

## EXPLANATORY NOTES.

*County Councils.*

Clause 2: Authorizing payment of certain moneys held in trust by Public Trustee to the Southland County Council (I.A. 1933/120/74).—The Southland County Council created a fund for the purpose of renewing and replacing certain plant, machinery, and vehicles purchased for constructing and maintaining roads in the county. The Council, however, had no statutory authority to create such a fund, and accordingly entered into an agreement with the Public Trustee whereby the amount in the fund, together with other payments made thereto from time to time, should be held in trust by the Public Trustee so that, in the event of the County Council being authorized to create a renewal fund, the Public Trustee should hold the fund as Commissioner thereof, and subject to such statutory provisions as may be enacted. There is now an amount of approximately £10,000 in the fund. The Council has found it necessary to incur considerable expenditure for the purpose of renewing and replacing its plant, but owing to the lack of statutory power is unable to utilize the fund which it set aside for this purpose. The money has, accordingly, been provided from revenue, and this has placed the Council in financial difficulty. The Council therefore desires to obtain authority for the Public Trustee to repay to the Council the amount which is held under the agreement entered into in order that the expenditure from general revenue may be recouped. Legislation is necessary to enable the Public Trustee to pay to the Council the amount in the trust fund, and the clause contains authority for such repayment.

Clause 3: Validating issue of certain debentures by Piako County Council (I.A. 1935/120/7).—The Piako County Council was authorized to raise certain loans for roading purposes, totalling in the aggregate £6,000, bearing interest at  $5\frac{3}{4}$  per cent. Under the powers conferred by the Local Bodies' Loans Act, 1926, the Council on the 20th March, 1931, hypothecated certain of the debentures in the loans to the bank. The deed of hypothecation contained a power of sale by the bank only in the event of default being made by the Council in the payment of interest and commission moneys. After the passing of the Local Authorities' Loans (Rates of Interest) Act, 1931, the bank, with the consent of the Council, disposed of certain of the debentures bearing interest at the face rate of  $5\frac{3}{4}$  per cent. As, however, the debentures were sold with the consent of the Council, and not in accordance with the power of sale contained in the deed of hypothecation, the bank was acting merely as the agent of the Council. The rate of interest should, therefore, have been reduced to  $5\frac{1}{4}$  per cent. in terms of the Local Authorities' Loans (Rates of Interest) Act, 1931. The clause validates the issue of the debentures in question at a rate of  $5\frac{3}{4}$  per cent., reduced in terms of the Local Authorities Interest Reduction and Loans Conversion Act, 1932-33.

Clause 4: Authorizing payment of a compassionate allowance by Wairewa County Council (I.A. 1935/120/33).—The Wairewa County Council desires to make a compassionate allowance of £40 to the relatives of the late Mr. W. R. Leeder, who was formerly County Clerk and Engineer to the Council. This sum represents two months' salary, which would have been payable to Mr. Leeder had he lived. The clause authorizes the Council to make the payment to the Public Trustee as administrator of the estate.

Clause 5: Authorizing Great Barrier Island County Council to refund certain moneys to Wharf Account over a period of years (I.A. 1935/120/17).—All dues and rates received by the Great Barrier Island County Council on account of the wharves erected by or vested in the Council are required by Order in Council to be applied to keeping such wharves in good order and repair, and a separate account of the receipts and payments on account of such wharves is also required to be kept. The moneys received by the Council on account of the wharves were paid into the County Fund Account, and as that account was overdrawn, the effect of paying the wharf moneys into the General Account was to reduce the overdraft incurred for general purposes. The wharf moneys are, however, in the nature of trust moneys, and should not have been used for the purpose of reducing overdraft incurred on the General Account. The action of the Council in paying the wharf moneys into the overdrawn account was, therefore, a distinct breach of trust. The clause authorizes the Council to pay the sum of £433 7s. 7d. owing to the Wharf Account in annual instalments extending over a period not exceeding four years from the 1st April, 1935.

Clause 6: Authorizing Cook County Council to transfer a certain sum from Main Highways Bridges Loan Account to Cook County Council Special Loan £153,000 Account (I.A. 1935/120/40).—The purpose of this clause is to authorize the Cook County Council to repay to the Cook County Council Special Loan £153,000 Account a sum of £1,689 expended from that loan in connection with the erection of a Main Highways Bridge at Te Arai prior to the raising of the Main Highways Bridges Loan. The cost of this work was met out of the Cook County Council Special Loan on account of the urgency of the work, and it was intended at the time to recoup that Account from the Main Highways Bridges Loan when raised. There is, however, no authority for the Council now to transfer the amount involved.

*City and Borough Councils.*

Clause 7: Authorizing Christchurch City Council to expend certain moneys held in trust for purchase of land (I.A. 1935/120/18).—The Christchurch City Council at present holds in trust a sum of £200, being the proceeds from the sale of the site of a building used as a library in the Papanui District. In terms of section 156 (2) of the Municipal Corporations Act, 1933, this money is required to be applied in or towards the purchase of other land to be held for the same purpose as affected the land disposed of. There is, however, an existing library in the Papanui District, which library is housed in the Papanui Memorial Hall. It is now found that the portion of the Memorial Hall used as a library is inadequate to cope with the large membership which the library enjoys, and proposals have been mooted for the alteration and extension of the building, costing approximately £900. The Council desires to utilize the sum of £200 already held in trust for library purposes in the Papanui District towards the cost of the alterations to the Memorial Hall in order to provide additional library facilities. The clause contains the necessary authority.

Clause 8: Repeal of section 46 of the Local Legislation Act, 1928 (I.A. 1935/120/8).—Section 46 of the Local Legislation Act, 1928, made provision whereby the company known as “Bond Street, Limited”, being the then owner of certain land fronting Bond Street in Wellington, was authorized and required to dedicate portion of such area as a street, but subject to the right of the company to retain tenancy of the land until the Wellington City Council could acquire the balance of certain land required to widen Bond Street, or until the expiration of twenty years from the passing of the above-mentioned Act. The mortgagee of the land in question did not consent to the passing of the legislation, and, as the property has now fallen back into his hands on account of the failure of the company, it has been agreed between the parties that such legislation should be repealed. The clause repeals section 46 accordingly.

Clause 9: Making special provision with respect to land taken for widening Taranaki Street in the City of Wellington (I.A. 1935/145/6).—In 1928 the Wellington City Council took certain land in Taranaki Street under the provisions of the Public Works Act for street-widening purposes. The area concerned contained approximately 9 perches, the fee-simple whereof was vested in Mr. E. Morris, jun. Mr. Morris had a legitimate claim for compensation against the Corporation but did not lodge a claim, and the time within which he may do so has now expired. The land was subject to a deed of mortgage, and prior to the vesting of the area the Council paid off the amount of such mortgage, which, including the principal moneys owing, amounted to £2,200. The Council, however, is of the opinion that Mr. Morris is entitled to further consideration for the loss of so valuable a piece of property, and desires to compensate him by the payment of a further sum of £6,300 in full settlement. The clause contains the necessary legislative authority for the Council to make the payment, together with certain ancillary provisions which have been agreed upon by the parties.

Clause 10: Authorizing remission of rates by Wellington City Council (I.A. 1935/100/2).—The Wellington City Council desires to remit an amount of £257 7s. 7d., being rates, and penalties accruing thereon, owing by the Trust Board of the Mother Aubert Home of Compassion to the Council for the past three years. The Council wishes to assist the financial position of the institution, but has no authority at law to remit the above amount. The clause authorizes the Council to make the remission and to absolve the Trust Board from liability in respect thereof.

Clause 11: Authorizing remission of rates by Wellington City Council (I.A. 1935/100/6).—An amount of £156 2s. 10d. is due and payable to the Wellington City Council by the Wellington City Mission (Church of England) Trust Board, being rates for the period from 1st April, 1932, to the 31st March, 1935, on that area in the City of Wellington known as the Men's Shelter, conducted by the Rev. Fielden Taylor. The Board is finding it difficult to carry on the work conducted in the Men's Shelter, and the City Council is desirous of assisting the financial position by a reduction of rates owing on the property. The Council has, however, no legal authority to make the remission, and the clause contains the necessary authority for the Council to remit the rates owing.

Clause 12: Section 6 of the Wellington City Empowering and Amendment Act, 1932, amended (I.A. 1933/50/6).—The Wellington City Council was authorized in 1920 to raise a Water-supply Loan of £561,943 which, for certain reasons, was not all expended on the original purposes. The Council was later faced with the necessity of undertaking urgent drainage and sewerage works in the Karori district, and obtained statutory authority to divert £23,000 of the unexpended balance of the Water-supply Loan for carrying out these works. The diversion was undertaken with the sanction of the Local Government Loans Board. On the carrying-out of the drainage works it was found that a further sum of, £3,500 was necessary to complete the work, but as the Council had authority to divert £23,000 only, it had no means of obtaining the additional expenditure required. The purpose of the clause is to enable the Council to utilize further unexpended loan-money from the original loan to enable it to complete the Karori drainage works.

Clause 13: Validating advance by Christchurch City Council to the Christchurch Drainage Board and authorizing an increase in the rate-demand (I.A. 1934/120/46).—During the financial year ended on 31st March, 1935, the Christchurch City Council was required to collect a sum of £3,160 on behalf of the Christchurch Drainage Board for the purpose of providing the annual charges of the Board for that financial year. An error occurred in calculating the rates due, with the result that a sum of £316 only was demanded on behalf of the Drainage Board. The City Council paid to the Drainage Board out of its General Account the amount of the deficit, and it is now desired that the action of the Council in this respect should be validated and authority given to increase the rate-demands for the present financial year in order to balance this payment. The clause makes provision accordingly.

Clause 14: Validating repayment by Palmerston North City Council out of loan-moneys of certain moneys expended from the General Account of the Council (I.A. 1935/120/34).—On the 6th September, 1933, the Palmerston North City Council was authorized by a poll of ratepayers to raise a loan of £6,000 to enable the Council to provide its proportion of the cost of the reconstruction of the Fitzherbert Bridge, including approaches thereto. The City Council commenced the reconstruction work prior to the issue of the necessary Order in Council authorizing the raising of the loan, and the cost of such work, amounting to £2,193 9s. 7d., was advanced from the General Account. When the loan was raised the Council refunded to the General Account the amount advanced therefrom, and the clause validates the action of the Council in this respect.

Clause 15: Authorizing diversion of certain loan-money by Nelson City Council (I.A. 1935/120/36).—The Nelson City Council has raised a loan of £5,700 for the purpose of carrying out certain public works for the improvement of reserves in the City of Nelson. The loan proposals allocated specific amounts for expenditure on the Botanical Reserve, Trafalgar Park, and Pioneers' Park respectively. The Council decided not to proceed with certain of the work under the Botanical Reserve allocation, and accordingly there is an unexpended balance of £360 11s. 4d. in this allocation. An additional expenditure of £129 6s. 3d. has been incurred in connection with works under the Trafalgar Park allocation, and the whole of the expenditure in respect of Pioneers' Park allocation has been expended, but the works thereon have not yet been completed. The Council desires to apply the unexpended balance of £360 11s. 4d. from the Botanical Reserve allocation in the following manner: (1) By transferring therefrom a sum of £129 6s. 3d. to the Trafalgar Park allocation in order to make up the deficit in that allocation; (2) in completing the works now being carried out on Pioneers' Park; and (3) in carrying out any other public works which may be authorized in terms of the clause. In view of the fact that the Council has not completed certain of the proposed works, there is now no authority for the Council to vary the loan allocation in the manner proposed. The clause authorizes the variation of the loan allocations subject to the approval of the Local Government Loans Board being obtained thereto.

Clause 16: Validating certain expenditure by Newmarket Borough Council (I.A. 1935/120/16).—Celebrations were recently held in the Borough of Newmarket to commemorate the fiftieth anniversary of the constitution of the borough. The Newmarket Borough Council incurred certain expenditure in connection with the jubilee celebrations, and the purpose of the clause is to validate the expenditure of a sum of £100 incurred by the Council in this respect.

Clause 17: Authorizing Stratford Borough Council to raise a special loan (I.A. 1934/115/4).—The Stratford Borough Council entered into negotiations last year for the purchase of an area of approximately 200 acres as a site for an aerodrome. The purchase price was £5,038 12s., and arrangements have now been made for the outstanding purchase-money to be paid over a period of twenty years with interest at  $3\frac{1}{2}$  per cent. The Council had an option over the area concerned, and, as the vendor would not extend the date of expiry of the option, the Council was forced to pay a sum of £1,413 4s. 11d. out of its General Account as a deposit pending final arrangements being made as to the method of financing the project. Later on, the balance of the purchase-money was raised on the instalment plan. The Council is now faced with the position that a substantial sum has been paid out of the General Account and that account is not in a position to carry a debit of this amount. In view of the circumstances, power is sought for the Council to raise a loan of £1,400, without taking a poll of rate-payers, for the purpose of recouping the General Account. The clause contains authority for the Council to raise the necessary loan in this manner.

Clause 18: Validating certain expenditure by Napier Borough Council (I.A. 1935/120/4).—This clause validates certain expenditure incurred by the Napier Borough Council in connection with the celebration of the Diamond Jubilee of the Borough of Napier, and the relief of distress arising out of unemployment in the Borough.

Clause 19: Authorizing Foxton Borough Council to capitalize certain arrears of interest (I.A. 1935/120/23).—The Foxton Borough Council has from time to time borrowed from the Superintendent of the State Advances Office a total amount of £36,150. Arrears of interest amounting to £1,211 7s. 10d. are owing in respect of this loan indebtedness as at 31st March, 1935, and no interest has been paid thereon since that date. The Council is undertaking a conversion scheme in respect of the borough loans, but is unable to complete such scheme whilst the arrears of interest referred to above are owing. It has therefore been agreed between the Borough Council and the lender that the arrears of interest should be added to the capital liability in order to permit of the conversion scheme being proceeded with. The clause authorizes the agreement to be put into legal effect.

Clause 20: Authorizing transfer of certain land to Eltham Borough Council for Plunket Society and women's rest-room (I.A. 1935/120/13).—C. A. Wilkinson, Esq., M.P., presented to the community of Eltham certain pieces of land for the erection thereon of Plunket Rooms and a women's rest-room. The land is now vested in three trustees—namely, Messrs. C. A. Wilkinson, H. G. Carman, and I. J. Bridger, all prominent citizens of Eltham. The desire of the donor was to give the trustees very wide powers of trust in order that the objects of the trust could be benefited to the fullest extent possible, and in pursuance thereof they have sold the land and procured more suitable land for the purpose. The citizens of Eltham in appreciation of the gift have raised the funds for the erection and furnishing of a substantial up-to-date building for use by the local Plunket Society, and as a women's rest-room. The land and building are now free of debt. The trustees now feel that the purposes of the trust would be better served if the property were vested in the Eltham Borough Council, the Council to be responsible for the upkeep and maintenance thereof, subject to the restriction that the building shall be used only by the two organizations mentioned in the trust. The Eltham Borough Council has signified its willingness to take over the property on such conditions. The purpose of the clause is to empower the trustees to vest the property in the Eltham Borough Corporation and for the Corporation to hold it in trust for Plunket Rooms and a women's rest-room for the district.

Clause 21: Governor-General authorized to issue Order in Council permitting laying-out of street less than 40 ft. wide in the City of Wellington (I.A. 1935/120/45).—In 1930 proposals for the subdivision of a certain property at Donald Street in the City of Wellington were submitted to the Wellington City Council for approval. The scheme of subdivision provided for a street of a less width than 40 ft. There was no authority for the laying-out of a street of a less width than 40 ft., except with the approval of the Director of Town-planning under the powers vested in him by section 33 of the Town-planning Act, 1926. The parties accordingly conferred at the time with the Director of Town-planning, and at such conference he agreed to give his approval to a plan of subdivision providing for a street of a less width than 40 ft. For certain reasons the plan of subdivision was not completed prior to the Director of Town-planning going out of office. Section 33 of the Town-planning Act is now inoperative by reason of there being no Director of Town-planning in office, but it is desired, in order to give a practical access to the various sections, to proceed with the subdivision of the property on the basis of the proposals agreed to by the Director of Town-planning. The clause accordingly authorizes the issue of an Order in Council permitting the laying-out of a street of a less width than 40 ft., but subject to the right to impose a building-line restriction.

Clause 22: Authorizing Northcote Borough Council to amend its farm-land roll (I.A. 1933/223/23).—The Northcote Borough Council prepared a farm-land list in accordance with the provisions of the Urban Farm Land Rating Act, 1932, which, after the hearing of objections, became the farm-land roll for the borough. Certain persons whose existing property valuations were unaffected by the assignment of special rateable values, but whose names should have appeared on the list as occupiers of urban farm land, did not object to the valuations assigned to their properties on the list. After the list had been signed by the Judge of the Court, and thereby became the farm-land roll for the borough, it was discovered that the names of the persons referred to above did not appear thereon. This was not done designedly, but appears to have occurred simply by reason of an omission in one of the stages of the preparation of the roll. The Council has no power now to enter these properties on the farm-land roll, and the primary purpose of the clause is to authorize the Council to amend the roll retrospectively as from 28th February, 1935, so as to include the appropriate particulars of the properties therein. It is desired to make the entries take effect from this date in order to allow the Council to pay to each of the ratepayers concerned a sum equivalent to the 12½ per cent. rebate on rates granted last year. Had the properties been properly entered on the roll, the ratepayers would have been eligible to receive the benefit of the rebate.

Clause 23: Authorizing Green Island Borough Council to borrow by way of overdraft against loan-moneys on fixed deposits (I.A. 1935/120/42).—The Green Island Borough Council raised a loan of £32,000 for carrying out drainage and sewerage works in the borough. It was originally intended to spread the work over a period of three or four years and, with this programme in view, the Council placed a portion of the loan-moneys, amounting to £22,000, on fixed deposits over a period of three years with the National Bank of New Zealand, Ltd., which is not the usual bank at which the Council conducts its business. With a view to expediting the work and giving further relief to unemployed workers the Council employed more men than was originally intended. This action necessitated the Council obtaining some of the loan-moneys on fixed deposits, but the bank would not agree to accelerate the date of repayment of the deposits. The Council, therefore, agreed with its own bankers to obtain an overdraft against the moneys lying on fixed deposits and to pay ordinary bank rates for such accommodation. There is no authority for the Council to incur an overdraft against loan-moneys on fixed deposit, and the purpose of the clause is to confer the necessary authority on the Council.

Clause 24: Authorizing expenditure out of Wharf Account of Opotiki Borough Council for certain street works (I.A. 1934/120/43).—This clause authorizes the Opotiki Borough Council to expend from its Wharf Account a sum of £750 for the purpose of permanently sealing a length of street which gives direct access to the wharf and is used practically exclusively by traffic proceeding to the wharf from the various parts of the harbour area controlled by the Borough Council.

*Harbour Boards.*

Clause 25 : Validating certain deeds of lease entered into by Wellington Harbour Board (I.A. 1935/120/25).—In 1908 it was considered desirable in the interests of the Harbour of Wellington that the Patent Slip at Evans Bay, together with the whole undertaking of the Wellington Patent Slip Co., Ltd., should be acquired by the Wellington Harbour Board. As a result of negotiations an Act known as the Wellington Harbour Board Empowering Act, 1908, was passed, and the Fifth Schedule to that Act sets forth and validates a deed between the Wellington Harbour Board, the Wellington Patent Slip Co., Ltd., and the Union Steam Ship Co. of N.Z., Ltd. This deed sets forth the arrangements come to between the parties, and, *inter alia*, contains provision for the Harbour Board acquiring the Patent Slip undertaking on the expiration of twenty-five years from the 30th September, 1908. This period has now expired, and the Board has acquired the undertaking. Under the Act the Patent Slip Co. has the right to lease for a stated term the area (known as the "defined area") now occupied by the Union Steam Ship Co. as marine workshops and laundry. Adjoining this is a repair wharf, which now has become the property of the Board. It has now been agreed to lease this repair wharf, together with a strip of land approaching same, to the Union Steam Ship Co. for a period of seven years with seven years' right of renewal. As it was considered that it would not be profitable for the Board itself to run the two slipways (which are in close proximity to the above workshops and repair wharf) negotiations were entered into with the Union Co. and the Patent Slip Co. and an agreement was come to for them to carry on the two public patent slips for a term of seven years, with the right of renewal for a further term of seven years. It is provided in the deed of lease that the lessees must carry on the Patent Slip as public patent slips, and must not show any preference or priority to vessels, but all vessels requiring the use thereof shall be entitled thereto as if the slips were being run by a public authority. The Wellington Harbour Board also retains control of the scale of rates and charges payable for and in respect of the use of the slips. The clause validates the two deeds of lease which have been entered into by the parties concerned.

Clause 26 : Authorizing Auckland Harbour Board to pass a special resolution making provision for additional retiring-allowance in respect of its Superannuation Fund (I.A. 1935/120/12).—On the 25th February, 1913, the Auckland Harbour Board, under the powers conferred by the Local Authorities Superannuation Act, 1908, and amendments, passed a resolution establishing a superannuation fund for the benefit of the employees of the Board. The Local Authorities Superannuation Amendment Act, 1912, authorizes a local authority, when establishing a fund, to make provision for the payment of increased retiring-allowance in respect of service prior to the establishment of the fund to those persons who have become contributors to the fund within six months of the establishment thereof. The Auckland Harbour Board made no such provision when establishing its fund, and now desires to do so. There is, however, no authority for the Board now to amend its original resolution in this direction. The main purpose of the present legislation is to overcome the technical difficulty involved. The Board also desires to take advantage of the opportunity to permit certain contributors who did not join the fund within the six-monthly period, but have since done so at varying periods, to participate in the benefits in so far as payment for back service is concerned. These contributors are, however, required to pay into the fund amounts representing contributions, together with interest thereon, in respect of their service prior to the date of their first contributions to the fund. The clause contains authority for the Board to make provision accordingly.

Clause 27 : Validating remission of dues by Auckland Harbour Board in respect of Japanese training-ship "Shintoku Maru" (I.A. 1933/120/44).—The Auckland Harbour Board, as a matter of international courtesy, made a remission of £27 11s. 3d. in the dues and port charges incurred by the Japanese training-ship "Shintoku Maru" during its visit to Auckland. The Board had no lawful authority to do so and the clause validates its action.

Clause 28 : Provision with respect to purchase of wharf-site by Hokianga Harbour Board (I.A. 1935/120/44).—The Hokianga Harbour Board has entered into an agreement with the owners of the Opononi Wharf for the purchase of the wharf and site thereof. The purchase price agreed upon is £400, to be payable by annual instalments of £50, the outstanding purchase-money to be free of interest. The Board has no statutory authority to enter into a transaction of this nature involving the payment of the purchase price by instalments and the pledging of the future revenues of the Board. The clause validates the action of the Board in entering into the transaction in question on the terms agreed upon by the parties.

Clause 29: Validating rates of Thames Harbour Board for year ended 30th September, 1935 (I.A. 1933/120/4).—In terms of section 25 of the Local Legislation Act, 1934, the Thames Harbour Board was required to resolve not later than the 20th January, 1935, to collect certain special rates for the year ended 30th September, 1935, necessary to meet interest and sinking fund on certain loans. Through unavoidable circumstances the Board failed to pass the necessary resolution at the date required by that section. It did, however, do so on the 21st March, 1935. The omission was formal, and the clause is intended to effect the necessary validation to remedy the Board's failure.

Clause 30: Authorizing Timaru Harbour Board to make and levy a rate in respect of renewal loan of £150,000 (I.A. 1935/120/37).—The Timaru Harbour Board was recently authorized by Orders in Council to raise a renewal loan of £150,000 at a rate of interest of  $3\frac{1}{4}$  per cent. and with provision for repayments of principal to be made on the first day of January in each of the years from 1937 to 1952, both inclusive. The existing rating powers of the Board are somewhat limited in that the Board is authorized in each year to raise only such amount as is required for the payment of interest and charges on the aggregate amount for which debentures shall at that time be issued, after taking into account the amount estimated as available for the current year from the revenue of the Board towards payment of interest and charges and having regard to all existing charges on such revenue and expenditure for which provision ought to be made out of such revenue. The prospective lender in the case of the renewal loan does not consider that the existing powers of the Board in regard to rating are sufficient to adequately secure the payment of current interest and the annual repayments of principal. The clause accordingly confers power on the Board so that in any year during the currency of the loan when the available amount in the Harbour Fund together with the proceeds from any rate which the Board is authorized to levy are insufficient to meet the annual commitments on the loan, it may make and levy a further rate of such an amount as will provide the sum required to meet the current interest and repayments of principal. The Board also desires to have an alternative method whereby it may invoke the provisions of the Timaru Harbour Board Empowering Act, 1890, and amendments, under which the Board may allocate to and recover from the local authorities in the Harbour District a sum equivalent to the annual amount which would be raised by means of the rate. This is provided for in the clause.

Clause 31: Member of Thames Harbour Board acting as Secretary during certain period not to be disqualified from holding office as member (I.A. 1935/120/49).—This clause authorizes the Thames Harbour Board to make a payment to Mr. S. Ensor for acting as Secretary to the Board from the end of April, 1935, till the present time. Mr. Ensor is a member of the Board, and without this legislation is, therefore, ineligible to receive payment for his services without being disqualified from acting as a member of the Board. The circumstances are exceptional and justify payment being made.

#### *Electric-power Boards.*

Clause 32: Authorizing North Auckland Electric-power Board to pay certain incidental expenses out of loan-moneys (I.A. 1935/120/22).—Under section 68 of the Electric-power Boards Act, 1925, an Electric-power Board may, out of loan-moneys, pay certain incidental and preliminary expenses incurred at any time before the Board commences the supply of electrical energy or within three years after the first election of the Board, whichever period is the less. The Board of the North Auckland Electric-power District has been in existence since 1923, but has not yet commenced the supply of electrical energy. The longest period that is available to the Board during which preliminary expenses may be charged to loan-moneys is, therefore, the period of three years from the first election of the Board in May, 1923. Certain preliminary expenses of the nature set out in section 68 have been incurred by the Board during the period of nine years from May, 1926, up to the present date, and further expenses will be incurred prior to the commencement of the supply of electricity which, it is anticipated, will take place next year. The purpose of the clause is to authorize the Board to pay the preliminary expenses out of loan-moneys, notwithstanding that such expenses have not been incurred within the period prescribed by section 68 of the Act.

*River and Drainage Boards.*

Clause 33: Validating payment of compassionate allowance by Wairau River Board (I.A. 1935/145/1).—This clause validates the action of the Wairau River Board in paying to the widow of the late David Greig, who acted as Inspector for the Board, a compassionate allowance of £100. Mr. Greig was Inspector to the River Board since its inception in 1921, and he had for many years previously been Inspector to certain River Boards controlling the Wairau River and its tributaries, which Boards were subsequently amalgamated into the Wairau River Board. Mr. Greig died in office, and the Board desired to show its tangible appreciation of the services rendered by the late Mr. Greig throughout a long period of service.

Clause 34: Varying terms of payment of cost of certain river works by Kaipara River Board. Repeal (I.A. 1935/120/41).—In 1932 the Kaipara River Board agreed to pay to the Public Works Department the sum of £1,400 towards the cost of river-improvement works in the Kaipara River District, and the arrangement was validated by section 55 of the Local Legislation Act, 1932-33. The Board was to repay the above sum by annual instalments of not less than £150, but has been unable to find that amount. It has therefore been agreed that during the first five years the Board shall pay only interest at the rate of 5 per cent., reducible to 4 per cent. if paid on due date, and at the end of five years the position be reviewed with a view to the Board commencing repayment of principal. If the Board pays in principal and interest a total sum of £1,400 within ten years from the date of the loan (1st October, 1934), this amount will be accepted in liquidation of the debt. The clause gives effect to the new agreement entered into with the Board.

Clause 35: Authorizing Dunedin Drainage and Sewerage Board to make and levy a special rate (I.A. 1935/120/31).—The Dunedin Drainage and Sewerage Board obtains its borrowing-powers by special Act as from time to time required. Under the authority of the Dunedin District Drainage and Sewerage Amendment Act, 1930, the Board obtained power to borrow a sum not exceeding £250,000, but no authority was given in that Act for the Board to make and levy special rates as security for the moneys so borrowed. It is desirable both from the point of view of the Board and the prospective lender that any moneys borrowed by the Board should be secured by a special rate made and levied in accordance with statutory authority. The clause accordingly extends for the purposes of the loan of £250,000 the relevant provisions of the Dunedin District Drainage and Sewerage Amendment Act, 1921, by which the Board was authorized to make and levy special rates as security for moneys borrowed under the authority of that Act.

Clause 36: Validating borrowing of a sum of £600 by Wakapuaka Drainage Board and authorizing issue of debentures in respect of such sum (I.A. 1935/120/5).—In 1932 the Wakapuaka Drainage Board was authorized to raise a loan of £600 at a rate of interest of 5 per cent. and sinking fund of 3 per cent. The loan-moneys were actually uplifted from time to time as required between the 28th March, 1932, and 10th February, 1934. It has now been found that the debentures in the loan have never actually been issued although interest has been paid as and when falling due. The clause authorizes the Board to now issue valid debentures in respect of the loan. It is also desired to increase the sinking fund payable from the rate of 3 per cent. to a rate of not less than 3½ per cent., as the present rate will be insufficient to redeem the loan in full at maturity owing to the reduction of interest-rates on investments since this loan was authorized. The clause provides accordingly.

*Fire Boards.*

Clause 37: Validating payment of compassionate allowance by Palmerston North Fire Board (I.A. 1935/67/8).—The late Mr. W. H. Barnard had over forty years' service with the Palmerston North Fire Brigade, twenty-three years of which were in the office of Superintendent. For over ten years he had taken no annual leave. In April last the Fire Board granted him four months' leave of absence on full pay, but Mr. Barnard died eighteen days afterwards. The Board then decided to grant a payment of £100 to the widow, and this amount, which represents the balance of salary that would have been due to the late Mr. Barnard for the unexpired portion of his leave, has now been paid. The clause validates the action of the Board in paying the compassionate allowance referred to.



*Hospital Boards.*

Clause 38 : Making provision with respect to purchase of land by Wellington Hospital Board (I.A. 1935/120/11).—The Wellington Hospital Board desires to obtain statutory authority for the purchase of the freehold of the Hotel Cecil property in the City of Wellington at present vested in the trustees of the McParland estate. The adjoining property is already vested in the Wellington Hospital Board as an endowment for the maintenance of the Wellington Hospital. To all intents and purposes the two properties are inalienable as the dividing-line between the two properties actually passes through the rooms of the buildings on the property and access to the upper floors of the Hotel Cecil property is by a staircase in the Hospital Board's portion of the building. Consideration has been given to various alternatives to the Board purchasing the McParland property, but with the exception of the present proposal these were not favoured by the parties concerned. The purchase of the property by the Board will considerably improve the leasing-value of its present property, which is in the middle of the block. The proposed purchase price of the property is £8,250, and the purpose of the clause is to authorize the Board to purchase the property and to borrow for the purpose of meeting the purchase price of £8,250. The approval of the Minister of Health is required to be obtained to the expenditure involved, and the subsequent loan proposal will be subject to the sanction of the Local Government Loans Board.

*Affecting Two or More Classes of Public Bodies.*

Clause 39 : Hutt River Board and Wellington City Corporation authorized to carry out certain exchanges of land and transfers of land, and to execute grants of easements and licenses in respect of land situate on Gear Island and in the western branch of the Hutt River (I.A. 1935/120/10).—The purpose of the attached clause is to validate an agreement made between the Hutt River Board and the Wellington City Council relative to the taking of artesian water from Gear Island for the benefit of the inhabitants of Wellington City. The legislation is concurred in by the two parties to the agreement, and also by certain other local authorities affected—namely, the Petone Borough Council, the Lower Hutt Borough Council, and the Hutt County Council.

Clause 40 : Authorizing certain local authorities to contribute to Wellington Branch of the New Zealand Free Ambulance Transport Service, Incorporated (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 41 : Validating expenditure incurred by certain local authorities in connection with the relief of distress (I.A. 1933/120/15).—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 42 : Abolishing Mataitai-Orere Rabbit District (I.A. 1935/120/28).—The Board of Trustees of the Mataitai-Orere Rabbit District has not functioned for a considerable number of years, and it is accordingly desired to abolish the district. There is no provision in the Rabbit Nuisance Act, 1928, providing for the abolition of rabbit districts, and legislation is necessary to effect the abolition of this district.

Clause 43 : Validating action of the Massey Agricultural College Council in borrowing certain moneys (I.A. 1935/120/30).—The clause validates the borrowing of a sum of £1,000 by the Council of the Massey Agricultural College from the Public Trustee. The money was borrowed as an advance against the share of the College in the residuary estate of Walter Henry Bailey, which is administered by the Public Trustee. It has been held that the transaction constituted an unlawful borrowing on the part of the College, and it is desired that the matter should be validated.

Clause 44 : Changing name of Western Spit Public Library (I.A. 1935/93/1).—The Western Spit Public Library is incorporated under the Libraries and Mechanics' Institutes Act, 1908. The trustees are desirous of changing the name of the library to the Westshore Public Hall, but the above-mentioned Act does not appear to be wide enough to enable a change of name to be made in the case of a body such as this. The clause is provided for the purpose of enabling the change of name to be effected.

Hon. Sir Alexander Young.

## LOCAL LEGISLATION.

### ANALYSIS.

- | Title.   |  |
|--|--|
| 1. Short Title.  |  |
| <i>County Councils.</i>  |  |
| 2. Authorizing payment of certain moneys held in trust of Public Trustee to the Southland County Council.  | 12. Section 6 of the Wellington City Empowering and Amendment Act, 1932, amended.  |
| 3. Validating issue of certain debentures by Piako County Council.   | 13. Validating advance by Christchurch City Council to the Christchurch Drainage Board, and authorizing an increase in the rate-demand.          |
| 4. Authorizing payment of a compassionate allowance by Wairewa County Council.   | 14. Validating repayment by Palmerston North City Council out of loan-moneys of certain moneys expended from the General Account of the Council. |
| 5. Authorizing Great Barrier Island County Council to refund certain moneys to Wharf Account over a period of years.                                       | 15. Authorizing diversion of certain loan-money by Nelson City Council.  |
| 6. Authorizing Cook County Council to transfer a certain sum from Main Highways Bridges Loan Account to Cook County Council Special Loan £153,000 Account. | 16. Validating certain expenditure by Newmarket Borough Council.   |
| <i>City and Borough Councils.</i>  |  |
| 7. Authorizing Christchurch City Council to expend certain moneys held in trust for purchase of land.  | 17. Authorizing Stratford Borough Council to raise a special loan.   |
| 8. Repeal of section 46 of the Local Legislation Act, 1928.  | 18. Validating certain expenditure by Napier Borough Council.  |
| 9. Making special provision with respect to land taken for widening Taranaki Street in the City of Wellington.   | 19. Authorizing Foxton Borough Council to capitalize certain arrears of interest.  |
| 10. Authorizing remission of rates by Wellington City Council.   | 20. Authorizing transfer of certain land to Eltham Borough Council for Plunket Society and women's rest-room.                                    |
| 11. Authorizing remission of rates by Wellington City Council.   | 21. Governor-General authorized to issue Order in Council permitting laying-out of street less than 40 ft. wide in the City of Wellington.       |
|  | 22. Authorizing Northcote Borough Council to amend its farmland roll.  |
|  | 23. Authorizing the Green Island Borough Council to borrow by way of overdraft against loan-moneys on fixed deposits.                            |

- |   |  |
|---|--|
| <p>24. Authorizing expenditure out of Wharf Account of Opotiki Borough Council for certain street works.</p> <p style="text-align: center;"><i>Harbour Boards.</i></p> <p>25. Validating certain deeds of lease entered into by Wellington Harbour Board.</p> <p>26. Authorizing Auckland Harbour Board to pass a special resolution making provision for additional retiring -allowance in respect of its Superannuation Fund.</p> <p>27. Validating remission of dues by Auckland Harbour Board in respect of Japanese training-ship " Shintoku Maru ".</p> <p>28. Provision with respect to purchase of wharf-site by Hokianga Harbour Board.</p> <p>29. Validating rates of Thames Harbour Board for year ended 30th September, 1935.</p> <p>30. Authorizing Timaru Harbour Board to make and levy a rate in respect of renewal loan of £150,000.</p> <p>31. Member of Thames Harbour Board acting as Secretary during a certain period not to be disqualified from holding office as member.</p> <p style="text-align: center;"><i>Electric-power Board.</i></p> <p>32. Authorizing North Auckland Electric-power Board to pay certain incidental expenses out of loan-moneys.</p> <p style="text-align: center;"><i>River and Drainage Boards.</i></p> <p>33. Validating payment of compassionate allowance by Wairau River Board.</p> <p>34. Varying terms of payment of cost of certain river works by Kaipara River Board. Repeal.</p> <p>35. Authorizing Dunedin Drainage and Sewerage Board to make and levy a special rate.</p> | <p>36. Validating borrowing of a sum of £600 by Wakapuaka Drainage Board and authorizing issue of debentures in respect of such sum.</p> <p style="text-align: center;"><i>Fire Board.</i></p> <p>37. Validating payment of compassionate allowance by Palmerston North Fire Board.</p> <p style="text-align: center;"><i>Hospital Board.</i></p> <p>38. Making provision with respect to purchase of land by Wellington Hospital Board.</p> <p style="text-align: center;"><i>Affecting Two or More Classes of Public Bodies.</i></p> <p>39. Hutt River Board and Wellington City Corporation authorized to carry out certain exchanges of land and transfers of land, and to execute grants of easements and licenses in respect of land situate on Gear Island and in the western branch of the Hutt River.</p> <p>40. Authorizing certain local authorities to contribute to Wellington Branch of the New Zealand Free Ambulance Transport Service, Incorporated.</p> <p>41. Validating expenditure incurred by certain local authorities in connection with the relief of distress.</p> <p style="text-align: center;"><i>Miscellaneous.</i></p> <p>42. Abolishing Mataitai-Orere Rabbit District.</p> <p>43. Validating action of the Massey Agricultural College Council in borrowing certain moneys.</p> <p>44. Changing name of Western Spit Public Library.</p> <p style="text-align: center;">Schedule.</p> |
|---|--|

## 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 of the same, as follows:—

Short Title. 1. This Act may be cited as the Local Legislation Act, 1935.

*County Councils.*

2. Whereas under a deed of trust bearing date the nineteenth day of July, nineteen hundred and twenty-six, and made between the Chairman, Councillors, and  
 5 Inhabitants of the County of Southland of the one part, and the Public Trustee of the other part, moneys have from time to time been paid by the Southland County Council (hereinafter called the Council) to the Public Trustee to be held by him upon trust for the Council subject  
 10 to the condition that on the passing of any statutory enactment empowering the Council to create a renewal fund the said moneys with interest thereon should upon the terms set out in the said deed be paid to the Council: And whereas, although no such statutory  
 15 enactment has been passed, doubt has arisen as to the validity of the said deed and, the Council being in need of the moneys held by the Public Trustee as aforesaid, it is desirable that the Public Trustee should be empowered to pay all moneys held by him under  
 20 the said deed to the Council: Be it therefore enacted as follows:—

Authorizing payment of certain moneys held in trust by Public Trustee to the Southland County Council.

The Public Trustee is hereby authorized and empowered to pay to the Council all moneys held by him under the said deed of trust notwithstanding any  
 25 provision of the said deed to the contrary.

3. Whereas in terms of sections thirty-four and thirty-five of the Local Bodies' Loans Act, 1926, the Piako County Council (hereinafter referred to as the  
 30 Council) on the twentieth day of March, nineteen hundred and thirty-one, hypothecated to the Bank of New Zealand certain debentures of the Peeks Road Loan, 1929, of £2,000, the Valley Road Loan, 1929, of £3,000, and the Goulds Road Loan, 1930, of £1,000, each for one  
 35 hundred pounds, and all bearing interest at five and three-quarters per centum per annum: And whereas, with the consent of the Council, but without default on the part of the Council to warrant sales under the respective deeds of hypothecation, the bank sold three debentures of the Peeks Road loan numbered eighteen  
 40 to twenty inclusive, three debentures of the Valley Road loan numbered thirteen to fifteen inclusive, and

Validating issue of certain debentures by Piako County Council.

five debentures of the Goulds Road loan numbered six to ten inclusive: And whereas the said eleven debentures with their relative coupons for interest at the rate of five and three-quarters per centum per annum were issued to the public and their proceeds credited to the respective loan accounts: And whereas the said rate of interest exceeded the rate prescribed at the time of the said issue by the Local Authorities' Loans (Rates of Interest) Act, 1931: And whereas it is expedient to validate the said issue: Be it therefore enacted as follows:—

The said debentures and coupons shall be deemed to have been lawfully issued, but shall be subject to the reduction in the rate of interest effected by the Local Authorities Interest Reduction and Loans Conversion Act, 1932-33.

Authorizing payment of a compassionate allowance by Wairewa County Council.

4. The Wairewa County Council is hereby empowered to pay the sum of forty pounds out of its General Account to the Public Trustee as administrator of the estate of William Robert Leeder, deceased, formerly an employee of the said Council, as a compassionate allowance for the benefit of the next-of-kin of the said William Robert Leeder.

Authorizing Great Barrier Island County Council to refund certain moneys to Wharf Account over a period of years.

5. Whereas the Great Barrier Island County Council (hereinafter called the Council), in anticipation of revenue, temporarily advanced certain moneys out of its Wharf Account to the General Fund of the Council: And whereas there is now due by the General Fund to the Wharf Account the sum of four hundred and thirty-three pounds seven shillings and sevenpence, being the balance of the said moneys so advanced: And whereas it is expedient that the Council should be empowered to refund such balance to the Wharf Account in instalments as hereinafter provided: Be it therefore enacted as follows:—

The Council is hereby authorized and empowered to refund to the Wharf Account from the General Account the said balance of four hundred and thirty-three pounds seven shillings and sevenpence in annual instalments of not less than one hundred pounds each, but so that the whole of such amount shall be refunded on or before the thirty-first day of March, nineteen hundred and thirty-nine.

6. Whereas the Cook County Council (hereinafter called the Council) during the years nineteen hundred and twenty-eight to nineteen hundred and thirty-one paid out of the Cook County Council Special Loan of £153,000
- 5 Account (hereinafter referred to as the Special Loan Account) the sum of one thousand six hundred and eighty-nine pounds towards the cost of the Te Aria Bridge: And whereas such payment was made in anticipation of the raising by the Council of the Main
- 10 Highways Bridges Loan of the Cook County and with the intention upon the raising of that loan of refunding the said sum to the Special Loan Account: And whereas the Main Highways Bridges Loan has been raised by the Council: And whereas it is desirable that the
- 15 Council should be authorized to make such refund: Be it therefore enacted as follows:—

The Council is hereby empowered to transfer the sum of one thousand six hundred and eighty-nine pounds from the Main Highways Bridges Loan Account to the Special

20 Loan Account.

*City and Borough Councils.*

7. The Christchurch City Council is hereby authorized and empowered to apply the whole or any part of the sum of two hundred pounds, being the proceeds of the sale
- 25 of that parcel of land containing thirty-two perches, being part Rural Section 304, North Road, Papanui (being the site of the old Papanui Library), which sum is held in trust for the purchase of land for library purposes, in or towards the cost of additions or improvements to the
- 30 hall under the control of the Committee of Management constituted under the Papanui Memorial Hall Management Act, 1928, and known as the Papanui Memorial Hall, for the purposes of providing improved accommodation for the library now in that hall.
- 35 8. Section forty-six of the Local Legislation Act, 1928, is hereby repealed.

Authorizing Cook County Council to transfer a certain sum from Main Highways Bridges Loan Account to Cook County Council Special Loan £153,000 Account.

Authorizing Christchurch City Council to expend certain moneys held in trust for purchase of land.

Repeal of section 46 of the Local Legislation Act, 1928.

Making special provision with respect to land taken for widening Taranaki Street in the City of Wellington.

9. Whereas by a Proclamation dated the twenty-third day of October, nineteen hundred and twenty-eight, published in the *Gazette* of the twenty-fifth day of the same month, and registered in the Land Registry Office at Wellington as Number 1875, part of Section 186, Town of Wellington, containing eight perches and ninety-five hundredths of a perch, more or less, being the whole of the land comprised in certificate of title, Volume 340, folio 132, Wellington Registry (as the same is delineated on the plan marked P.W.D. 72020, deposited in the office of the Minister of Public Works at Wellington, and thereon coloured blue), was taken for street-widening purposes and vested in the Mayor, Councillors, and Citizens of the City of Wellington (hereinafter called the Corporation) as from the sixth day of November, nineteen hundred and twenty-eight : 5  
 And whereas the owner of the fee-simple of the said land, Edward Morris, the younger, of the City of Wellington, Undertaker, has failed to make a claim for compensation within the period limited in that behalf by the Public Works Act, 1928, and all his right and title to any compensation in respect of such lands has absolutely ceased by reason of the provisions of that Act : And 10  
 whereas immediately prior to the date of the vesting of the said piece of land in the Corporation the said piece of land was subject to a deed of mortgage registered in the Deeds Register Office at Wellington under Number 99294 to the National Mutual Life Association of Australasia, Limited : And whereas the Corporation, on the twenty-ninth day of January, nineteen hundred 15  
 and thirty-one, paid to the said mortgagee the moneys owing under the said deed of mortgage including the principal moneys owing—namely, two thousand two hundred pounds : And whereas the said Edward Morris, the younger, and the Corporation have agreed that the Corporation shall pay to the said Edward Morris, the 20  
 younger, a further sum of six thousand three hundred pounds and that the Corporation shall be freed and discharged from all actions, suits, proceedings, claims, and demands in respect of the said taking : Be it 25  
 therefore enacted as follows :— 30  
 35  
 40

(1) The Corporation is hereby directed and empowered to pay to the said Edward Morris, the younger, the said sum of six thousand three hundred pounds.

5 (2) The Corporation is hereby freed and discharged from all actions, suits, proceedings, claims, and demands in respect of the taking of the said piece of land.

(3) The said Edward Morris, the younger, shall pay all rates, land-tax, insurance premiums, and all other outgoings whatsoever in respect of the said land and  
10 any buildings erected thereon (including interest at the rate of six and one-half per centum per annum on the said sum of two thousand two hundred pounds) up to the date of the payment by the Corporation to the said Edward Morris, the younger, of the said sum of six  
15 thousand three hundred pounds (hereinafter referred to as the date of settlement).

(4) The amount of rates, insurance premiums, and other outgoings in respect of the said land shall be apportioned at the date of settlement, and the amounts  
20 payable by and to the Corporation shall be set one against the other.

(5) As from the date of settlement, the said Edward Morris, the younger, shall be a tenant of the Corporation in respect of the said land at a monthly rental of  
25 forty-two pounds ten shillings, payable on the last day of each month of the tenancy. The tenancy may be determined by one month's notice in writing from either the Corporation or the said Edward Morris, the younger, and during the tenancy the Corporation shall pay all  
30 rates and insurance premiums becoming payable in respect of the said land.

10. Whereas the Wellington City Council (hereinafter called the Council) is desirous of obtaining authority to remit certain rates, together with the amount added  
35 thereto pursuant to section seventy-six of the Rating Act, 1925, amounting in all to the sum of two hundred and fifty-seven pounds seven shillings and sevenpence, due and payable by the Mother Aubert Home of Com-  
40 passion Trust Board to the Council for the period from the first day of April, nineteen hundred and thirty-two, to the thirty-first day of March, nineteen hundred and thirty-five, in respect of those pieces of land in the City of Wellington, being Lot 578, parts Lots 579 and 580, Lots 581, 582, and 592, and part of closed street which  
45 was part of Lea Street, shown on Deposited Plan Number 817: And whereas the Council has no legal authority to make such remission: Be it therefore enacted as follows:—

Authorizing remission of rates by Wellington City Council.



The Council is hereby authorized to remit the said sum of two hundred and fifty-seven pounds seven shillings and sevenpence and to absolve the said Trust Board and the said lands from all liability in respect thereof.

Authorizing remission of rates by Wellington City Council.

**11.** Whereas the Wellington City Council (hereinafter called the Council) is desirous of obtaining authority to remit certain rates, together with the amount added thereto pursuant to section seventy-six of the Rating Act, 1925, amounting in all to the sum of one hundred and fifty-six pounds two shillings and tenpence, due and payable by the Wellington City Mission (Church of England) Trust Board to the Council for the period from the first day of April, nineteen hundred and thirty-two, to the thirty-first day of March, nineteen hundred and thirty-five, in respect of those pieces of land in the City of Wellington, being part of Town Sections 229 and 230, being also Lots 1, 2, 3, and 4 on Deposited Plan Number 7803 and Lot 11 on Deposited Plan Number 69: And whereas the Council has no legal authority to make such remission: Be it therefore enacted as follows:—

The Council is hereby authorized to remit the said sum of one hundred and fifty-six pounds two shillings and tenpence and to absolve the said Trust Board and the said lands from all liability in respect thereof.

Section 6 of the Wellington City Empowering and Amendment Act, 1932, amended.

**12.** Section six of the Wellington City Empowering and Amendment Act, 1932, as amended by section seven of the Wellington City Empowering and Special Rates Consolidation Amendment Act, 1933, is hereby further amended by repealing the proviso thereto.

Validating advance by Christchurch City Council to the Christchurch Drainage Board, and authorizing an increase in the rate-demand.

**13.** Whereas the Christchurch City Council (hereinafter called the Council) acting as the collecting-agent for the Christchurch Drainage Board (hereinafter called the Board) was authorized and required to collect the sum of three thousand one hundred and sixty pounds on account of a rate made in respect of the annual charges of the Board for the year ended on the thirty-first day of March, nineteen hundred and thirty-five, including charges on a special loan of twenty-five thousand pounds raised by the Board: And whereas by an error in its rate-demands the Council demanded only three hundred and sixteen pounds of the said sum of three thousand one hundred and sixty pounds, but paid the amount of the deficiency—two thousand eight hundred and forty-four pounds—to the Board out of its General Account: Be it therefore enacted as follows:—

The Council shall for all purposes be deemed to have been lawfully empowered to advance to the Board on account of rates collected for the year ended on the thirty-first day of March, nineteen hundred and thirty-five, the said sum of two thousand eight hundred and forty-four pounds, and to recover the amount so advanced by increasing its rate-demands for the year ending on the thirty-first day of March, nineteen hundred and thirty-six, sufficiently to raise the said sum, notwithstanding that such increase may involve the collection of a special rate greater than the special rate pledged as security for the said loan.

14. Whereas the Palmerston North City Council (hereinafter called the Council) was duly authorized to raise a loan of six thousand pounds for the purpose of providing the Council's proportion of the cost of the reconstruction of the Fitzherbert Bridge (including approaches thereto) over the Manawatu River on the Palmerston North - Levin Main Highway in the County of Kairanga: And whereas prior to authority being obtained for the raising of such loan the sum of two thousand one hundred and ninety-three pounds nine shillings and sevenpence was paid by the Council from its General Account to the contractors in charge of such work as part of its proportion of the costs thereof: And whereas payment has since been made into the General Account from the loan-moneys raised of the moneys so paid to the contractors: And whereas it is desirable to validate the payment so made into the General Account: Be it therefore enacted as follows:—

Validating repayment by Palmerston North City Council out of loan-moneys of certain moneys expended from the General Account of the Council.

The payment by the Council into its General Account of the sum of two thousand one hundred and ninety-three pounds nine shillings and sevenpence from the said loan of six thousand pounds is hereby validated and declared to have been lawfully made.

15. Whereas the Nelson City Council (hereinafter called the Council) pursuant to an Order in Council dated the eighth day of June, nineteen hundred and twenty-five, raised a loan of five thousand seven hundred pounds for the purpose of carrying out certain public works for the improvement of the reserves in the City of Nelson: And whereas the sum of seven hundred pounds, being part of the aforesaid loan, was raised for the purpose of carrying out certain works on the reserve known as the Botanical

Authorizing diversion of certain loan-money by Nelson City Council.

Reserve, such works including the removal and re-erection of the band rotunda thereon: And whereas it is now deemed inexpedient to remove and re-erect the said band rotunda: And whereas there is accordingly an unexpended balance of the said sum of seven hundred pounds amounting to three hundred and sixty pounds eleven shillings and fourpence: And whereas the sum of nine hundred pounds, being other part of the aforesaid loan, was raised for the purpose of carrying out certain works on the reserve known as Trafalgar Park, and the Council has expended on such works out of the said loan the sum of one hundred and twenty-nine pounds six shillings and threepence in addition to the said sum of nine hundred pounds and in addition also to other unexpended balances lawfully used for such works: And whereas the sum of one thousand three hundred and fifty pounds, being other part of the aforesaid loan, was raised for the purpose of purchasing the land then known as King's Acre and now known as Pioneers' Park and carrying out certain works thereon: And whereas the Council has expended the said sum of one thousand three hundred and fifty pounds but has not completed the said works, and it is desirable the same should be completed: Be it therefore enacted as follows:—

(1) Notwithstanding anything contained in any Act or in any Order in Council relating to the said loan, the Council is hereby authorized, subject to the provisions of this section, to apply the said unexpended balance of three hundred and sixty pounds eleven shillings and fourpence—firstly, in transferring to that part of the loan raised for the purpose of carrying out works on Trafalgar Park as aforesaid the said sum of one hundred and twenty-nine pounds six shillings and threepence; secondly, in completing on the said land now known as Pioneers' Park the works for which the respective part of the loan was raised as aforesaid; and thirdly, in carrying out any other public work which may be authorized by the Local Government Loans Board pursuant to an application by the Council as hereinafter provided.

(2) No part of the said sum of three hundred and sixty pounds eleven shillings and fourpence shall be expended or applied by the Council as hereinbefore provided unless and until authority in that behalf has been given by the Local Government Loans Board.

(3) The provisions of subsections two to seven of section forty-seven of the Finance Act, 1929, shall apply to every application made by the Council for authority as aforesaid, and the Local Government Loans Board  
 5 may, in its discretion, give such authority either as to the whole or any part of the proposal submitted to it and either unconditionally or subject to such terms, conditions, and stipulations as it may think fit to impose.

10 16. The expenditure by the Newmarket Borough Council out of its funds of the sum of one hundred pounds in connection with the expenses of the celebrations commemorating the fiftieth anniversary of the date of the Proclamation constituting the Borough of Newmarket is hereby validated and declared to have been lawfully made.

Validating certain expenditure by Newmarket Borough Council.

15 17. Whereas by section five of the Local Authorities Empowering (Aviation Encouragement) Act, 1929, the Stratford Borough Council (hereinafter called the Council) was authorized to acquire land for the establishment of an aerodrome, and pursuant to that authority the Council  
 20 purchased all that piece of land containing two hundred and one acres two roods seven perches, more or less, being Allotment 1 on Deposited Plan Number 2506, part of Section 104, Block II, Ngaire Survey District, and being the whole of the land comprised in certificate of title, Volume 116,  
 25 folio 65, Taranaki Registry: And whereas, before the steps necessary to empower the Council to raise a loan for such a purpose could be taken, it became necessary to make a payment of one thousand four hundred and thirteen pounds four shillings and elevenpence to enable the Council  
 30 to exercise an option to purchase the said land: And whereas such payment was advanced by the Council out of its General Account: And whereas the Council is desirous of raising a loan for the purpose of repaying to the General Account part of the moneys advanced there-  
 35 out as aforesaid: Be it therefore enacted as follows:—

Authorizing Stratford Borough Council to raise a special loan.

The Council is hereby authorized to borrow by way of special loan under the Local Bodies' Loans Act, 1926, but without taking the steps prescribed by sections nine to thirteen of that Act, a sum not exceeding one thousand  
 40 four hundred pounds, on the security of a special rate over all rateable property within the Borough of Stratford, and to apply the proceeds of such loan in refunding to the General Account part of the moneys advanced thereout on account of the purchase of the said land.

Validating  
certain  
expenditure by  
Napier Borough  
Council.

18. The expenditure by the Napier Borough Council during the financial year ended on the thirty-first day of March, nineteen hundred and thirty-five, of—firstly, the sum of seventy-nine pounds two shillings and fourpence, being expenses incurred in connection with the celebration of the Diamond Jubilee of the Borough of Napier; and secondly, the sum of one hundred and twenty-five pounds, being a grant to the Napier Social Service Committee, is hereby validated and declared to have been lawfully made.

Authorizing  
Foxton Borough  
Council to  
capitalize  
certain arrears  
of interest.

19. Whereas the Foxton Borough Council (hereinafter called the Council), under the provisions of the Local Bodies' Loans Act, 1926, borrowed certain sums from the State Advances Superintendent and issued debentures securing the payment of the said sums and interest thereon: And whereas the Council intends pursuant to the Local Authorities Interest Reduction and Loans Conversion Act, 1932-33, to convert the existing securities into new securities: And whereas interest due and to accrue due up to the proposed date of conversion in respect of the amounts borrowed amounts to a total sum of two thousand three hundred and ninety-five pounds five shillings and one penny: And whereas the Council has agreed with the lenders that the said sum of two thousand three hundred and ninety-five pounds five shillings and one penny shall be capitalized and form part of the principal sum to be secured by the new securities: Be it therefore enacted as follows:—

The Council is hereby authorized and empowered on the said conversion to include in the principal sum secured by the new securities the said sum of two thousand three hundred and ninety-five pounds five shillings and one penny, and to issue new securities accordingly.

Authorizing  
transfer of  
certain land to  
Eltham  
Borough  
Council for  
Plunket Society  
and women's  
rest-room.

20. Whereas all those pieces of land situate in the Borough of Eltham, containing twenty perches and forty-eight hundredths of a perch, more or less, being Lots 48, 49, and 50 and part Lot 47 on Deposited Plan Number 2690, and being part of Section 59 on the Public Map of the Eltham Village Settlement, and being the whole of the land comprised in certificate of title, Volume 138, folio 184 (Taranaki Registry), (hereinafter referred to as the said land), are, pursuant to a deed of trust dated the thirtieth day of July, nineteen hundred

and thirty-four, made between Charles Anderson Wilkinson, of Eltham, merchant, of the one part, and the said Charles Anderson Wilkinson, Henry George Carman, of Eltham, stationer, and Ira James Bridger, 5 of Eltham, motor-cycle importer, of the other part, vested in the said Charles Anderson Wilkinson, Henry George Carman, and Ira James Bridger (hereinafter called the trustees) as joint tenants, upon the trusts and with and subject to the powers contained 10 in the said deed of trust, that is to say upon trust as a benefit for the general purposes of the Eltham subbranch of the Royal New Zealand Society for the Health of Women and Children (hereinafter called the Society) and the Eltham Women's Rest-room: And 15 whereas the trustees desire to transfer the said land by way of gift to the Corporation of the Borough of Eltham (hereinafter called the Corporation), upon certain terms and conditions, and particularly that the Corporation shall hold the said land upon substantially 20 the same trusts as are set out in the said deed of trust: And whereas it is desirable to authorize such transfer and to make further provision in manner hereinafter appearing: Be it therefore enacted as follows:—

(1) It shall be lawful for the trustees to transfer the 25 said land by way of gift to the Corporation upon the execution by the Eltham Borough Council (hereinafter called the Council) of a deed of trust containing such terms and conditions as the trustees shall deem reasonable for the purpose of securing the fulfilment 30 of the trusts set out in the deed of trust dated the thirtieth day of July, nineteen hundred and thirty-four, and particularly the following:—

(a) That while a subbranch or branch of the Society is in existence in the Borough of Eltham, the 35 Council shall at all times permit a specified portion or portions of any building or buildings on the said land to be used by the Society free of charge for all or any of the purposes of the Society:

(b) That the remaining portion or portions of any 40 such building or buildings shall be used as a women's rest-room:

(c) That, subject to the foregoing, the said land shall 45 be under the control and management of the Council, which shall be responsible for the upkeep and maintenance thereof.

(2) The Council in accepting the said land on behalf of the Corporation shall be deemed to have accepted such land subject to the terms and conditions so fixed by the trustees as contained in the deed of trust executed by the Council, and such terms and conditions shall be binding on the Corporation and the Council, according to the tenor thereof. 5

(3) On the transfer as aforesaid of the said land to the Corporation the said land shall be deemed to be freed and for ever discharged from all or any of the trusts created or intended to be created by the deed of trust dated the thirtieth day of July, nineteen hundred and thirty-four, and the trustees shall be deemed to be relieved fully of their obligations under that deed of trust. 10

Governor-General authorized to issue Order in Council permitting laying-out of street less than 40 ft. wide in the City of Wellington.

21. (1) Notwithstanding anything contained in the Municipal Corporations Act, 1933, the Public Works Act, 1928, or any other Act, the Governor-General, on the application of the Wellington City Council, may by Order in Council authorize the Council to permit the laying-out as a street of the land described in subsection three of this section, and upon the issue of such Order in Council the provisions of section one hundred and twenty-five of the Public Works Act, 1928, shall apply to the adjoining land as if such street so authorized had been authorized pursuant to the provisions of section one hundred and ninety of the Municipal Corporations Act, 1933. 15 20 25

(2) Any Order in Council issued by the Governor-General pursuant to the provisions of this section may be either absolute or subject to such conditions with respect to the building-line as may be therein imposed. If any such condition is imposed the provisions of subsection three of section one hundred and twenty-eight of the Public Works Act, 1928, shall apply, with the necessary modifications, as in the case of an Order in Council made under the authority of that section. 30 35

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

All that area of land, being part of Lot 5 on Deeds Plan 494 and part Lots 4 and 5 on Deposited Plan 8405, being part of Section 36, Karori Registration District, Block VI, Port Nicholson Survey District, containing an area of twenty-seven perches and five-hundredths of a perch, bounded as follows: commencing from a point on the eastern side of Donald Street, distant in a southerly easterly direction from the south-eastern corner of the 40 45

intersection of Donald Street and Gipps Street along the eastern boundary of Donald Street 286.70 links on a bearing of  $158^{\circ} 42' 30''$  and 30.05 links on a bearing of  $159^{\circ} 56' 12''$  to the point of commencement; thence in a south-easterly direction on a bearing of  $114^{\circ} 41'$  for a distance of 21.33 links; thence generally in a north-easterly direction  $69^{\circ} 54' 30''$ , 136.36 links,  $56^{\circ} 18'$ , 25.75 links,  $33^{\circ} 1'$ , 50.48 links,  $63^{\circ} 9' 10''$ , 25.76 links, and  $72^{\circ} 46' 30''$ , 60.61 links; thence in a south-easterly direction  $159^{\circ} 54' 30''$  for a distance of 59.18 links; thence generally in a south-westerly direction  $249^{\circ} 54' 30''$ , 25.76 links,  $224^{\circ} 11' 20''$ , 38.46 links,  $238^{\circ} 37' 40''$ , 30.37 links, and  $249^{\circ} 54' 30''$ , 212.84 links; thence in a north-westerly direction  $339^{\circ} 56' 12''$  for a distance of 60.48 links to the point of commencement: as the same is more particularly delineated on a plan deposited in the office of the Chief Surveyor, District Lands and Survey Department, at Wellington, marked S.O. 332/52, and thereon coloured blue, yellow, and red.

20 **22.** Whereas the Northcote Borough Council (hereinafter called the Council) caused a farm-land list to be made for the borough in accordance with the provisions of the Urban Farm Land Rating Act, 1932: And whereas an Assessment Court was duly set up for the purpose of hearing and determining all objections to such farm-land list and the farm-land list was signed by the Judge on the fifth day of March, nineteen hundred and thirty-four, and became the farm-land roll for the borough: And whereas it now appears that certain properties within the borough that are urban farm land were inadvertently omitted or removed from the urban farm-land list for the reason that no objection was lodged or made against the existing valuation as appearing in the valuation roll in respect of such properties: And whereas the Council is desirous of amending the said farm-land roll by including therein the properties specified in the Schedule to this Act: Be it therefore enacted as follows:—

(1) The Council is hereby authorized and empowered to amend the said farm-land roll for the borough by including therein the properties specified in the Schedule to this Act, with the particulars specified in that Schedule.

(2) When the farm-land roll has been so amended it shall be signed by two members of the Council, and all

Authorizing  
Northcote  
Borough Council  
to amend its  
farm-land roll.



properties so included in the farm-land roll shall be deemed to have been included therein on and from the twenty-eighth day of February, nineteen hundred and thirty-five.

(3) The Council may, if it thinks fit, but not later than the thirty-first day of December, nineteen hundred and thirty-five, pay out of its District Fund or remit to any ratepayer whose name appears in the Schedule to this Act a sum equal to twelve and one-half per centum of the total amount of rates made and levied by the Council on its own account for the year ended on the thirty-first day of March, nineteen hundred and thirty-five, in respect of the property of such ratepayer specified in the said Schedule.

Authorizing the  
Green Island  
Borough  
Council to  
borrow by way  
of overdraft  
against  
loan-moneys on  
fixed deposits.

**23.** Whereas on the first day of April, nineteen hundred and thirty-five, the Green Island Borough Council (hereinafter called the Council), in pursuance of the powers vested in it by section seven of the Local Bodies' Loans Act, 1926, deposited with the National Bank of New Zealand, Limited, the sum of twenty-two thousand pounds, being portion of a loan of thirty-two thousand pounds raised for the purpose of carrying out drainage and sewerage works in the Borough of Green Island: And whereas of the said sum of twenty-two thousand pounds the sum of ten thousand pounds is not repayable by the said bank until the first day of April, nineteen hundred and thirty-six, and the sum of twelve thousand pounds is not repayable until the first day of April, nineteen hundred and thirty-seven: And whereas portion of the said sum of ten thousand pounds will be required for the purpose of carrying out the said drainage and sewerage works before the first day of April, nineteen hundred and thirty-six: And whereas all or portion of the said sum of twelve thousand pounds will be required for the purpose of carrying out the said drainage and sewerage works before the first day of April, nineteen hundred and thirty-seven: And whereas no authority exists to enable the Council to borrow by way of overdraft against the moneys deposited with the aforesaid bank: Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary in any Act it shall be and be deemed to have been lawful for the Green Island Borough Council to borrow from the Bank of New Zealand, Dunedin, up to and including the first day of April, nineteen hundred and thirty-seven, by way

of overdraft against loan-moneys deposited with the National Bank of New Zealand, Limited, Dunedin North, and to pay interest on such overdraft out of the District Fund of the Council.

5 (2) All moneys so borrowed from the Bank of New Zealand shall be a first charge upon the moneys now deposited with the National Bank of New Zealand, Limited, as aforesaid, and shall be repaid to the Bank of New Zealand as and when the moneys so deposited  
10 become repayable to the Council.

(3) The moneys borrowed under the authority of this section shall be applied only to the purposes for which the said loan was raised.

15 **24.** The Opotiki Borough Council is hereby authorized to expend out of its Wharf Account the sum of seven hundred and fifty pounds for the purpose of permanently sealing that portion of street in the Borough of Opotiki extending from Elliott Street along Saint John and Kelly Streets to the Wharf Reserve.

Authorizing expenditure out of Wharf Account of Opotiki Borough Council for certain street works.

*Harbour Boards.*

20 **25.** Whereas by a deed of lease bearing date the twenty-first day of May, nineteen hundred and thirty-five, made between the Wellington Harbour Board (hereinafter called the Board), of the one part, and the  
25 Union Steamship Company of New Zealand, Limited, and the Wellington Patent Slip Company, Limited (hereinafter called the lessees). of the other part, a copy of which deed of lease is recorded in the Department of  
30 Internal Affairs at Wellington as I.A. 1935/120/25, the Board leased unto the lessees at the rental and upon the terms and conditions therein appearing a certain piece of land therein described situate at Evans Bay in the Port Nicholson Survey District, together with the two slips, the two guide jetties, and the buildings and  
35 machinery, plant, and tools on the said land or used in connection with the land, for a term of seven years from the first day of October, nineteen hundred and thirty-three, with a right of renewal for a further period of seven years from the expiration of that term: And  
40 whereas by a deed of lease also bearing date the twenty-first day of May, nineteen hundred and thirty-five, made between the same parties, a copy of which deed of lease is recorded in the Department of Internal Affairs at

Validating certain deeds of lease entered into by Wellington Harbour Board.

Wellington as I.A. 1935/120/25, the Board leased to the lessees at the rentals and upon the terms and conditions therein appearing a certain wharf and structure at Evans Bay in the said survey district known as the repair wharf, and a certain triangular strip of land adjoining the northern end of such wharf, together with the buildings and fixtures thereon and plant and machinery used therewith, for a term of seven years from the first day of October, nineteen hundred and thirty-three, with a right of renewal for a further term of seven years from the expiration of that term: And whereas it is desirable that the two said deeds of lease should be validated and given full force and effect: Be it therefore enacted as follows:—

The two said deeds of lease are hereby validated and given full force and effect, and the Board and the lessees shall be deemed to have been duly empowered to enter into and execute the same.

Authorizing  
Auckland  
Harbour Board  
to pass a special  
resolution  
making provision  
for additional  
retiring-  
allowance in  
respect of its  
Superannuation  
Fund.

**26.** Whereas the Auckland Harbour Board (hereinafter called the Board) under and by the authority of the Local Authorities Superannuation Act, 1908, by special resolution passed on the twenty-fifth day of February, nineteen hundred and thirteen, established a fund in accordance with the provisions of that Act: And whereas the payments and contributions to the fund relate to service subsequent to the date of establishment thereof: And whereas the Board is desirous of obtaining statutory authority to determine by special resolution that payments and contributions to the fund on account of service prior to the date of establishment thereof or prior to the date of the first contribution made thereto by a contributor may be paid into the fund and that correspondingly increased retiring-allowances may be paid therefrom: Be it therefore enacted as follows:—

(1) The Board may by special resolution determine that,—

(a) In the case of contributors who made their first contributions to the fund as at the date of the establishment thereof, payments may be made thereto by the Board in respect of service of those contributors prior to such date of establishment:

- (b) In the case of contributors who made their first contribution to the fund after the date of the establishment thereof, payments may be made thereto by the Board and contributions may be made thereto by those contributors in respect of service prior to the date when contributions were first made to the funds by those contributors :
- (c) Payment may be made out of the fund of retiring-allowances correspondingly increased by reason of the payments and contributions made pursuant to paragraphs (a) and (b) of this subsection.
- (2) Where any special resolution is passed in terms of subsection one of this section the provisions of sections six, seven, and eight of the Local Authorities Superannuation Act, 1908, shall, with the necessary modifications, apply as if the special resolution were an original or amending special resolution under that Act.
27. Notwithstanding anything to the contrary in any Act or by-law governing and controlling the Auckland Harbour Board, the remission by the Board of a sum of twelve pounds seventeen shillings and threepence for shipping wharfage dues and a sum of fourteen pounds fourteen shillings for port charges incurred by the Japanese training-ship "Shintoku Maru" is hereby validated.
28. Whereas the Hokianga Harbour Board (hereinafter called the Board) on the twenty-sixth day of February, nineteen hundred and thirty-four, by resolution, agreed to purchase from the owners thereof their interest in the wharf and site at Opononi for the sum of four hundred pounds, such amount to be payable at the rate of fifty pounds per annum free of interest: And whereas the Board is not empowered by law to pledge its future revenues to meet payments of purchase-money as and when the same fall due as provided by the said resolution: And whereas it is expedient that the unlawful payment of fifty pounds by the Board on the twentieth day of November, nineteen hundred and thirty-four, pursuant to the said resolution be validated, and that the Board be empowered to meet all future payments of purchase-money as aforesaid out of its revenue, and that the said resolution and all acts of the Board done or purported to be done in pursuance thereof be made valid and effectual according to the tenor thereof: Be it therefore enacted as follows:—

Validating remission of dues by Auckland Harbour Board in respect of Japanese training-ship "Shintoku Maru".

Provision with respect to purchase of wharf-site by Hokianga Harbour Board.

(1) The Board shall be deemed to have and to have had at all times from and including the said twenty-sixth day of February, nineteen hundred and thirty-four, full power to pass the resolution hereinbefore referred to, and to charge, pledge, and appropriate its revenues for the purpose of meeting payments of purchase-money for the wharf at Opononi as and when the same fell and fall due. 5

(2) The payment of the said sum of fifty pounds on the twentieth day of November, nineteen hundred and thirty-four, is hereby validated. 10

(3) The said resolution and all acts of the Board done or purported to be done or to have been done in pursuance thereof are hereby declared valid and effectual according to the tenor thereof respectively. 15

Validating rates  
of Thames  
Harbour Board  
for year ended  
30th September,  
1935.

**29.** Whereas by section twenty-five of the Local Legislation Act, 1934, the Thames Harbour Board (hereinafter called the Board) was required, not later than the twentieth day of January, nineteen hundred and thirty-five (hereinafter referred to as the appointed day), to resolve to collect for the year ended on the thirtieth day of September, nineteen hundred and thirty-five, certain special rates, more particularly referred to in the said section (hereinafter referred to as the said rates): And whereas the Board failed to resolve by the appointed day to collect the said rates, but resolved so to do on the twenty-first day of March, nineteen hundred and thirty-five: Be it therefore enacted as follows:— 20 25

The said rates as made and levied by the Board on the said twenty-first day of March, nineteen hundred and thirty-five, shall be deemed for all purposes to have been validly made and levied and the resolution to collect the said rates passed by the Board on the said twenty-first day of March, nineteen hundred and thirty-five, shall have full effect according to its tenor as if it had been passed not later than the appointed day. 30 35

Authorizing  
Timaru  
Harbour Board  
to make and  
levy a rate in  
respect of  
renewal loan  
of £150,000.

**30.** Whereas by Orders in Council made under the Local Government Loans Board Act, 1926, on the seventh day of June, nineteen hundred and thirty-five, and the sixteenth day of September, nineteen hundred and thirty-five, respectively, consent was given by the Governor-General to the raising by the Timaru Harbour Board (hereinafter called the Board) of a loan of one hundred and fifty thousand pounds, to be known as the Timaru 40

Harbour Board Renewal Loan, 1936 (hereinafter referred to as the said loan), subject to the conditions set out in the said Orders in Council: And whereas the said loan is to be secured by debentures payable respectively on 5 the first day of January in each of the years nineteen hundred and thirty-seven to nineteen hundred and fifty-two, both inclusive, but no sinking fund is to be established in respect of the loan: And whereas by virtue of the provisions of section ten of the Timaru Harbour 10 Board Empowering Act, 1913, the moneys payable in respect of the said loan constitute a first charge upon the Harbour Fund of the Board (hereinafter referred to as the Harbour Fund), subject, however, to the priority of all existing charges thereon: And whereas the amount that 15 may be levied by the Board in each year by rating or by allocating and recovering contributions from the local authorities in the Timaru Harbour District (hereinafter referred to as the Harbour District) is by section five of that Act limited to such amount as is required for the 20 payment of the interest and charges on the aggregate amount for which debentures shall at that time be issued together with the sinking fund in respect thereof after taking into account the amount estimated as available for the current year from the revenue of the Board 25 towards payment of interest and sinking fund, having regard to all existing charges on such revenue and expenditure for which provision ought to be made out of such revenue: And whereas it is desirable that the Board shall also have power to make and levy a rate 30 sufficient to provide the total amount required annually to redeem the said debentures, or to allocate and recover the same from the local authorities in the Harbour District: Be it therefore enacted as follows:—

(1) In case the amount in the Harbour Fund shall in 35 any year during the currency of the said loan, after payment thereof of any prior charges thereon, be insufficient to pay the interest and other charges on the said loan and the amount required to redeem the debentures in respect of the said loan maturing in that year, the 40 Board, in addition to any rate which it has heretofore been authorized to make and levy for the purpose of providing interest charges and sinking fund in respect of the said loan, may make and levy such further or other

rate upon the rateable value of all rateable property in the Harbour District as in its opinion shall be necessary for the purpose of providing the amount required to redeem the said debentures, or may in lieu of making and levying such rate as aforesaid, or, at any time after such rate shall have been made, in lieu of continuing to levy the same may from time to time allocate and recover from the local authorities in the Harbour District a sum equivalent to the annual amount of such rate to be fixed, apportioned, and raised in manner provided in the Timaru Harbour Board Empowering Act, 1890, and the provisions of that Act, and of any other Act applicable in that behalf shall, with the necessary modifications, apply to the rate or contributions so to be levied or allocated, and to the appointment and powers of a Receiver.

(2) The proceeds of such rate or allocation shall be applied towards payment of the debentures issued by the Board in respect of the said loan as and when the same shall respectively become due and payable.

Member of Thames Harbour Board acting as Secretary during a certain period not to be disqualified from holding office as member.

31. Nothing in section thirty-four of the Harbours Act, 1923, or in any other Act, relating to the disqualification of members of a Harbour Board by reason of their holding any paid office under the Board shall apply with respect to the holding by Sidney Ensor of the office of Secretary to the Thames Harbour Board for any period before the passing of this Act; and any payments made or to be made by the Board to the said Sidney Ensor in respect of his services during any such period are hereby validated and declared to be lawfully made and received.

#### *Electric-power Board.*

Authorizing North Auckland Electric-power Board to pay certain incidental expenses out of loan-moneys.

32. Whereas by a poll of ratepayers taken on the eighth day of May, nineteen hundred and thirty-five, the North Auckland Electric-power Board was authorized to raise a loan to be known as the Reticulation Loan, 1935, of £267,000 (hereinafter referred to as the said loan) for the purpose of the supply and distribution of electrical energy for the benefit of the North Auckland Electric-power District and for the payment of preliminary expenses incurred by the Board: And whereas the first election of the Board took place on the twenty-first day of June, nineteen hundred and twenty-three: And whereas by virtue of section sixty-eight of the Electric-power Boards

Act, 1925, the maximum amount of such preliminary expenses which the Board is empowered to pay out of the said loan is such amount as may have been incurred or become payable within three years after the first  
 5 election of the Board: And whereas it is desirable that the Board should be empowered to pay out of the said loan all preliminary expenses and payments authorized by section sixty-eight of the Electric-power Boards Act, 1925, and payable up to the time when the Board  
 10 commences the supply of electrical energy without any other limitation as to time as provided by the said section sixty-eight: Be it therefore enacted as follows:—

The Board may in the manner provided by section  
 15 sixty-eight of the Electric-power Boards Act, 1925, pay out of loan-moneys the expenses referred to in that section and incurred by the ratepayers or by the Board, as the case may be, at any time before the Board commences the supply of electrical energy.

*River and Drainage Boards.*

20 **33.** The payment by the Wairau River Board out of its General Fund during the financial year ending on the thirty-first day of March, nineteen hundred and thirty-six, of a sum of one hundred pounds as a compassionate allowance to Martha Ann Greig, the widow of David  
 25 Greig, late Inspector of the said Board, is hereby validated and declared to have been lawfully made.

Validating payment of compassionate allowance by Wairau River Board.

**34.** Whereas by section fifty-five of the Local Legislation Act, 1932–33, provision is made for the payment  
 30 by the Kaipara River Board (hereinafter called the Board) to the Minister of Public Works (hereinafter called the Minister) of the sum of one thousand four hundred pounds by annual instalments towards the cost of river improvement, protection, and drainage works in the Kaipara River District: And whereas the Minister has  
 35 agreed with the Board to vary the manner of payment on the terms and conditions and in manner hereinafter appearing: Be it therefore enacted as follows:—

Varying terms of payment of cost of certain river works by Kaipara River Board.

(1) The said sum of one thousand four hundred pounds (hereinafter referred to as the principal sum) shall be  
 40 deemed to be a loan from the Minister to the Board.

(2) Subject to the provisions of subsection *five* of this section, the Board shall pay to the Minister interest on



the principal sum, or on so much thereof as is outstanding from time to time at the rate of five per centum per annum, reducible to four per centum per annum if paid within fourteen days of due date, computed from the first day of October, nineteen hundred and thirty-four, by annual payments due and payable respectively on the first day of October, nineteen hundred and thirty-five, and on the corresponding day in each and every year thereafter until the principal sum is paid. 5

(3) The Board may at any time repay any portion 10 of the principal sum.

(4) The Board and the Minister may at any time enter into an agreement providing for the repayment of the principal sum on such terms and conditions as may be agreed upon between the Board and the Minister. 15

(5) If the payments by the Board to the Minister of interest and principal amount in the aggregate to the sum of one thousand four hundred pounds on or before the first day of October, nineteen hundred and forty-four, then such sum of one thousand four hundred pounds shall be accepted by the Minister in full satisfaction of the loan of one thousand four hundred pounds to the Board, and the Board shall be under no liability to make any further payments of either interest or principal to the Minister: 20 25

Provided that in computing the said aggregate sum of one thousand four hundred pounds no account shall be taken of any amount being additional interest payable by the Board on default in full and punctual payment of any amount due and owing by it. 30

(6) Subject to the provisions of this section, the principal sum shall be repayable on the first day of October, nineteen hundred and thirty-nine.

Repeal. (7) Section fifty-five of the Local Legislation Act, 1932-33, is hereby repealed. 35

Authorizing  
Dunedin  
Drainage and  
Sewerage Board  
to make and  
levy a special  
rate.

**35.** Whereas by the Dunedin District Drainage and Sewerage Amendment Act, 1930 (hereinafter referred to as the said Act), the Dunedin Drainage and Sewerage Board was authorized to borrow any sum or sums of money, not exceeding two hundred and fifty thousand pounds, in addition to any moneys theretofore authorized 40

to be borrowed: And whereas doubts have arisen regarding the authority of the said Board to make, levy, and pledge a special rate as the security for the repayment of the moneys so authorized to be borrowed and the  
 5 interest thereon: And whereas it is expedient to remove such doubt: Be it therefore enacted as follows:—

Where any money is borrowed under the authority of the said Act, whether before or after the passing of this Act, the provisions of sections eight and nine of the  
 10 Dunedin District Drainage and Sewerage Amendment Act, 1921, shall, with the necessary modifications, apply as if the money were borrowed under the authority of that Act.

**36.** Whereas in pursuance of the provisions of the  
 15 Local Bodies' Loans Act, 1926, and the Local Authorities Empowering (Relief of Unemployment) Act, 1926, and with the previous consent of the Governor-General in Council, the Wakapuaka Drainage Board (hereinafter called the Board) took all necessary steps to borrow a  
 20 sum of six hundred pounds (hereinafter referred to as the said loan) for the purpose of carrying out drainage improvement work and for the establishment of a sinking fund in respect of the said loan of not less than three pounds per centum per annum: And  
 25 whereas the Board borrowed the said sum of six hundred pounds in various amounts between the twenty-eighth day of March, nineteen hundred and thirty-two, and the tenth day of February, nineteen hundred and thirty-four, and interest has been paid  
 30 thereon on due dates but the debentures for the said loan have never been issued: And whereas it is considered that a sinking fund of three pounds per centum per annum as aforesaid will not now be sufficient to redeem the said loan in full by reason of the reduction  
 35 in interest rates on investments since the said loan was consented to as aforesaid, and it is desirable that the said sinking fund should be not less than three pounds ten shillings per centum per annum as from the date of the passing of this Act: And whereas the  
 40 Board now desires to issue twenty-four debentures of twenty-five pounds each with interest to secure the payment of the said loan, but doubts have arisen as to whether it may lawfully do so: Be it therefore enacted as follows:—

Validating borrowing of a sum of £600 by Wakapuaka Drainage Board and authorizing issue of debentures in respect of such sum.

(1) The borrowing of the said sum of six hundred pounds is hereby validated, and the Board is hereby authorized to issue in terms of the said consent of the Governor-General twenty-four debentures of twenty-five pounds each, and the same when issued shall be valid and binding on the Board according to their tenor. 5

(2) The establishment and maintenance of the sinking fund in respect of the said loan of six hundred pounds and all acts of the Board relating thereto are hereby validated, and it is declared that as from the date of the passing of this Act the moneys payable by the Board into such sinking fund shall be not less than three pounds ten shillings per centum per annum estimated on the amount of the said loan. 10

(3) The Local Authorities Interest Reduction and Loans Conversion Act, 1932-33, shall apply to the said debentures and the rate of interest payable thereunder. 15

*Fire Board.*

Validating  
payment of  
compassionate  
allowance by  
Palmerston  
North Fire  
Board.

**37.** The payment by the Palmerston North Fire Board during the financial year ending on the thirty-first day of March, nineteen hundred and thirty-six, of the sum of one hundred pounds to Flora Elizabeth Barnard out of its General Account by way of compassionate allowance is hereby validated and declared to have been lawfully made. 25

*Hospital Board.*

Making  
provision with  
respect to  
purchase of land  
by Wellington  
Hospital Board.

**38.** (1) The Wellington Hospital Board is hereby authorized and empowered to purchase and acquire all that piece or parcel of land situate in the City of Wellington, containing twenty and one-tenth perches, more or less, being part of Section 514 on the plan of the Town of Wellington, and the whole of the land comprised and described in certificate of title, Volume 46, folio 157, Wellington Registry, subject as to the part coloured yellow on the plan on the said certificate of title to the right of way created by Transfer Number 13169, and for the purpose of acquiring such land to expend a sum of money not exceeding a sum approved by the Minister of Health in that behalf. 30 35

(2) The Board is hereby further authorized and empowered to borrow such moneys as may be required in connection with the purchase of the land herein described, and to secure repayment of the loan it may  
5 issue debentures or mortgage or charge the land or any other land vested in the Board.

*Affecting Two or More Classes of Public Bodies.*

**39.** (1) The Hutt River Board (hereinafter called the Board) and the Mayor, Councillors, and Citizens of  
10 the City of Wellington (hereinafter called the Corporation) are hereby authorized and empowered to carry out and give effect to the provisions of the agreement entered into for the purpose of facilitating the supply of artesian  
15 adjacent land, dated the eighth day of March, nineteen hundred and thirty-five, made between the Board and the Corporation, an executed copy of which is recorded for reference in the Department of Internal Affairs at  
Wellington as I.A. 1935/120/10.

(2) The provisions of the said agreement shall not be varied without the consent of the Petone Borough Council, the Lower Hutt Borough Council, and the Hutt County Council.

(3) The Wellington City Council shall during the first  
25 ten years of its operations under the said agreement, or under any documents executed or existing pursuant to the said agreement, limit its boring operations in the Hutt Valley, the areas to which it shall extend such operations, the quantity of water to be taken, and the rate  
30 at which it is to be taken, as is provided by the said agreement, save as may be otherwise agreed by the Petone Borough Council, the Lower Hutt Borough Council, and the Hutt County Council; and at the end of such period of ten years the provisions of the said agreement  
35 as to the said matters shall be reviewed.

**40.** The local authorities mentioned hereunder are authorized and empowered to pay to the New Zealand Free Ambulance Transport Service (Wellington District), Incorporated, in the year ending on the thirty-first day  
40 of March, nineteen hundred and thirty-six, such sums as they think fit, not exceeding in any case the respective amounts hereinafter specified, namely—The Wellington Hospital Board, one thousand pounds; the Wellington

Hutt River Board and Wellington City Corporation authorized to carry out certain exchanges of land and transfers of land and to execute grants of easements and licenses in respect of land situate on Gear Island and in the western branch of the Hutt River.

Authorizing certain local authorities to contribute to Wellington Branch of the New Zealand Free Ambulance Transport Service, Incorporated.

Harbour Board, three hundred pounds; the Hutt County Council, one hundred and fifty pounds; the Makara County Council, eighty-six pounds.

Validating expenditure incurred by certain local authorities in connection with the relief of distress.

41. The local authorities mentioned hereunder shall be deemed to be and to have been authorized and empowered to pay during the two years ending on the thirty-first day of March, nineteen hundred and thirty-six, to funds established for the relief of distress, such sums (in addition to amounts otherwise authorized) as they think fit, not exceeding in any case the respective amounts hereinafter specified—namely, the Timaru Borough Council, one thousand eight hundred and fifty-three pounds four shillings and threepence; the Christchurch City Council, seven thousand eight hundred and fifty pounds; and the Lyttelton Harbour Board, three hundred and twenty-five pounds.

#### Miscellaneous.

Abolishing Mataitai-Orere Rabbit District.

42. Whereas by Order in Council dated the thirtieth day of October, nineteen hundred and twenty-two, and published in the *Gazette* of the second day of November of the same year, the Governor-General constituted the Mataitai-Orere 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 under that Act: And whereas the Rabbit Board established for the said district has ceased to function, and it is deemed desirable to abolish the district: Be it therefore enacted as follows:—

The Mataitai-Orere Rabbit District is hereby abolished and the Rabbit Board of that district is hereby dissolved.

Validating action of the Massey Agricultural College Council in borrowing certain moneys.

43. The action of the Massey Agricultural College Council in borrowing from the Public Trustee on the twenty-first day of February, nineteen hundred and thirty-four, the sum of one thousand pounds, which sum was advanced by the Public Trustee against the share of the said college in the residuary estate of Walter Henry Bailey, deceased, pursuant to the provisions of section six of the Public Trust Office Amendment Act, 1912, as amended by section thirty-four of the Public Trust Office Amendment Act, 1921–22, and the action of the Public Trustee in advancing the said sum are hereby validated and the said Council is hereby

authorized and empowered to repay the said advance in accordance with the terms of the said section six, and to pay interest thereon at such rate as is fixed from time to time by the Public Trust Office Board pursuant  
5 to that section.

10 **44.** The name of the Western Spit Public Library, a body duly incorporated under the Libraries and Mechanics' Institutes Act, 1908, is hereby changed to the Westshore Public Hall, and the District Land Registrar at Napier is hereby empowered and directed without  
15 payment of any fee to alter the name of the Western Spit Public Library where it appears as registered proprietor of the land comprised and described in certificate of title, Volume 83, folio 172 (Hawke's Bay Registry), to the Westshore Public Hall.

Changing name  
of Western Spit  
Public Library.

**SCHEDULE.**  
**ADDITIONS TO THE FARM-LAND ROLL FOR THE BOROUGH OF NORTHCOTE.**

No. on Valuation Roll.	Occupier.		Owner.		Description and Situation of Rateable Property.	If Let, for what Term and in what Manner.	Rateable Value.	Special Rate-able Value.
	Surname and Christian Name.	Trade or Occupation.	Surname and Christian Name.	Trade or Occupation.				
1/90/85	Brown, Thomas ..	Farmer	Auckland Hospital Endowment	..	Lots 7 and 8, Plan T 32 of 14/17 and 20, Parish of Takapuna, Woodside Avenue	..	£ 275	£ 275
1/90/86	Brown, Thomas ..	Farmer	Auckland Hospital Endowment	..	Lots 9 and 10, Plan T 32 of 14/17 and 20, Parish of Takapuna	..	£ 310	£ 310
1/90/110	Weeks, William John ..	Farmer	Weeks, William John ..	Farmer	Section 21, Parish of Takapuna, Howard Road, and Exmouth Road	..	£ 990	£ 990
1/90/132	Robinson, John ..	Farmer	Robinson, John ..	Farmer	Part of Lot 38, Parish of Takapuna, College Road	..	£ 265	£ 265
1/90/134	Steele, Robert W. ..	Farmer	Steele, Robert W. ..	Farmer	Part of Section 38, Parish of Takapuna, College Road	..	£ 675	£ 675
1/90/789	Le Clerc, Charles John	Farmer	Le Clerc, Charles John	Farmer	Lots 1, 2, 3, 4, 5, Plan 11196, Block, of 4 of 94 and part Lot 4 of 94, Parish of Takapuna	..	£ 670	£ 670
1/90/796	Charman, George Walter	Farmer	Charman, George Walter	Farmer	Part Section 96, Parish of Takapuna, Ocean View Road	..	£ 820	£ 820
1/90/77	Tonar, Louisa Jane ..	Married	Tonar, Louisa Jane ..	Married	Lots 2/3 of Section 13, Parish of Takapuna, Raleigh Road	..	£ 715	£ 715