of the Borough of Palmerston North all that piece or parcel of land described in the Schedule A hereto, upon trust for the purposes or benefit of a hospital: And whereas in pursuance of such recited Act a Crown grant was accordingly issued: And whereas by the thirty-second paragraph of the Schedule to The Special Powers and Contracts Act 1884, the Governor was authorised to grant to the Borough of Palmerston North all that piece or parcel of land described in Schedule B hereto, to be held by the Borough Council as an endowment under the provisions of The Municipal Corporations Act 1876, and Acts amending the same; and in pursuance of such authority a grant was accordingly issued: And whereas by the twenty-ninth paragraph of the Schedule to The Special Powers and Contracts Act 1885, the Governor was empowered, by notice in the *Gazette*, to authorise the Borough Council of Palmerston North to sell by public auction, after not less than three months' public notice as therein mentioned, all those the pieces or parcels of land described in Schedules A and B hereto; the money to be derived from the sale of such lands to be expended by the Borough Council for acquiring a suitable site for a hospital, and in the erection of a building thereon: And whereas the Borough Council sold the said lands or certain parts thereof by public auction, but without giving the prescribed three months' public notice: And whereas by The Palmerston North Hospital Lands Sales Validation Act 1891, the said sales were validated: And whereas the whole of the land described in Schedule B hereto was sold and conveyed to the purchasers: And whereas the whole of the land described in Schedule A hereto was sold, but upon deferred payments: And whereas the sales of sub-allotments three, four, five, six, seven, nine, and ten of the land so comprised in the said Schedule A hereto have not yet been completed by conveyances to the purchasers: And whereas out of the money arising from such sales as aforesaid the Borough Council of Palmerston North purchased all that piece or parcel of land described in the Schedule C hereto: And whereas the District of Palmerston North Hospital and Charitable Aid Board proposes to erect a hospital on the piece or parcel of land described in the said Schedule C hereto, but before

doing so such Board requires that the said land described in the said Schedule C should become vested in the District of Palmerston North Hospital and Charitable Aid Board, and the Borough Council of Palmerston North is willing that such land should be so vested: And whereas the said Borough Council has paid over to the District of Palmerston North Hospital and Charitable Aid Board some of the moneys arising from such sales as aforesaid towards the erection of such hospital as aforesaid: And whereas it is expedient that the payment so made should be validated: And whereas it is expedient that the Borough Council of Palmerston North should be authorised to pay over to the said District of Palmerston North Hospital and Charitable Aid Board any moneys still in its hands arising from such sales as aforesaid, to be applied by such Board in or towards the erection of such hospital as aforesaid: And whereas it is also expedient that all such portions of the land comprised in Schedule A hereto as have been sold by the said Borough Council, but the purchases whereof have not yet been completed, should be vested in the said District of Palmerston North Hospital and Charitable Aid Board, subject to the contracts of sale relating thereto, to be held for the purpose of the erection of such hospital as aforesaid: And whereas it is expedient that, for effecting the purposes aforesaid, this Act should be passed:

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

1 Short Title

The Short Title of this Act is The Palmerston North Hospital Vesting Act 1892.

2 Land in Schedule C vested in District Hospital and Charitable Aid Board upon trust

The piece or parcel of land described in Schedule C hereto shall, upon the coming into operation of this Act, become vested in the District of Palmerston North Hospital and Charitable Aid Board, its successors and assigns, upon trust, as a site for the erection thereon of the Palmerston North Hospital, to be held subject to the provisions of The Hospital

and Charitable Institutions Act 1885, and Acts amending the same, and paragraph 29 of the Schedule of The Special Powers and Contracts Act 1885.

3 Payments validated

All payments heretofore made by the Palmerston North Borough Council to the District of Palmerston North Hospital and Charitable Aid Board of moneys arising from such sales as aforesaid are hereby declared to have been valid: Provided always that the said District of Palmerston North Hospital and Charitable Aid Board shall apply such moneys in or towards the erection of such Palmerston North Hospital as aforesaid.

4 Council shall pay moneys to Board to be applied in the erection and maintenance of hospital

Upon the coming into operation of this Act the Palmerston North Borough Council shall pay over to the District of Palmerston North Hospital and Charitable Aid Board all moneys which the said Borough Council now holds arising from such hereinbefore-recited sales as aforesaid. Such moneys shall be applied by the District of Palmerston North Hospital and Charitable Aid Board in or towards the erection or maintenance of such Palmerston North Hospital as aforesaid.

5 Land in Schedule A vested in District Hospital and Charitable Aid Board subject to contracts

Upon the coming into operation of this Act the sub-allotments numbered three, four, five, six, seven, nine, and ten, part of the land described in Schedule A hereto, shall vest in the District of Palmerston North Hospital and Charitable Aid Board, its successors and assigns, subject to all contracts affecting the same heretofore made.

6 Indemnification

The District of Palmerston North Hospital and Charitable Aid Board shall hold harmless and keep indemnified the Mayor, Councillors, and Burgesses of the Borough of Palmerston North and the Palmerston North Borough Council from all

contracts affecting such land at the time this Act comes into operation. The District of Palmerston North Hospital and Charitable Aid Board shall hold such land, and the moneys to arise from such contracts as aforesaid, for the purpose of the erection of the said Palmerston North Hospital.

7 Corporation to execute deeds, &c

The Mayor, Councillors, and Burgesses of the Borough of Palmerston North shall execute all deeds and do all acts and things necessary to give full effect to the provisions of this Act.

8 Hospital to be always maintained

The District of Palmerston North Hospital and Charitable Aid Board shall always keep and maintain on the said land described in the Schedule C hereto, or otherwise, in the Borough of Palmerston North a hospital for the reception, relief, treatment, and cure of disease, within the purposes of The Hospital and Charitable Institutions Act 1885, and Acts amending the same.

Schedule A

ALL that piece or parcel of land in the Provincial District of Wellington, containing 3 acres 1 rood, more or less, being Allotment No 1 of Section No 167 on the plan of the Township of Palmerston North (subdivided for the purposes of sale into sub-allotments numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10).

Schedule B

ALL those allotments of land in the same provincial district, being Sections numbered 1530 and 1531, Block VII, of Kairanga Survey District, containing by admeasurement 147 acres 2 roods, more or less.

Schedule C

ALL that parcel of land containing 10 acres, more or less, situate in the Provincial District of Wellington, part of Suburban Section No 246 on the plan of the Township of Palmerston North, and being the whole of the land comprised in certificate of title, Volume lviii, folio 5; excepting thereout a portion of the said land appropriated to the purposes of a road as shown in the plan deposited, No 534.